

Draft Compatibility Determination

Use:

Recreational fishing in Lake Drummond.

Refuge Name:

Great Dismal Swamp National Wildlife Refuge

Date Established:

August 30, 1974

Establishing and Acquisition Authorities:

- Dismal Swamp Study Act of 1972 (P.L. 92-478)
- Dismal Swamp Act of 1974 (P.L. 93-402)
- Authorizing the Transfer of Certain Real Property for Wildlife, 16 U.S.C. 667b
- Fish and Wildlife Act of 1956, 16 U.S.C. 742f(a)(4), 16 U.S.C. 742f(b)(1)
- Migratory Bird Conservation Act, 16 U.S.C. 715-715d, 715e, 715f-715r

Refuge Purposes:

- Subject to such restriction, conditions, and reservations as are specified in deeds [granted to the United States by The Nature Conservancy] ... the Secretary shall administer the lands and waters and interests therein in accordance with the provisions of the National Wildlife Refuge System Administration Act ... the Secretary may utilize such additional statutory authority as may be available to him for the conservation and management of wildlife and natural resources, the development of outdoor recreation opportunities, and interpretive education as appropriate to carry out the purposes of this Act ... the Secretary may not acquire any such lands and waters and interests therein by purchase or exchange without first taking into account such recommendations as may result from the study required under Public Law 92-478. (Dismal Swamp Act of 1974, P.L. 93-402)
- ... particular value in carrying out the national migratory bird management program. (Authorizing the Transfer of Certain Real Property for Wildlife, 16 U.S.C. 667b)
- ... for the development, advancement, management, conservation, and protection of fish and wildlife resources. (16 U.S.C. 742f(a)(4);... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition servitude. (16 U.S.C. 742f(b)(1), Fish and Wildlife Act of 1956)
- ...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds. (16 U.S.C. Migratory Bird Conservation Act)

National Wildlife Refuge 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.

Description of Use:

A. What is the use? Is the use a priority public use?

This priority public use is for fishing in Lake Drummond. Fishing has been identified as a wildlife-dependent priority public use by the establishing authorities for the refuge and as one of the six priority public uses of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act).

B. Where would the use be conducted?

Fishing will be restricted to Lake Drummond and only allowed from a boat or pier. Lake bank fishing is not allowed. Fishing in any ditch on the refuge, other than the Feeder Ditch, is not allowed.

C. When would the use be conducted?

Visitors can access the pier at Washington Ditch on Lake Drummond by foot or bicycle. The Washington Ditch trail is open daily from sunrise to sunset. Visitors can access the pier at Interior Ditch on Lake Drummond by terms of the Auto Tour Permit.

Boat fishing, including from canoes and kayaks, on Lake Drummond is allowed daily, from sunrise to sunset.

Visitors are able to access Lake Drummond several ways:

1. Use the Feeder Ditch to access the lake by water from the east. This form of access is allowed daily from sunrise to sunset.

2. Enter the Railroad Ditch Road entrance to access the lake by land from the west. Access at this entrance is restricted and requires a self-service fee permit, an annual pass fee, or a valid Federal Duck Stamp. The entrance operates from April 1 through September 30, 7:00am to 7:00pm; and October 1 through March 31, 7:30am to 5:00pm. Accessing the lake on the west allows visitors to utilize the Interior Ditch Boat Ramp.

During the refuge white-tail deer and black bear hunt, designated days in October and November, most primary entrances are closed to all public activity other than to visitors with refuge hunt permits. The Washington Ditch entrance, Washington Ditch Boardwalk trail, and the Washington Ditch trail to Lake Drummond are set aside as a no hunt zone to allow hikers and bikers a safe area for these uses. The Railroad Ditch Auto tour is not open to the general public on hunting and scouting days.

Temporary closures may occur on any trail or ditch road due to conflicts with management activities or extenuating circumstances necessitating a deviation from the normal schedule. Closures for management activities, extensive flooding, downed trees, ice storms, wild fires, or other events affecting human safety are examples that would require these uses or access to be temporarily suspended.

D. How would the use be conducted?

Visitors fishing on Lake Drummond are required to have a Virginia Freshwater fishing license and must abide by Virginia Fishing Regulations.

Hikers and bikers are allowed to fish from the piers located at Washington Ditch and Interior Ditch.

Boat motors on the lake are limited to 25 horsepower or less.

Boating visitors who use the Feeder Ditch to access the lake by water from the east are not required a permit. . Boaters who access the lake in this manner will need to portage their craft or use the electric railway tram to cross around the spillway at the Lake Drummond Reservation. The U.S. Army Corps of Engineers manages the Reservation and the tram. They impose a craft weight limit of 1,000 lbs for tram use.

Visitors who plan to access Lake Drummond from the west by land are required to use a permit for the Railroad Ditch entrance to launch a boat from the Interior Ditch boat ramp. “Access at this entrance is restricted and requires an Auto Tour permit which can be in the form of a self-service fee permit, an annual pass fee, or a self-serve permit and a valid Federal Duck Stamp.”

