

KEY CAVE NATIONAL WILDLIFE REFUGE

APPROPRIATE USE and COMPATIBILITY DETERMINATION

The legal provision (16 U.S.C. 668dd-668ee) states that lands within NWRS are closed to public use unless specifically and legally opened. No refuge use may be allowed unless it is determined to be compatible. A compatible use is one that, in the sound professional judgment of the refuge manager, will not materially interfere with or detract from the fulfillment of the mission of NWRS or the purposes of the refuge. All programs and uses must be evaluated based on the mandates set forth in the Improvement Act as follows:

- Contribute to ecosystem goals, as well as refuge purposes and goals;
- Conserve, manage, and restore fish, wildlife, and plant resources and their habitats;
- Monitor the trends of fish, wildlife, and plants;
- Manage and ensure appropriate visitor uses as those uses benefit the conservation of fish and wildlife resources and contribute to the enjoyment of the public; and,
- Ensure that visitor activities are compatible with refuge purposes.

The Improvement Act further identifies six priority wildlife-dependent recreational uses. These uses are hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. As priority public uses on the NWRS, they receive priority consideration over other public uses in planning and management.

The public use program will be reviewed annually to ensure that it contributes to refuge objectives in managing quality recreational opportunities and protecting habitats, and is subject to modification if on-site monitoring by refuge personnel or other authorized personnel results in unanticipated negative impacts to natural communities, wildlife species, or their habitats. Refuge law enforcement officer(s) will promote compliance with refuge regulations, monitor public use patterns and public safety, and document visitor interactions. Refuge law enforcement personnel will monitor all areas and enforce all applicable State and Federal regulations.

REFUGE NAME:

Key Cave National Wildlife Refuge, hereafter referred to as the Refuge, located in Lauderdale County in Alabama.

ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- (1) National Wildlife Refuge System Administration Act {16 U.S.C. 668(a)(2)}
- (2) Fish and Wildlife Act of 1956 {16 U.S.C. 742a-742}
- (3) Endangered Species Act {16 U.S.C. 1531-1544}

REFUGE PURPOSE(S):

- (1) "...for the development, advancement, management, conservation, and protection of fish and wildlife resources..." {16 U.S.C. 742f (a)(4)}
- (2) "...for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to terms of any restrictive or affirmative covenant, or condition of servitude" {16 U.S.C. 742f (b1), Fish and Wildlife Act of 1956}
- (3) "...to conserve (A) fish or wildlife which are listed as endangered species or threatened species" {Endangered Species Act of 1973, as amended}

NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

The mission of the 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.

USE:

Recreational Hunting of Migratory Birds, Big Game, and Small Game

DESCRIPTION OF USE:

a) What is the use?

Recreational hunting is hunting for migratory birds, big game, and/or small game for pleasure or leisure or for subsistence.

(b) Where would the use be conducted?

Key Cave NWR consists of 1,060 acres along the northern shore of the Pickwick Reservoir of the Tennessee River and resides within the Limestone Valley physiographic subdivision. Of the 1,060 acres, approximately 295 acres are in row crop production, 327 acres are in early successional fields or native warm season grasses, 122 acres of former cropland have been planted to hardwoods, 30 acres of drainageways are restored to either a grassland or hedgerow habitat, 16 acres are managed as shallow water areas, 75 acres are being converted to an oak savanna, and the remaining 195 acres consist of upland forested land dominated by oaks and hickories. The use will be conducted within the Refuge's boundary.

(c) When would this use be conducted?

Recreational hunting is conducted annually from early September through early March. Recreational hunting is subject to regulations established by the State of Alabama. The Refuge hunting permit is a joint permit with the adjacent Seven-Mile Island Wildlife Management Area

and is required to be signed and dated by the individual hunter and in the hunter's possession to legally hunt on the Refuge.

(d) How would this use be conducted?

Recreational hunting is permitted, as provided by Refuge special regulations and those published in Title 50, Code of Federal Regulations. The Refuge annual hunting permit is required to hunt on the Refuge.

(e) Why is this use being proposed?

This compatibility determination considers hunting one of the six priority wildlife-dependent recreation activities. The primary objectives of the hunting program on Key Cave NWR are to: 1) provide the public with a high-quality recreational experience and increase opportunities for hunting consistent with federal and state laws and regulations in a manner that does not adversely affect local or regional wildlife populations; 2) maintain a compatible hunt program with other uses on current and future Refuge lands; 3) control nuisance, non-native and/or invasive species populations; 4) allow compatible public use of a valuable, renewable resource on current and future Refuge lands; 5) meet Refuge provisions for recreation hunting listed in the 2007 CCP; 6) support the Conserving the Future vision document implementing Recommendation 17 to increase public awareness and support for the Refuge and Refuge System.

Key Cave NWR provides migratory bird and small game hunts for dove, quail, rabbit, squirrel, opossum, and raccoon. All hunts are allowed by Seven-Mile Island WMA/ Key Cave National Wildlife Refuge Hunting Regulations (annual) permit only and are conducted during specific periods within the state's hunting seasons (general hunting seasons) for Lauderdale County. All 1,060 acres are currently open to migratory bird and small game hunting.

Specific changes to the hunt program include: 1) adding the following species to the Key Cave NWR Hunt Plan: white-tailed deer, American woodcock, snipe, crow, starling, feral hog, coyote, bobcat, gray and red fox; 2) provide high quality, public hunts.

