

WERTHEIM NATIONAL WILDLIFE REFUGE
Brookhaven, New York

FISHING MANAGEMENT PLAN

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Date: 5/10/83

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FISHING PLAN

Wertheim National Wildlife Refuge Brookhaven, New York

I. PHYSICAL AND BIOLOGICAL CHARACTERISTICS

A. General Description

The Wertheim National Wildlife Refuge is comprised of nearly 2,300 acres on the south shore of Long Island, New York in the town of Brookhaven. The refuge originated as a donation from Maurice and Cecile Wertheim in 1947. Since Mr. and Mrs. Wertheim retained life use privileges, however, the property did not come under full federal management until the death of Cecile Wertheim in December 1974. An active land acquisition program has since increased the original donation by several hundred acres.

The 2300-acre refuge is made up of approximately 45% oak-conifer forest, 20% open waters of ponds, rivers, and bays, and 35% salt, brackish and freshwater marshes. The refuge is bisected by the Carmans River which enters the refuge from the north, meanders through the refuge and empties into Bellport Bay at the southern end of the refuge. Yaphank Creek, Little Neck Run and Big Fish Creek, join the Carmans River within the refuge. The topography is flat and soils are sandy. The surrounding area is primarily residential.

B. Wildlife

1. Birds

One of the primary objectives of the refuge is to provide wintering and migratory habitat for waterfowl. Large concentrations of black ducks and mallards and smaller numbers of other East Coast ducks inhabit the refuge during the colder months. Also, raptors, shorebirds, wading birds, and songbirds are well represented on the refuge.

2. Amphibians and Reptiles

The following reptiles and amphibians have been recorded in the Carmans River area in recent years.

Snapping Turtle

Spotted Turtle

Eastern Box Turtle

Eastern Painted Turtle

Musk Turtle

Mud Turtle

Diamond-back Terrapin (Common in the tidal zone)

Northern Brown (De Kay's) Snake (Rare)

Red-bellied Snake (Rare)

Puff Adder

Eastern Garter Snake
 Eastern Ribbon Snake
 Eastern Hognose Snake
 Northern Ringneck Snake (Unknown)
 Eastern Worm Snake (Rarely found, but probably not rare)
 Northern Black Racer (Rare)
 Smooth Green Snake
 Eastern Milk Snake
 Marbled Salamander
 Spotted Salamander
 Red-backed Salamander (Grey phase only)
 Four-toed Salamander (Rare and local)
 Red Spotted Newt
 Eastern Spadefoot Toad
 Fowler's Toad
 Spring Peeper
 Gray Tree Frog
 Green Frog
 Bullfrog
 Northern Leopard Frog
 Pickerel Frog
 Wood Frog

3. Mammals

There has been no survey of mammals on the refuge but red fox, raccoon, short-tailed weasel, short-tailed shrew, skunk, white-tailed deer, woodchuck, muskrat, opossum, gray squirrel, flying squirrel, eastern cottontail, meadow vole, deer mouse, Norway rat, and house mouse have been sighted.

4. Fish

The following fish have been recorded in the tidal sections of the Carmans River.

Cyprinus carpio (Carp)
Anguilla rostrata (American eel)
Esox niger (Chain pickerel)
Etheostoma olmstedi (Tesselated darter)
Aphredoderus sayanus (Pirate perch)
Notemigonus crysoleucas (Golden shiner)
Apeltes quadricus (Fourspine stickleback)
Salmo trutta (Brown trout)
Micropterus salmoides (Largemouth bass)
Morone americana (White perch)
Morone saxatilis (Striped bass)
Alosa pseudoharengus (Alewife)
Brevoortia tyrannus (Atlantic menhaden)
Cynoscion regalis (Weakfish)
Pomatomus saltatrix (Bluefish)
Pseudopleuronectes americanus (Winter flounder)
Paralichthys dentatus (Summer flounder)