E. Why is the use being proposed?

Fishing is identified as a wildlife-dependent priority use by the establishing authorities for the refuge and the National Wildlife Refuge System Improvement Act. As a priority use, fishing is to receive consideration over other public uses. Historically, there has been a strong demand to pursue black crappie on Lake Drummond, and the lake has produced trophy fish. Fishing on Lake Drummond is unique in that the lake is not stocked, and is not home to large populations of typical game fish. Fishing on a natural lake is more of a challenge, and the entire circumference of Lake Drummond is owned by the refuge, so there is very little evidence of human intrusion once the boat ramp is left behind.

Fishing on Lake Drummond also can provide an intrinsic, safe, outdoor recreational opportunity in a scenic setting, with the realization that those who come strictly for recreational enjoyment will be enticed to participate in the more educational facets of the visitor use program, and can then become informed advocates for wildlife conservation.

Availability of Resources:

Allowing the priority use of fishing on Lake Drummond is within the resources available to administer our Visitor Services program with the current level of participation. Facilities or materials needed to support this use include maintaining access roads, parking areas, the piers at Washington Ditch and Interior Ditch, the Interior Ditch boat launch area, kiosks, signs, creating a canoe or kayak launch area at the Interior Ditch pier; and providing information in refuge publications, social media sites, the refuge's website as well as other information sharing venues. Compliance with refuge regulations is handled within the regular duties of the station Law Enforcement Officer.

Additional funding for visitor services improvements will come from base funding, recreational fee revenues, grant funds, and contributions. As funding becomes available, the refuge will complete projects and facilities. Volunteers and partners will be utilized to help with construction and maintenance.

Anticipated Impacts of the Use:

Fishing has shown no assessable environmental impact to the refuge, its habitats, or wildlife species in the past and is not anticipated to do so in the future. Disturbance to wildlife is limited to an occasional disturbance such as flushing non-target species (waterfowl). Restrictions on the size of boats and motors assures minimal impacts to aesthetics on the Lake Drummond and to disturbance of wildlife, or to other public use activities. Minimal wildlife disturbance, erosion, automobile emissions, and automobile fluid contamination will occur along the launching routes and in Lake Drummond.

Participants must follow all applicable laws, regulations and policies. Fishing from the ditches or banks is not allowed in order to reduce environmental and aesthetic impacts. Fishing from the banks can cause erosion and compaction of the fragile organic soils. Ditches contain debris that would snag fishing tackle creating litter and other debris to be left in the ditches.

Allowing this activity does not alter the refuge's ability to meet habitat goals and it helps support primary objectives of the refuge.

This activity is compliant with the purpose of the refuge and the National Wildlife Refuge System Mission. Fishing is a priority public use listed in the National Wildlife Refuge System Improvement Act. By facilitating this use on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

Public Review and Comment:

This compatibility determination was advertised and released for a public comment period from June 5 to June 30, 2015. Written and verbal comments were accepted and taken under consideration. Following the comment period, the final document was posted on the refuge website and became part of the refuge management plan.

Determination (Check one Below)

Use is NOT compatible

Use is compatible, with the following stipulations

Stipulations to Ensure Compatibility:

To ensure compatibility with refuge purposes and the mission of the Refuge System fishing can occur on the refuge if the refuge-specific regulations are followed and the following stipulations are met:

- The fishing program will be evaluated periodically to determine impacts. If adverse impacts are detected fishing may be restricted or discontinued.
- Fishing is limited to fishing from a boat on Lake Drummond, or fishing from the piers at Washington Ditch or Interior Ditch. Fishing from the lake banks or in any refuge ditch is not allowed.
- Access to Lake Drummond can be either be through the Feeder Ditch, daily, sunrise to sunset, or by use of and to the terms of the Railroad Ditch Auto Tour self-serve fee permit, annual pass, or Federal Duck Stamp.
- Boats motors are limited to a maximum of 25 horsepower. If access is through the Feeder Ditch, the U.S. Army Corps of Engineers restricts boat weight to a maximum of 1000 lbs.
- Anyone fishing must possess a valid state fishing license and comply with all state fishing regulations.
- All boaters would be required to operate their craft and possess all safety equipment in accordance with Commonwealth of Virginia and U.S. Coast Guard Regulations.

Justification:

Fishing is a wildlife-dependent priority public use for the National Wildlife Refuge System. Moreover, this use was identified as a priority use under the terms of the establishing legislation for the refuge. Fishing on the Great Dismal Swamp NWR will not materially interfere with or distract from the mission of the National Wildlife Refuge System or the purposes for which the Refuge was established.

Signature: **Refuge Manager** _____ **Date** _____

Concurrence: **Regional Chief** _____ **Date** _____

Mandatory 10 Year Re-evaluation Date: _____