

## COMPATIBILITY DETERMINATION

**Use:** Environmental Education, Interpretation, Wildlife Observation, Wildlife Photography, and Fishing Access

**Station Name:** Blackwater National Wildlife Refuge: Garrett Island Division (Chesapeake Marshlands NWR Complex)

### **Establishing and Acquisition Authorities:**

The Chesapeake Marshlands National Wildlife Refuge Complex (CMNWRC) is composed of four nationally significant wildlife areas: Blackwater NWR with several separate divisions (including the Garrett Island Division), Eastern Neck NWR, Martin NWR, and Susquehanna NWR.

The Garrett Island Division was established November 22, 2003, by the Blackwater National Wildlife Refuge Expansion Act (Act), H.R. 274, Public Law 108-131 (16 USC 668dd). Section 3 of the Act outlines the authority to acquire property for inclusion in the Blackwater National Wildlife Refuge.

### **Refuge Purposes:**

The purposes for which the Garrett Island Division of Blackwater National Wildlife Refuge was established and shall be managed are the following:

1. "...To support the Delmarva Conservation Corridor Demonstration Program."
2. "... To conserve, restore, and manage habitats as necessary to contribute to the migratory bird populations prevalent in the Atlantic Flyway."
3. "...To conserve, restore, and manage the significant aquatic resource values associated with submerged land adjacent to the unit and to achieve the habitat objective of the agreement known as the Chesapeake 2000 Agreement."
4. "...To conserve the archaeological resources on the unit."
5. "... To provide public access to the unit in a manner that does not adversely impact natural resources on and around the unit."

### **National Wildlife Refuge System Mission:**

"To administer a national network of land and waters for the conservation, management, and where appropriate, the 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 (National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57)."

## **Description of Use:**

This evaluation is to determine the compatibility of environmental education, interpretation, wildlife observation, wildlife photography, and fishing access with the purposes for which the affected tracts were acquired.

### **(A) What is the Use? Is the use a priority use?**

The use is environmental education, interpretation, wildlife observation, wildlife photography, and fishing access on Garrett Island (Island). The National Wildlife Refuge System Administration Act of 1997 (Public Law 105-57), identified environmental education, fishing, interpretation, wildlife photography, and wildlife observation as five of the six, priority, wildlife-dependent recreational uses to be facilitated in the refuge System, and the act encouraged the Service to provide opportunities for these uses when compatible with the purposes for which the refuge was established.

### **(B) Where would the use be conducted?**

The uses will be allowed on the Island only at designated locations or facilities such as trails and other access points. These areas will be clearly marked and delineated. The areas open to access will be opened in a phased approach due to the need to develop facilities (trails) and signage.

The first phase of access will be to open a 0.25 acre sandy beach area of the Island located due west of the Perryville, MD public boat launch (center: 39.5655°N 76.0833°W). Minimal signage will be developed initially to inform visitors of basic rules.

Hiking trail(s) will be constructed as a loop(s) emanating west from the access area meandering through rocky, upland, forested portions of the Island. Special events may be held at a variety of locations on the Island under a Special Use Permit.

### **(C) When would the use be conducted?**

These uses would be conducted daily, year-round from sunrise until sunset. Special events would have specific dates and times. These uses would be specifically regulated or closed during times of refuge management activities where safety is a concern. Occasionally Special Use Permits would be issued to allow use before or after normal hours and/or other special uses.

### **(D) How would the use be conducted?**

Interpretation, wildlife observation, wildlife photography and access for fishing would be conducted through self-guided or partner-guided means. Access to trail(s) is limited to foot traffic. Vehicle and bicycle traffic is prohibited. Any access to closed areas for these activities would require a permit from the refuge manager. Environmental education for teachers and/or students would be self-guided or partner-guided activities. Staff involvement would be limited to general orientation about the Island, the Refuge, the National Wildlife Refuge System and the U.S. Fish and Wildlife Service.

An interpretive kiosk/panels will be constructed at the sand beach access area as staffing and funds become available. Additionally, hiking trails with designated trail heads will be developed and constructed from the beach access area. Access to the Island is by private or commercial tour boat. Boats would be permitted to either moor offshore of the designated access beach or ground themselves in the intertidal zone of the beach access area. Once on the Island, public access will be restricted to a posted zone around the sandy beach access area and designated hiking trail(s). All commercial activities will require a Special Use Permit and may require a fee.