Sphoeroides maculatus (Nothern puffer)
Prionotus carolinus (Northern searobin)
Opsanus tau (Toadfish)
Mentricirrhus saxatilis (Northern kingfish)
Tautoglabrus adpersus (Cunner)
Fundulus heteroclitus (Mummichog)
F. diaphanus (Banded killifish)
Cyprinodon variegatus (Sheepshead minnow)
Mehidia menidia (Atlantic silversides)
Strongylura marina (Atlantic needlefish)
Syngnathus floridae (Dusky pipefish)
S. fuscus (Northern pipefish)
Stephanolepis hispidus (Plane head filefish)
Petromyzon marinus (Sea lamprey)
Cottus cognatus (Slimy sculpin)
Achirus fasciatus (Hogehoker)
Microgadus tomcod (Atlantic tomcod)
Gobionellus boleosoma (Darter goby)
Tautoga onitis (Tautog)
Anchoa mitchilli (Bay anchovy)

C. Vegetation

A primarily oak forest with some mixed strands of conifers and hardwoods covers approximately 732 acres of the refuge. Another 330 acres of upland is in brush and 60 acres of old fields in grasses. There are 200 acres of irregularly flooded salt marshes and 600 acres of regularly flooded salt marshes. The predominant marshland plants are salt marsh grass, salt marsh cord grass, phragmites, and cattail.

D. Endangered Species

The bald eagle and peregrine falcon, federal endangered species, are occasionally sighted on the refuge. Bald eagles, especially transient immature birds usually visit the refuge at least once each winter. The peregrine falcon uses the south shore of Long Island as a major migration route and has been observed on the refuge on several occasions. A pair of osprey, a species considered threatened by the State of New York, have nested on the refuge for several years and several unmated birds linger on the refuge during spring and summer. No other endangered species are known to occur on the refuge.

Lycopodium obscurum (ground pine) and Epigaea repens (trailing arbutus) are reported as occurring in the Carmans River area. These plants are protected by Section 9-1503 of the New York State Environmental Conservation Law. This section prohibits the picking or removal of any protected plant species.

II. PROGRAM RELATION TO REFUGE OBJECTIVES

A. Refuge Objectives

Although no formal refuge objectives have yet been formulated for Wertheim, at present the apparent objectives are to provide migratory and wintering habitat for waterfowl, especially the black duck, and to protect a valuable Long Island coastal marsh and estuary from alteration and development. In addition, if adequate funding becomes available in the future, the development of an interpretation and environmental education program appears both desirable and probable, especially when one considers Wertheim's suburban location.

B. Objectives of Fishing Plan

1. To provide recreational fishing, in the Carmans River where it will not interfere with the purposes for which the refuge has been established. Fishing has long been traditional activity on Long Island and on the Carmans River.
2. To allow harvest of a renewable natural resource.
3. To provide for the development of an anadromous brown trout fishery.

III. ROLE IN FLYWAY MANAGEMENT

Fishing will disturb migrating waterfowl but as the area open is limited, the impact should be small. The area open to bank fishing is not waterfowl nesting habitat.

IV. SUMMARY OF FISHING RECOMMENDATIONS

Access for boat and bank fishing will be from River Road as shown on the map. Bank fishing will be permitted on the Carmans River between Sunrise and Montauk Highways. Non-motorized small boat fishing will be permitted on the Carmans River between the Sunrise Highway and the Long Island Railroad Trestle. Motorized boats will not be permitted to launch from the area.

Fishing will be in accordance with New York State Fishing Regulations with the exceptions that spear fishing, bait fishing with seines, traps, and the taking of frogs will be prohibited. Fishing will be allowed from one hour before sunrise to one hour after sunset.

Present New York State regulations pertaining to the Carmans River in the refuge are:

water	all tidal streams
species	trout
open season	all year
minimum size	9 inches
limit	10

Fish will be stocked by New York State to provide new fishing opportunities, provide a seasonal fishery for put and take trout, and to provide for the development of an anadromous brown trout fishery.

The following stocking is initially recommended:

- a. 10,000 brown trout fall fingerlings (for development of an anadromous stock).
- b. 2,000 brown trout yearlings (9") to provide for early season (April-May) put and take fishing.

V. PROGRAM POLICIES AND ADMINISTRATIVE CONTROL

The fishing program will be run cooperatively with the New York State Department of Environmental Conservation as described in the appended cooperative agreement. New York State fishing licensing and fishing regulations will apply.

VI. PROGRAM DESCRIPTION, PROBLEMS, AND SOLUTIONS

A. Refuge Development

The opening of Wertheim NWR to fishing will help to improve the public image of the refuge without interfering with other refuge programs.

B. Effect on Habitat

A small amount of brush will need to be cut and trimmed when a trail is built from River Road to the river. Some trampling of vegetation and compaction of soil along the river banks will occur.

