

DRAFT COMPATIBILITY DETERMINATION

Use: Recreational Fishing

Refuge Name: Port Louisa National Wildlife Refuge

Establishing and Acquisition Authority(ies):

The Mark Twain National Wildlife Refuge (NWR), including the land area now managed as Port Louisa NWR, was established under the provisions of a Secretarial Order signed on August 1, 1958. Individual districts of the Mark Twain NWR were designated as separate National Wildlife Refuges in a reorganization change as part of the Comprehensive Conservation Plan (CCP) in 2004 when Port Louisa NWR was named. Much of the refuge consists of lands acquired in fee title by the U.S. Army Corps of Engineers that are managed as part of the refuge under a Cooperative Agreement between the Department of the Army and the Department of the Interior.

The refuge is also the designated manager for several conservation easements established by the Farmers Home Administration, Farm Service Agency (FmHA or FSA), or by the U.S. Fish and Wildlife Service (USFWS). The property interests acquired by the USFWS may vary among easements. The language of each individual easement dictates whether the USFWS has authority over certain landowner or public uses and may establish the specific purposes for that easement. Easements are generally administered and managed as part of the National Wildlife Refuge System pursuant to the National Wildlife Refuge System Administration Act as amended (16 USC).

Establishing Authorities:

Refuge Recreation Act (16 U.S.C. 460k-1)

Migratory Bird Conservation Act (16 U.S.C. 715d)

Fish and Wildlife Coordination Act (16 U.S.C. -664)

Emergency Wetland Resources Act of 1986 (16 U.S.C. -3901(b) 100 Stat. 3583)

1985 Food Security Act

Consolidated Farm and Rural Development Act (7 USC 1981, 1985)

Executive Orders 11990, 11988

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)
- "...shall be administered by (Secretary of the Interior) directly or in accordance with cooperative agreements...and in accordance with such rules and regulations for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon,..." 16 U.S.C. -664 (Fish and Wildlife Coordination Act)
- "...suitable for - (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species..." 16 U.S.C. 460k-1 (Refuge Recreation Act)

- "... the conservation of the wetlands of the Nation in order to maintain the public benefits they provide and to help fulfill international obligations contained in various migratory bird treaties and conventions ..." 16 U.S.C. -3901(b), 100 Stat. 3583 (Emergency Wetlands Resources Act of 1986)
- "... for conservation purposes", (1985 Food Security Act in conjunction with the transfer of Farm Service Agency, formerly Farmers Home Administration, property)
- ...for the protection of wetlands and providing for the management of floodplains (Executive Orders 11990, 11988)

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:

To provide public sport fishing opportunities on Port Louisa NWR, including lands held in easement. Some easements are owned by the Iowa Department of Natural Resources and opened to public hunting and fishing. All sport fishing activities, including permitted methods of taking, limits, species, and open/closed seasons will be consistent with applicable State regulations. Enforcement efforts will be jointly conducted by the State Department of Natural Resources officers and U.S. Fish and Wildlife Service officers.

Boat and bank fishing is permitted as provided by Refuge special regulations and published in 50 CFR. Fishing is allowed on all refuge divisions, but closed periods during the fall waterfowl migration occur as follows:

- Big Timber Division: no closed period.
- Louisa and Keithsburg Divisions: September 15 until January 1. The Louisa inlet and boat ramp remain open. The Spring Slough access at the Keithsburg Division remains open to fishing.
- Horseshoe Bend Division: September 15 until December 1.

The taking of turtles and frogs is not allowed. Boats and fishing devices must be removed at the end of each day's fishing. Refuge hours are sunrise to sunset.

Sport fishing on Port Louisa NWR is an integral part of the overall public use program along this major river and navigation corridor and serves the needs of several thousand visitors each year. Public use facilities for sport fishing are provided with boat ramps, parking areas, information kiosks, and accessible fishing piers where appropriate within the floodplain. Facilities on easements open to public fishing may be minimal and maintained by a landowner other than USFWS.