**(E) Why is the use being proposed?**

Environmental education, interpretation, wildlife observation, wildlife photography and fishing are five of the USFWS six priority wildlife-dependent public uses. These activities are wildlife-dependent, priority public uses of the National Wildlife Refuge System (NWRS) under the National Wildlife Refuge System Improvement Act of 1997. All of these uses have been historical public uses on the Island that occurred for decades prior to it being incorporated into the National Wildlife Refuge System.

These uses would be conducted to provide compatible educational and wildlife-dependent recreational opportunities for visitors to enjoy the resource and to gain an understanding and appreciation of natural resource conservation, the Garrett Island unit of Blackwater NWR, the Chesapeake Marshlands NWR Complex, the National Wildlife Refuge System and the U.S. Fish and Wildlife Service.

Fishing access has been a historical, consumptive recreational use on the Island that we believe is compatible with our resource objectives. For fishing, the Service does not have jurisdiction over the deep waters of the Susquehanna River surrounding the Island and therefore we do not regulate fishing or other water-based activities within this navigable river of the State. However, we will provide access for this activity from refuge lands, and conduct enforcement of rules and regulations.

These uses would not only allow us to follow the founding purposes of the Garrett Island Division, but also would give partners and volunteers the opportunity to enjoy the Island while assisting others. The authorization of these uses would produce a more informed public, and advocates for Service programs. Likewise these uses would provide opportunities for visitors to observe and learn about wildlife and wildlands at their own pace in an unobstructed environment and to observe wildlife habitats firsthand.

**Availability of Resources:**

Existing staff and budget have sufficient resources to manage current uses. We anticipate that public use on the Island will increase as the hiking trail(s) open, interpretive kiosk/panels are erected, community outreach increases, and media attention on the Garrett Island Division expands.

Annual costs associated with current program implementation include:

Preparation of Special Use Permits .....	\$500.00
Boat operating costs .....	\$500.00
Trail Maintenance .....	\$1,500.00
Materials.....	\$500.00
Staff costs associated with Refuge programs .....	\$2,000.00
Total Cost of Program.....	\$5,000.00

This total does not include a one-time cost of \$10,000.00 required to purchase and install a new kiosk and develop/purchase interpretive panels for the beach area/trailhead or the cost to develop the hiking trails or other outreach materials.

**Anticipated Impacts on Refuge Purpose(s):**

The following is a summary of the environmental, socioeconomic, and cultural/historical impacts of environmental education, fishing, interpretation, wildlife photography, and wildlife observation. Impacts from these priority public uses are expected to be minimal on refuge resources. Public use trends and associated impacts from human activity will be monitored. If significant increases in use occur, and/or if impacts to resources are determined significant, the programs will be reevaluated and modified as necessary to ensure compatibility.

*Short-term impacts:* The Refuge priority uses being evaluated (Environmental Education, Interpretation, Wildlife Observation, Wildlife Photography, and Fishing Access) may impose minor negative impacts on physical resources such as trails and on natural resources such as the sand beach, vegetation and wildlife. Impacts may include erosion, deterioration, trampling, and temporary disturbance. All public uses described herein shall occur in specific footprints on the Island, particularly, hiking trail(s) and the sandy access beach.

Wildlife disturbances typically results in a temporary displacement without long-term effects on individuals or populations. If bald eagle nesting sites are established near public use areas in the future, those areas will be closed to public access as necessary.

Garrett Island has a rich cultural resource history and was used by native and colonial Americans. The potential loss or damage of important sites increases by the presence of the public in areas previously closed to general access. This could lead to the potential disturbances and inadvertent discoveries and/or exposures of cultural resources. These impacts should be minimized, however, by:

1. routing hiking trail(s) to upland rocky areas with no known archeological sites, and
2. limiting access to designated areas of the Island.