C. Effect on Fish Populations

The establishment of sport fishing will have minimal effect on resident fish populations. The stocking program will establish an anadromous brown trout fishery.

D. Effect on Endangered Species

Sport fishing should not adversely effect the bald eagle or peregrine falcon. The osprey, designated threatened by New York State, should not be adversely affected. Sport fishing will be confined to a limited area of the refuge. The New York State protected ground pine and trailing arbutus are reported in the area to be opened for fishing. The trail to the river from parking along River Road will be

located so as to avoid these plants. Access to areas where these plants are found will be restricted.

VII. PROGRAM MANAGEMENT

A. Management Objectives

1. To provide quality wildlife-oriented recreation.
2. To minimize conflict between fishing and refuge's primary objective of providing a waterfowl wintering area.
3. To provide for the development of an anadromous brown trout fishery.

B. Operation of Program

The program will be operated cooperatively with the New York State Department of Environmental Conservation as outlined in the attached Cooperative Agreement.

C. Estimated Resource Removal

Most of the 9" put and take brown trout will probably be caught. The only other fish in the area which presently is sought is the white perch. Catch of this fish is unknown.

D. Effect of Fishing on Refuge Conservation Program

Most fish caught will be the 9" put and take brown trout. Fishing pressure on other species is expected to be light.

E. Estimated Public Participation

Due to the limited number of parking spaces only a small number of people will be able to use the area at any one time. Peak numbers of fishermen would probably be 20-30 on the spring opening of the trout season at South Haven County Park which is upstream from the refuge.

VIII. PHYSICAL PLAN AND EQUIPMENT REQUIREMENTS

Construction of a trail to the river and litter pick-up will be done by the New York State Department of Environmental Conservation under the Cooperative Agreement. Construction is outlined on the attached map.

IX. FUNDS AND MANPOWER REQUIREMENTS

Materials and labor for construction of a trail to the river, signs, and litter pick-up will be provided by New York State under the Cooperative Agreement. The New York State Department of Environmental Conservation will also patrol the fishing area under the Cooperative Agreement. It will also be necessary for refuge staff to include the fishing area in regular patrol rounds.

Manpower Requirements (U.S.F.W.S.)

	<u>Staff Days</u>	<u>Cost</u>
1. Patrol	10	800.00
2. Administration	1	80.00
Total Program Costs	<u>11</u>	<u>880.00</u>

X. PROGRAM DATA

A. Review of Fishing Opportunity on Public Lands Within 50 Miles

There are very limited freshwater fishing areas on Long Island. Access to most areas is limited.

Extensive saltwater fishing opportunities exist around Long Island in Great South Bay, Long Island Sound, and the Atlantic Ocean.