Fishing has been legislated as a priority public use on national wildlife refuges, where compatible with the refuge purpose. This use is legitimate and appropriate, and is dependent upon healthy fish populations. Port Louisa NWR offers many opportunities for sport fishing. Fishing is a long time use of the Mississippi River and the refuge and helps to inform the public of the need for stewardship of public lands and waters and increase the awareness of our natural resources.

Refuge signs will be posted to ensure that refuge visitors are aware of refuge regulations, closed areas, and boundaries. Roadways and levee tops are open for walk-in fishermen except as designated by posted 'Area Closed' signs. Fishing and access on easements will be according to state regulations and the language of the specific easement.

Availability of Resources:

Funds have been available to maintain the existing program level, and periodic funds have been available to adequately maintain existing facilities. Additional funds and/or staff would be required to cover expanded program opportunities or facilities as outlined in the refuge CCP.

Anticipated Impacts of the Use:

No negative physical impacts on refuge lands or interests are expected to occur from fishing as outlined above. Fishing is generally a low impact recreational activity, is spread over a wide area which prevents overuse or crowding, and is regulated closely by both State and Federal statutes. Refuge law enforcement officers will monitor and regulate numbers of participants to levels consistent with safe use of a specific area. Motorized vehicles are not allowed on the refuge except on designated roads or prepared parking areas. Access on refuge lands is by foot only. Motorboats, canoes, and kayaks are allowed on refuge water bodies. Boat access for fishing is a primary means of access at the Big Timber Division where a boat ramp is provided. Bank fishing also occurs here. Boat use is allowed on the Louisa Division with boat ramps on the adjacent state wildlife management area. A refuge boat ramp provides access to the Mississippi River also. There are refuge accesses for canoes and kayaks and there are designated water trails on the Louisa Division. There is a boat ramp at the Keithsburg Division also. Most access at Horseshoe Bend Division is by foot unless water levels are sufficient for canoes and kayaks or the area is flooded. There is no boat ramp at Horseshoe Bend. Boats can access the area over a levee if the Iowa River is at high stages. Vehicle access is only to parking lots.

Fishing obviously removes animals from the population and is a potential impact if not managed correctly. Population and harvest trends for fish species are largely monitored by the states. Season dates, length, and bag limits are set by the state to allow harvest of annual surpluses and monitored to determine any impacts from harvest levels. Fish harvested from the refuge are a small proportion of what is taken in the local area and a very small part of the overall harvested population. Recent fisheries surveys by the states do not indicate population declines due to fishing. Although fishing causes mortality and temporary disturbance, harvesting populations within the carrying capacity of existing habitat ensures the long-term health and survival of these species. In certain populations, such as invasive Asian carp, fishing is a management tool that prevents overpopulation and subsequent disease or habitat impacts.

There is a great deal of scientific literature on the impacts of disturbance to wildlife that shows that disturbance can alter behavior (e.g. foraging time), population structure, and distribution patterns of wildlife, particularly for large congregations of waterfowl and waterbirds (Dahlgren and Korschgren 1992). Fishing activity on the refuge may disturb wildlife. But the degree of that disturbance is acceptable and mitigated by closed areas, timing, and regulations on access. Closed areas on portions of the refuge allow migrating birds and other wildlife to have resting areas and undisturbed feeding areas. While Big Timber Division is open to fishing during migration, it does not generally have the habitat that supports large concentrations of waterfowl. Therefore, impacts to wildlife from human disturbance are limited to only a portion of the refuge and not expected to have detrimental or long term impacts to wildlife populations.