AVAILABILITY OF RESOURCES:

Resources involved in the administration and management of the use includes personnel time associated with administration and law enforcement. Existing staffing and funding are adequate to support these activities.

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

Minimal costs are associated with these uses to monitor consequences of public having access to the refuge, such as degree of littering and vandalism. Plants and wildlife will be monitored to determine any impacts as a result of public use.

ANTICIPATED IMPACTS OF THE USE:

Staff monitors both harvest trends and wildlife health to ensure that target species can be hunted at the refuge without appreciably adversely affecting these species populations. For the wildlife game species these monitoring activities include direct observation, consultation with state and Service species specialists, and review of current species survey information and research. Recent assessments of species hunted in the vicinity of the refuge indicate that those species are not facing a general decline. For waterfowl, additional annual assessments are based upon the distribution and abundance of food resources. The State of Alabama manages resident game across broad landscapes and allows harvest of annual surpluses through recreational hunting. Although hunting causes mortality and temporary disturbance to other wildlife, harvesting populations within the carrying capacity of existing habitat ensures long-term health and survival of the species.

Currently, no known rookeries or bald eagle nesting sites exist on the Refuge. Due to the dispersed and stealthy nature and the time of year in which deer and feral hog hunting occurs, this activity presents minimal conflicts with ground nesting wildlife.

The refuge is open during the hunting season to other priority public uses such as wildlife observation, wildlife photography, and environmental education and interpretation. To safely provide both hunting and non-hunting recreational uses, the

Refuge enforces refuge-specific hunting regulations, such as, not allowing hunting on certain days of the week and restricting seasons by date and/or methods of take.

Refuge management activities can be accomplished without conflict with hunting activities through the use of administratively closed areas, timing of hunts, and methods of hunt.

DETERMINATION (CHECK ONE BELOW):

- Use is not compatible
- Use is compatible, with the following stipulations

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:

The Refuge will manage the six priority public uses (hunting, fishing, wildlife observation, photography, environmental education, and interpretation) with Federal and State regulations and review it annually to ensure wildlife and habitat goals are achieved and that these programs are providing safe, high-quality experiences for participants. Stipulations for this activity are located in Title 50 Code of Federal Regulations and Key Cave National Wildlife Refuge Hunting and Fishing Regulations (annual). The Seven-Mile Island WMA/ Key Cave National Wildlife Refuge Hunting Regulations (annual) permit is required for anyone who is also required to have Alabama State hunting license and is engaged in hunting activities on the Refuge.

PUBLIC REVIEW AND COMMENT:

The compatibility determination for Key Cave National Wildlife Refuge was made available for public review and comment for 21 days beginning 5/22/2019 and ending 6/11/2019.

Announcements were posted on the Wheeler NWR Complex's website, Facebook page, on Twitter account.

NEPA Compliance for Refuge Use Description: *Place an X in appropriate space.*

Categorical Exclusion without Environmental Action Statement

Categorical Exclusion and Environmental Action Statement

Environmental Assessment and Finding of No Significant Impact

Environmental Impact Statement and Record of Decision

These compatibility determinations can be categorically excluded from further NEPA analysis under 40 CFR §1508.4, 516 DM 8.5(A)(1), 516 DM 8.5(B)(7), 516 DM 8.5(B)(9), and 516 DM 8.5(C)(5). Further, these actions do not trigger an extraordinary circumstance as outlined under 43 CFR §46.215. These uses are consistent with the 2012 Comprehensive Conservation Plan and associated Environmental Assessment (USFWS 2012) and Finding of No Significant Impact (USFWS 2012) for Clarks River NWR. Environmental conditions have not changed substantially since that analysis. This compatibility determination updates and replaces previous compatibility determinations.

JUSTIFICATION:

Suitable habitat exists on the Refuge lands to support hunting as proposed. The viability of the game species populations proposed to be hunted will not be negatively affected by hunting according to state season guidelines, bag limits, and regulations. This use is being permitted because it is a priority public use. It will not diminish the primary purposes for which the refuge was established. This use is supported in the Refuge's Comprehensive Conservation Plan. It also meets the mission of the National Wildlife Refuge System by providing renewable resources for the benefit of the American public while conserving viable populations of fish, wildlife and plant resources on these lands.

Hunting is a priority public use on 1,060 acres of the Refuge. By allowing this use, we are providing opportunities and facilitating Refuge programs in a manner and location that offer high quality, wildlife-dependent recreation and maintain the level of current wildlife values. The harvest of surplus animals is one tool used to manage wildlife populations at a level compatible with the environment, while providing wholesome recreational opportunities. Any new lands purchased as part of Key Cave NWR can be open to hunting depending on the manager's discretion using professional judgment, as long as there is no significant negative impact to natural resources or visitor services.

This activity will not materially interfere with, or detract from, the mission of the Refuge System or the purpose for which the refuge was established.

MANDATORY 15-YEAR RE-EVALUATION DATE: 2034

Approval of Compatibility Determinations:

SIGNATURE: REFUGE MANAGER: _____
(Signature and date)

REVIEW: REFUGE SUPERVISOR: _____
(Signature and date)

CONCURRENCE: REGIONAL CHIEF: _____
(Signature and date)