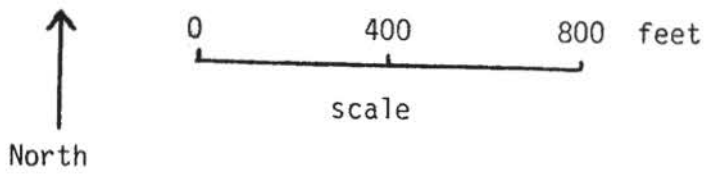
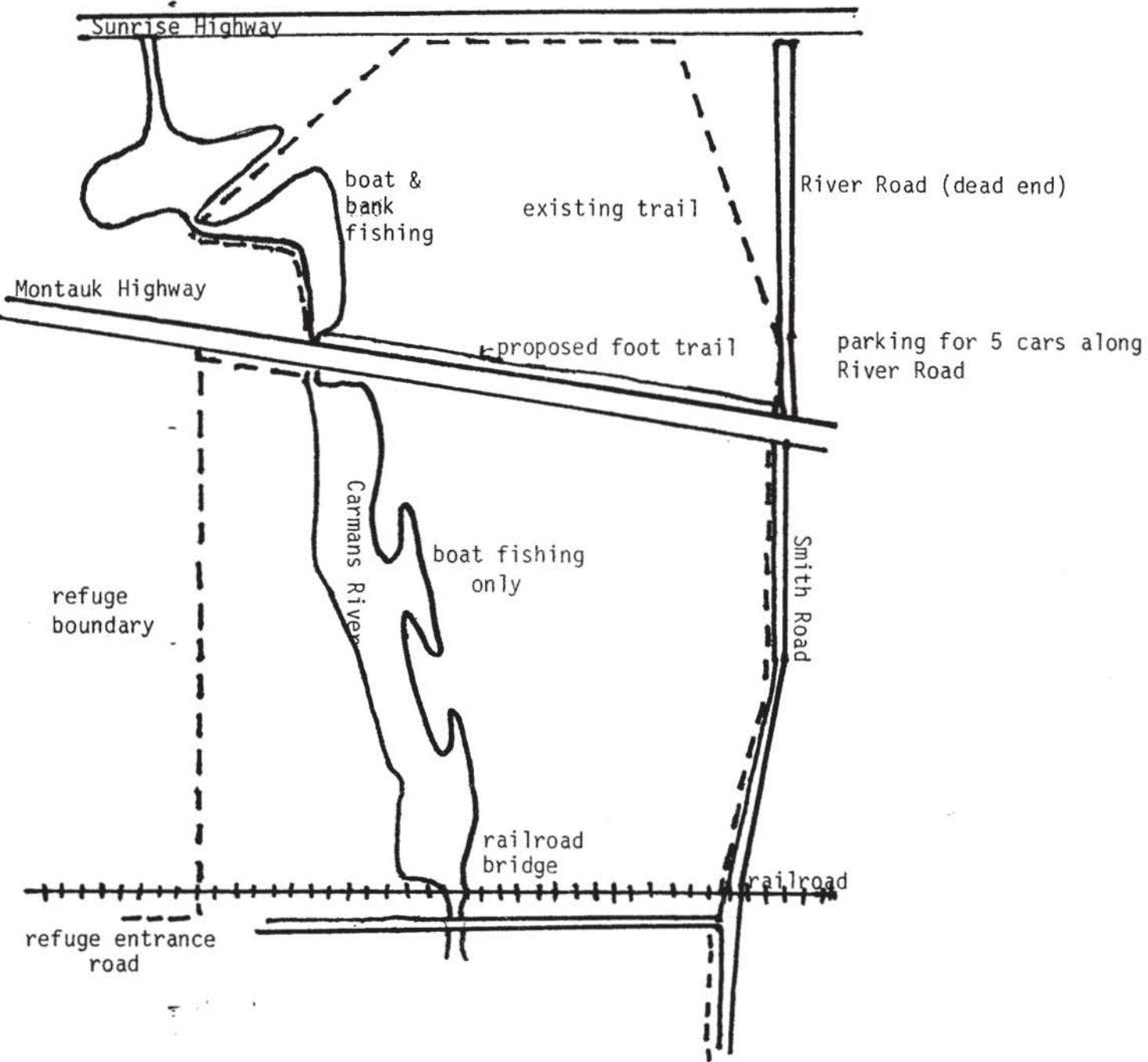
B. Tabular Summaries of Wildlife Usage

Freshwater fish - precise data are unavailable.

C. Tabular Summary of Take and Kill Data

Data - Unknown.

Fishing Area, Wertheim National Wildlife Refuge



COOPERATIVE AGREEMENT BETWEEN THE U.S. FISH AND WILDLIFE SERVICE,
DEPARTMENT OF THE INTERIOR AND THE NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

I. Purpose

This Cooperative Agreement between the U.S. Fish and Wildlife Service, hereafter referred to as the "Service" and the New York State Commissioner of Environmental Conservation, hereafter referred to as the "Commissioner" is hereby entered into under authority of Section 11-0501 of the Environmental Conservation Law of the State of New York and the authority of the National Wildlife Refuge System Administration Act of 1966, as amended (16 U.S.C. 668dd-668ee). This Cooperative Agreement is to facilitate the cooperation of the two groups in constructing and maintaining a fishing access point at Wertheim National Wildlife Refuge, Long Island, New York.

II. Scope of Work

For a period of 5 years the Commissioner and the Service shall furnish the necessary personnel, material, services, facilities, and otherwise perform all things necessary for construction and maintenance of a fishing access point at Wertheim NWR.

Specifically, the U.S. Fish and Wildlife Service will:

1. Provide an area for fishing on the Carmans River as indicated on the attached map.
2. Provide a Fishing Management Plan for Wertheim National Wildlife Refuge.
3. Prepare an environmental assessment for fishing on Wertheim National Wildlife Refuge.
4. Patrol the area within limits of funds and available manpower.