Because the Island is approximately four hours from the headquarters of Blackwater NWR and two hours from Eastern Neck NWR, law enforcement oversight of the Island's cultural resources by refuge personnel will be limited. However, refuge law enforcement staff has been working

with partners such as the Maryland Department of Natural Resources Police, the Maryland State Park Service, the City of Perryville Police Department and the Maryland Transit Authority Police to assist with patrols/law enforcement issues on the Island.

*Long-term impacts:* Long term impacts are anticipated to be minimal because only certain areas will be open to the public, and sensitive areas, such as potential future bald eagle nesting sites and archaeological sites, will be closed as needed.

An indirect long term impact is the potential for the public to unintentionally introduce and/or spread invasive species. Once established, invasive plants can out-compete native plants, thereby altering habitats and impacting wildlife. The threat of invasive plant establishment will always be an issue, and will require annual monitoring, treatment and education.

*Cumulative impacts:* Impacts may be minor when we consider them alone, but may become important when we consider them collectively. Our principal concern is repeated disruptions of nesting, resting, or foraging birds.

Our knowledge and observations of the affected areas show no evidence that these five priority, wildlife-dependent uses cumulatively will adversely affect the wildlife resource. We also have not observed significant resource degradation, long-term consequences, or cumulative effects on any of the refuges with established programs. However, opening refuge land to public use can often result in littering, vandalism, or other illegal activities on the refuges. Although we do not expect substantial cumulative impacts from these five priority uses in the near term, it will be important for refuge staff to monitor those uses and, if necessary, respond to conserve high-quality wildlife resources.

### **Public Review and Comment:**

This draft compatibility determination will be submitted for public review and comment by 1) a notice posted in the Perryville Town Hall and Perryville Post Office for 30 days, 2) a notice published in the Cecil Whig Newspaper, and 3) posted on the Blackwater NWR and Eastern Neck NWR and websites. The comment period will be from May 1, 2009 to May 30, 2009.

### **Determination:**

Use is not compatible \_\_\_\_.

Use is compatible with the following stipulations X.

### **The following stipulations are required to ensure compatibility:**

1. Access will be permitted only on designated beach and hiking trail(s) between sunrise and sunset.
2. We will install signs for visitor information, safety, and resource protection.

3. Public use trends and associated impacts from human activity will continue to be monitored. If significant increases in use occur, and/or if impacts to resources are determined significant, the program will be reevaluated and modified as necessary to ensure compatibility.
4. Off-trail use or use during the Island's closed hours requires a special use permit unless the activity is in conjunction with a refuge staff- or volunteer-led program.
5. Certain areas on the Island may be closed to public access at any time at the Refuge Manager's discretion to protect sensitive habitats, species of concern, minimize conflicts with other refuge activities, or due to human health and safety concerns.
6. The Service and its law enforcement partners will conduct routine law enforcement patrols throughout the year. The patrols will promote compliance with refuge regulations, monitor public use patterns and public safety, and document visitor interaction. The patrols will record visitor numbers, visitor activities, and activity locations to document current and future levels of refuge use.
7. Anglers must not clean their catch or dispose of offal on the Island and must carry all litter off the Island.

**Justification:**

The National Wildlife Refuge System Improvement Act of 1997 (P.L. 105-57) identifies six legitimate and appropriate uses of wildlife refuges: Hunting, fishing, environmental education, interpretation, wildlife observation, and wildlife photography. These priority public uses are dependent upon healthy wildlife populations. Where these uses are determined to be compatible, they are to receive enhanced consideration over other uses in planning and management.

We have determined five of the six priority wildlife-dependent uses to be compatible at their current levels and under the stipulations listed above. Under these conditions, these activities will not materially interfere with or detract from the mission of the National Wildlife Refuge System or the purposes for which the refuge unit was established.

