

## **COMPATIBILITY DETERMINATION**

**Use:** Gathering Wild Edibles: Berry, Mushroom, Pokeweed

**Refuge Name:** Mingo National Wildlife Refuge

**Establishing and Acquisition Authority(ies):** Mingo National Wildlife Refuge (NWR) was established in 1944 under the authority of the Migratory Bird Conservation Act and the Refuge Recreation Act.

### **Refuge Purpose(s):**

“...for use as an inviolate sanctuary, or for any other management purpose for migratory birds.” 16 U.S.C. 715d (Migratory Bird Conservation Act)

“...suitable for – (1) incidental fish and wildlife-oriented recreation development, (2) protection of natural resources, (3) the conservation of endangered species or threatened species...” 16 U.S.C. 460K-1 (Refuge Recreation Act)

An additional purpose for the refuge was identified when Congress designated the 7,730 acre Mingo Wilderness in 1976.

“...prioritizes public uses that are recreational, scientific, educational, scenic, or of conservation or historical value as primary refuge objectives permit.” Public Law 88-577 (Wilderness Act)

**National Wildlife Refuge System Mission:** “The Mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

**Description of Use:** This Compatibility Determination updates and supersedes the Compatibility Determination developed concurrently with the Refuge’s Comprehensive Conservation Plan (CCP) authorized in 2006. This Compatibility Determination will provide for legitimate gathering of wild edibles on lands of the Mingo National Wildlife Refuge.

The gathering of wild edibles is not one of the six priority public wildlife-dependent uses of the National Wildlife Refuge System but it is a historical use of the land before the refuge was established. The collection of wild edibles is for personal (non-commercial) use on the refuge without a Special Use Permit required.

Berry, mushroom, and pokeweed leaves are seasonally collected on the Refuge for personal use. This occurs without ground disturbance in areas south of Ditch 11, west of Ditch 6 and north of the Ozark Highlands Auto Tour Route to Ditch 4 from March 1st to September 30th along road sides, edges of fields, and bottomland forests. Harvest is typically during a stretch

of several days in early spring and summer as particular items ripen. These foods are hand harvested by picking the products from the plant or gathering what has fallen to the ground. Individuals gathering wild edibles are limited to two gallons per day of mushrooms and berries and five gallons per day of pokeweed. Harvest is during daylight hours and generally involves individuals or small groups. Access to harvest sites is typically accomplished by walking from a parking area or along the side of Refuge roadways.

For some people, this is a traditional, family-oriented activity which provides an opportunity for those participating to collect wholesome foods while enjoying the natural environment. It may take place in conjunction with other activities that are wildlife-dependent, such as wildlife observation and photography.

**Availability of Resources:** Resources involved in the administration and management of the use includes personnel time associated with administration and law enforcement. Staff is available to maintain these facilities, enforce Refuge regulations, and provide information to the public. Administering this use can thus be done with existing resources for ongoing operations, maintenance and public information.

No special equipment, facilities, or improvements necessary to support the use. Maintenance costs are not directly attributable to these incidental uses on the refuge.

Monitoring and compliance would be handled within existing resources, programs and staff time.

The refuge has an entrance fee, which is collected at all refuge entrances and at the Visitor Center. Funds from entry fee money could be used to offset some of the costs associated with maintaining the facilities for this activity.

**Anticipated Impacts of the Use:** Collection of wild edibles for personal use will have a negligible impact on forest and wildlife resources. There is little disturbance to migrating waterfowl because wild edible gathering is prohibited in areas where waterfowl concentrate during annual migrations. Some habitat trampling or disturbance may occur with foot-traffic to wild edible-picking areas, but no more than other uses such as wildlife observation while hiking. Short-term impacts are minimal and not significant due to the current, small number of users.

No significant increase in the magnitude of this use is expected over the next 10 years. In fact, a decrease would be expected based on change in demographics. If for some unanticipated reason the level of use increases a significant degree, a new compatibility determination would be required and regulating measures could be evaluated with subsequent public comment.

Direct impact is a small amount of plant/fungi resources taken from individual plants or shrubs, but is extremely insignificant on the scale of habitat acres available over the long-term. Little concern exists for removing too many wild edibles. Blackberries and pokeweed are ubiquitous in range and so numerous that wildlife would not be impacted by the small

amount removed for human consumption. Morels and other mushrooms are numerous and hard to find, which allows many to go un-harvested during the short growing season in spring.

Historically, public participation in the collection of plant food products on the Refuge has been less than 400 visits per year, and future participation is also expected to be at or below the current level. Individuals gathering wild edibles are limited to two gallons per day of mushrooms and berries and five gallons per day of pokeweed. This is not anticipated to adversely impact the ecological integrity of the Refuge. Archeological evidence from within the Refuge shows it has been inhabited by humans for more than 12,000 years. Many of the early inhabitants relied heavily on wild plants for food. It is reasonable to conclude that individual gathering today is consistent with the historic conditions of the area.

No negative cumulative impacts are expected. As stated earlier, it is expected the use will decline in the future as demographics change. No conflict of users occurs since wild edible-picking occurs outside of the hunting area.

**Public Review and Comment:** The period of public review and comment will be 14 days and will be announced in the local newspaper, social media, website, and other relevant media outlets. Comments will be summarized in this section after being received.

**Determination:**

Use is Not Compatible

Use is Compatible with Following Stipulations

**Stipulations Necessary to Ensure Compatibility:** The following stipulations are required to ensure compatibility:

1. All collections must occur within designated area (south of Ditch 11, west of Ditch 6, and north of the Ozark Highlands Auto Tour Route to Ditch 4) from March 1st until September 30th.
2. Digging of plants or their roots is prohibited.
3. Plant products are for personal use only and cannot be sold or traded.
4. Quantities are restricted to the gathering of two gallon per day of mushrooms and berries and five gallons per day of pokeweed.
5. Damaging trees, shrubs or any other vegetation is prohibited.
6. The host plant cannot be destroyed or removed.

**Justification:** The use has little impact to wildlife or habitat since it is non-motorized, involves few visitors, and disturbance is local and short-duration. Little harvest occurs in the fall which is the beginning of the peak of the waterfowl migration. Due to the relatively small number of visitors for this activity and the personal use only stipulation, the amount of plants or parts harvested will not create any shortage of wild foods for any particular wildlife species. Refuge infrastructure and law enforcement staff already in place will be sufficient to facilitate and administer this use into the future. In view of the above and with the stipulations

previously described, gathering wild edibles (berries, mushrooms, and pokeweed) will not materially interfere with or detract from the purposes of the Refuge or the mission of the Refuge System.

**Refuge Manager:** \_\_\_\_\_  
(Signature and Date)

**Regional Chief Concurrence:** \_\_\_\_\_  
(Signature and Date)

**Mandatory 10- or 15-year Re-evaluation Date:** 2026

DRAFT