Specifically, the Commissioner of Environmental Conservation will:

1. Provide labor and materials, as may be required, to construct and maintain a 10 car parking area, and a trail to the river as described on the attached map. Fencing, posters, and other reusable materials so provided shall remain in the ownership of the State.
2. Furnish protection to said tract through patrol by environmental conservation officers within limits of funds and available manpower, as may be advisable to protect fish and wildlife resources, provide for public safety and protect rights of interest of the Service.
3. Stock fish for sport fishing in numbers and kinds agreeable to both the Service and the Commissioner.
4. Provide litter pick-up as needed.

III. Special Provisions

1. Use of the area will be for sport fishing only.
2. Shore and small non-motorized boat fishing will be permitted on that portion of the Carmans River between Sunrise and Montauk Highways and small non-motorized boat fishing only from Montauk Highway south to the Long Island Railroad trestle.
3. Spearfishing and the taking of baitfish and frogs will be prohibited.
4. Fishing will be permitted from one hour before sunrise to one hour after sunset.

IV. Cancellation

This agreement may be terminated by the Commissioner upon sixty days written notice to the Service (a) when in the judgement of the Commissioner the land is no longer needed or desired for the purposes of the agreement or (b) when in the judgement of the Commissioner the Service fails to satisfactorily perform this agreement. The Service may terminate this agreement upon sixty days written notice to the Commissioner. In the event this agreement is terminated, the Commissioner may, within the sixty day period, remove fencing, signs, and other reusable materials provided to the Service under this agreement.

V. Renewal

If the Commissioner shall without written objection from the Service hold over after the expiration of the period of time herein specified, it shall be deemed to be a renewal of this agreement for the further period of one year, and so on from year to year until either party shall give sixty days previous notice in writing to the other of an intention to terminate the agreement.

VI. Project Officers

Project officer for the Service will be Refuge Manager, Long Island Refuge Complex, Wertheim NWR, P.O. Box 21, Shirley, N.Y. 11967 (516) 286-0485. Project Officer for the Commissioner will be Supervising Aquatic Biologist, Regional Fisheries Manager, Region 1 and 2. New York State Department of Environmental Conservation, SUNY, Bldg. 40, Stony Brook, N.Y. 11794 (516) 751-7900.

VII. No transfer or assignment of this Agreement or of any part thereof or interest therein, directly or indirectly, voluntary or involuntary, shall be made unless such transfer or assignment is first approved by both parties hereto in writing.

VIII. Nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this Agreement for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.

- IX. The rights and benefits conferred by this Agreement shall be subject to the laws of the United States governing the Fish and Wildlife Service and to the rules and regulations promulgated thereunder, whether now in force or hereafter enacted or provided and nothing herein shall be construed as in any way impairing the general powers of supervision, regulation and control by the Service of property under its ownership or control.
- X. During the performance of this Agreement, both parties agree to abide by the terms of Executive Order 11246 on non-discrimination and will not discriminate against any person because of race, color, religion, sex or national origin. Both parties will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex or national origin.
- XI. No member of or delegate to Congress, or resident Commissioner shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.
- XII. The specific terms of this Agreement may be amended, upon the written motion of either party, with concurrence, in writing, of the other.