Signature – Suzanne C. Baird, Refuge Manager: \_\_\_\_\_  
 (Signature and Date)

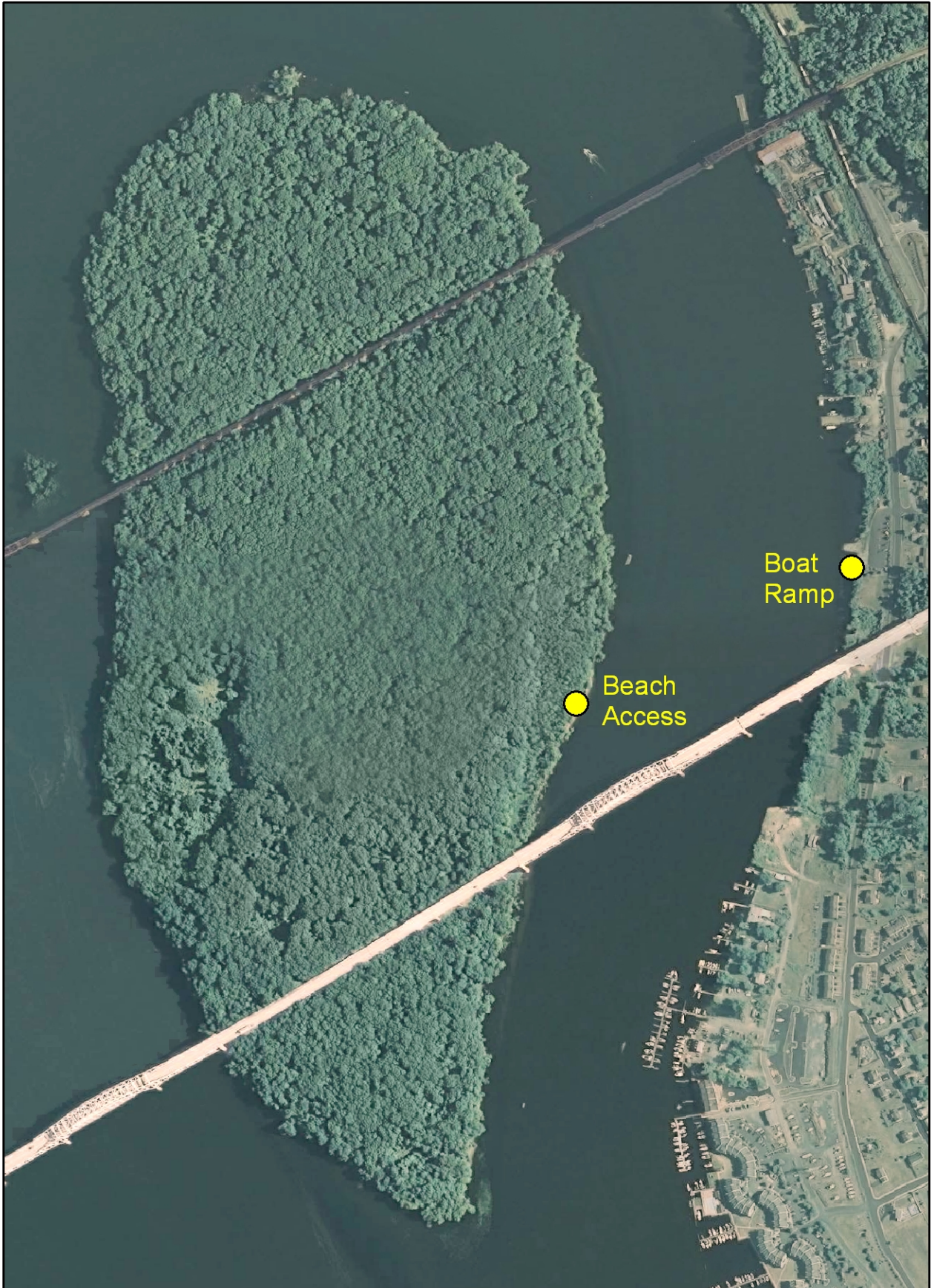
Concurrence – Anthony D. Leger, Regional Chief: \_\_\_\_\_  
 (Signature and Date)

Mandatory 10- or 15-year Reevaluation Date: \_\_\_\_\_

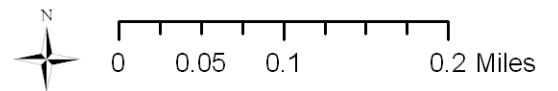




# Garrett Island Division of Blackwater National Wildlife Refuge



Base Imagery 2007 True Color







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Base Imagery 2007 True Color



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