

COMPATIBILITY DETERMINATION

Use: Recreational fishing

Refuge Name: Cypress Creek National Wildlife Refuge

Establishing and Acquisitions Authorities: Established June 26, 1990; 16 U.S.C. 39016, 100 Stat. 3583, Emergency Wetlands Resources Act of 1986 (Public Law 99-645). The refuge was established as an important component of the New Madrid Wetlands Project initiative which is a part of the North American Waterfowl Management Plan (NAWMP).

Refuge Purpose(s): The purposes for which Cypress Creek NWR were established are: to provide resting, feeding, nesting, and wintering habitat for waterfowl and other birds; to protect endangered and threatened species and their habitats; to increase public opportunities for outdoor recreation and environmental education that are compatible with the preceding purposes; and to protect a National Natural Landmark.

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: Fishing will be permitted on all refuge waters that are accessible to the public unless posted otherwise. Fishing is a priority public use on the National Wildlife Refuge System. Fishing traditionally occurred on refuge waters prior to refuge ownership. Providing recreational fishing on the refuge will allow the public an opportunity to participate in a traditional priority public use and allow the sustainable harvest of a renewable resource. The refuge maintains two boat ramp access sites on the Old Cache River Channel on the southern end of the refuge. The only other public boat access site is located approximately 20 miles upstream at the Cache River State Natural Area's Lower Cache River Access site. Fishing on Cache River and associated tributaries will be in accordance with state regulations for those waters. Most inland ponds can be accessed by vehicle to within 25 to 100 yards of the pond. Fishing in inland ponds on the refuge will be in accordance with refuge specific regulations and state regulations developed in coordination with the Illinois Department of Natural Resources (IDNR).

Fishing will be permitted for bass, crappie, bluegill, redear sunfish, catfish and other state permitted species with sport fishing tackle. Anglers must not use more than 2 poles and each pole must not have more than 2 hooks. Fishing will be permitted year round on the refuge following statewide seasons. Harvesting of frogs and turtles will be allowed under statewide regulations and seasons.

Refuge fishing regulations (species, limits and general regulations) will follow State guidelines for fishing to the greatest extent possible, and will be coordinated with the state annually. More restrictive regulations will be implemented, as necessary, to conserve fish populations and provide for safe, quality wildlife-dependent recreation. Refuge personnel will coordinate with the IDNR to manage fishing opportunities on the refuge. Appropriate State licenses and recreational gear licenses are required. No commercial fishing activity is permitted on the Cache River from the headwaters near Anna, IL to Hwy. 51 in Ullin, IL. Commercial fishing is permitted on the Cache River from Hwy. 51 in

Ullin, IL to the Diversion Channel near Cache, IL. Any commercial fishing activity that utilizes refuge access points or boat ramps will require a refuge special use permit. No commercial fishing will be permitted in refuge inland ponds.

Enforcement of refuge regulations to protect trust resources and provide for a quality recreational opportunity will occur via regular patrols by refuge law enforcement officers. Currently, there are one Refuge Zone Officer and one Dual Function Officer assigned to Cypress Creek NWR. Additionally, personnel from the Law Enforcement Division of the IDNR work patrols that include refuge area. Law enforcement efforts will

Availability of Resources: The refuge has been open to public use since its establishment in 1990 and as a result access trails, parking lots, signage and other facilities as well as staff to maintain these facilities are provided by the refuge. Law enforcement will be carried out by one full time Refuge Zone Officer and one Dual Function Refuge Officer with assistance from nearby refuges and IDNR Conservation Police Officers as needed. Fishing regulations will be incorporated into the annual Hunting and Fishing Regulation brochure and associated news releases. Anticipated costs to administer a refuge fishing program is \$6,000 per year, which covers law enforcement, publications, and access maintenance related costs.

Anticipated Impacts of the Use: One of the primary objectives of the refuge is to conserve, enhance, and restore the historic native bottomland community and its associated fish, wildlife, and plant species. Recreational fishing should not adversely affect the fisheries resource, wildlife resource, or any other natural resources of the refuge. Harvest of fishery resources under regulated creel and size limits will help ensure sustainable fish populations. Fishing may result in some limited disturbance to certain species of wildlife and some trampling of vegetation; however, this should be short-lived and relatively minor and would not negatively impact wetland values of the refuge.

Time and space zoning of refuge use will be utilized as necessary to minimize wildlife disturbance. Problems associated with littering and illegal take of fish would be controlled through law enforcement activities. Providing information to refuge visitors about rules and regulations, along with increased law enforcement patrol, would keep these negative impacts to a minimum.

Based on available information, only three threatened or endangered species are thought to occur on or around the refuge. The bald eagle frequently uses the refuge in late fall and winter coinciding with waterfowl migration. There have been past bald eagle nesting attempts on the refuge at the Bellrose Waterfowl Reserve. This area is a "Closed Area" with only regulated public entrance. There will not be any fishing allowed in the Bellrose Waterfowl Reserve. Potentially, bald eagles could attempt to nest in areas on to fishing. If eagle nests are established in areas accessible to anglers, restricted use zones will be established around the nest following Service policy and guidelines. Gray bats and Indiana bats have been documented in the counties surrounding the refuge, but not actually on the refuge. Fishing is not expected to directly impact bat habitat or bat use of existing habitat. Bats are primarily nocturnal foragers and fishing will be limited to daylight hours only. It is anticipated that expected levels of fishing activities would not directly, indirectly, or cumulatively impact any listed, proposed, or candidate species or designated/proposed critical habitat. Data gathered from future biological surveys regarding the importance or potential importance of the refuge to threatened or endangered species or critical habitat (or proposed threatened, endangered, or critical habitat), could result in changes to public use activities across time.

Public Review and Comment:

A news release announcing the availability of a Recreational Fishing Plan, Environmental Assessment and Compatibility Determination for a 30-day public review and comment period was published in local newspapers and the Service's Region 3 website. No written or verbal comments were received during the 30-day comment period.

Determination (check one below):

☐ Use is Not Compatible

☒ Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Fishing would be permitted in accordance with State of Illinois regulations and licensing requirements. An Environmental Assessment is on file at the refuge headquarters as part of the Fishing Plan. The following stipulations would help ensure the refuge fishing program is compatible with refuge purposes:

1. Time, date and zone restrictions may vary in the future as refuge boundaries expand and public use demands change.
2. Vehicles would be restricted to existing roads. Off-road travel would be limited to foot travel only.
3. Camping overnight on the refuge would be prohibited.
4. Possession or use of trotlines, jugs, yo-yos, nets or any other commercial fishing equipment is prohibited.
5. Fishing equipment is limited to two poles per angler with no more than two hooks or lures per pole.
6. Largemouth bass taken from refuge ponds must be at least 15 inches in length.
7. No more than 6 channel catfish may be taken per angler from refuge ponds.
8. The refuge is open to fishing during daylight hours only.

Justification: Recreational fishing is one of the six Priority Public Uses made available on National Wildlife Refuges as indicated by the National Wildlife Refuge System Improvement Act of 1997. This use will allow the visiting public to safely enjoy quality fishing on public land while other visitors enjoy wildlife observation, photography, hike or learn about the natural resources of the area. Fishing will be dispersed throughout the refuge, except for waterfowl areas closed to public entry. The dispersed nature of fishing activity and anticipated level of fishing pressure is not expected to materially interfere with or detract from fulfilling the refuge purposes or Refuge System Mission.

Signature:

Refuge

Manager:

Dennis W. Hays 1/7/08
(Signature and Date)

Concurrence: Regional Chief:

Tal W. Wainwright 1/04
(Signature and Date)

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

1/7/19