Impacts to habitat or disturbance to wildlife from the number of people using the areas has not been an issue. The area surrounding the refuge is rural and not highly populated so the number of users is not great. In addition, use is spread over time and space which helps to prevent impacts. Use is sporadic and not generally by large groups. The largest fishing use occurs in late summer and fall at the Louisa Division when water is allowed to flow in the levee inlet from the Mississippi River. Use is concentrated at the Louisa fishing pier. While this localized heavier use minimizes overall wildlife disturbance, it does cause more maintenance impacts from litter and the need for restroom facilities. These maintenance needs are part of routine refuge management and very localized. There is substantial area available for fishing on the Mississippi and Iowa Rivers nearby and on state and county lands near the refuge. These other available fishing areas help spread this use over a larger area and prevent concentrated use that would have the potential to cause habitat or disturbance impacts.

The refuge is open to other uses such as hunting, wildlife observation and photography, and environmental education and interpretation. Little conflict between user groups has occurred or is expected to occur since the types of uses are spread over a large area. Certain uses such as hiking for wildlife observation are confined to specific areas such as trails. There are water trails on the refuge and non-motorized use occurs along with motorized use. Shallow water often tends to separate these uses. Water trail signs alert motorboaters to the potential presence of paddlers. Small water areas with sloughs and curves tend to slow motorboat traffic. Fishing use is generally in different areas than hunting although both uses occur simultaneously at the Big Timber Division. Fishing use has not previously caused obvious conflicts with staff, other users, or wildlife. The amount of use is generally monitored by refuge staff by observing the number of vehicles at refuge parking areas. The amount of area available and the use of different habitat types for other activities seem to limit any potential user conflicts, cumulative impacts, or safety issues. Refuge staff enters the Louisa and Horseshoe Bend Divisions regularly for management purposes and management activities can be accomplished without conflict from fishing.

The awareness gained by the visiting public of the national wildlife refuge and its programs should help develop an informed user group that will support refuge programs and conservation in general. No degradation of the environment is expected to occur. Bank fishing will take place on areas with shallow slopes, mostly on existing foot paths or access trails. Erosion and damage to vegetation will be minimal. No wake zones will be established where necessary to protect vulnerable shorelines from erosion by passing boats.

Public Review and Comment:

Fishing was previously determined compatible in 2004 and is now being revised to include conservation easements and a more thorough analysis of potential impacts. A draft of this Compatibility Determination will be available for public review and comment for 14 days at the Refuge Office in April 2016. The document will also be available for public review on the Refuge's webpage, through local media outlets, and notices posted at libraries.

Determination:

Use is Not Compatible

Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

The following stipulations are required to ensure compatibility:

1. Controlled access points with appropriate signs and notices as well as law enforcement will limit environmental disturbance.
2. Litter control will be part of routine maintenance by Refuge staff or volunteers.
3. Cooperation with State fisheries biologists for creel surveys or sampling will provide data to the Refuge for management purposes.

Justification:

Public fishing on Port Louisa NWR, including easements administered by the refuge, in the states of Iowa and Illinois is an acceptable form of wildlife-oriented recreation which has been found compatible with the purposes for which the refuge was established. Fishing will not materially interfere with, or detract from, the purposes of the refuge or the mission of the Refuge System. Fishing is a viable management tool in managing populations and achieving habitat management objectives. Fishing furthers the goals of the National Wildlife Refuge System and Port Louisa NWR and serves to provide educational opportunities to the visiting public. The refuge coordinates with Service and State fisheries offices for monitoring fish populations and habitat conditions. All fishing programs will be subject to yearly review and approval. When the stipulations listed above are fulfilled, little or no adverse effects to other refuge programs or wildlife species will occur.

Literature Cited

Dahlgren, Robert B., and Carl E. Korschgen. 1992. Human disturbances of waterfowl: an annotated bibliography. U.S. Fish and Wildlife Service Resource Publication 188. Jamestown, ND: Northern Prairie Wildlife Research Center Online. <http://www.npwrc.usgs.gov/resource/literatr/disturb/index.htm> (Version 16JUL1997).

Refuge Manager: _____
Catherine J. Nigg, Refuge Manager Date

Concurrence: _____
Sabrina Chandler, Refuge Supervisor Date

Regional Chief: _____
Charles Blair, Refuge Chief Date

Mandatory 10 or 15 year Re-evaluation Date: 2031