U.S. Fish and Wildlife Service

Commissioner of Environmental Conservation

Name _____

Name _____

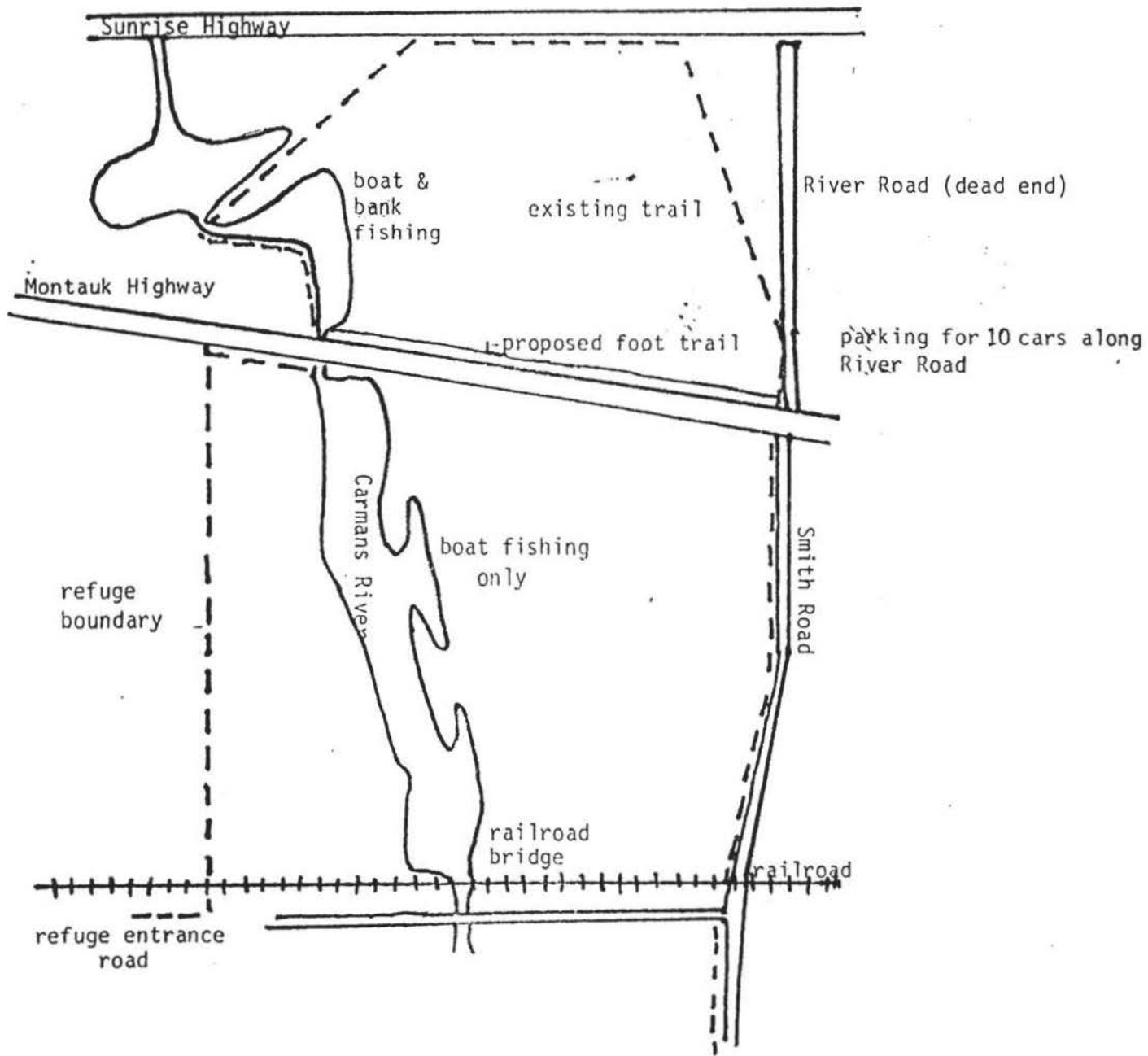
Title Regional Director

Title _____

Date _____

Date _____
Authorized Representative

Fishing Area, Wertheim National Wildlife Refuge



↑
North

0 400 800 feet
scale

Wertheim National Wildlife Refuge was established on June 7, 1947 through a donation by Cecile B. Wertheim. The land was accepted as a migratory bird sanctuary under the provisions of Section 5 of the Migratory Bird Conservation Act. The Service has determined that sport fishing as proposed in this rulemaking would be consistent with the purpose for which the refuge was established, and is therefore permissible under the agreement establishing the refuge and Section 4 [d] of the National Refuge System Administration Act of 1966. Finally, it would be practicable, consistent with other authorized programs and be adequately provided for with available funding. It is therefore also an authorized recreational use under Section 1 of the Refuge Recreation Act of 1962. Considerations in reaching this conclusion are that sport fishing will 1) provide for recreational fishing; 2) allow the harvest of a renewable natural resource; and 3) provide for the development of an anadromous brown trout fishery.

In accordance with the Refuge Recreation Act, funds have been made available for the development, operation, and maintenance of the fishing program on Wertheim National Wildlife Refuge. In fiscal year 1984, \$246,000 was allocated to Wertheim National Wildlife Refuge and a similar amount is anticipated in fiscal year 1985. A portion of this funding is being used to administer the fishing program.