

RECREATIONAL FISHING PLAN
CYPRESS CREEK NATIONAL WILDLIFE REFUGE

U.S. FISH AND WILDLIFE SERVICE
CYPRESS CREEK NATIONAL WILDLIFE REFUGE
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I. INTRODUCTION

Cypress Creek National Wildlife Refuge (NWR) was established on June 26, 1990 under the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3901 b, 100 Stat. 3583, PL 99-645). The refuge is located along approximately forty miles of the Cache River and its tributaries in Johnson, Union, Pulaski and Alexander counties Illinois. The Cache River - Cypress Creek Wetlands were designated as a "Wetlands of International Importance - especially as waterfowl habitat" under terms of the Ramsar Convention. The U.S. Fish and Wildlife Service (USFWS), Illinois Department of Natural Resources (IDNR), The Nature Conservancy (TNC) and Ducks Unlimited (DU) entered into a Memorandum of Agreement forming a Joint Venture Partnership for protecting the biological diversity and improving the quality of the human environment in the Cache River Wetlands. The Joint Venture Partnership is focusing on a 60,000 acre core area within the Cache River Basin.

The refuge acquisition boundary encompasses 35,320 acres, which is located along the Cache River from Hwy. 37 then west and south to Mound City, IL. Land for inclusion in the refuge is acquired from willing sellers on a continual basis. Currently, the refuge has acquired 15,328 acres. The Cache River has been extensively modified during the last 100 years by creation of the Post Creek Cutoff and Forman Floodway (1912), Cache River Levee (1949), Diversion Channel (1950) and numerous other tributary modifications (1912 to present). Principle tributaries are Cypress Creek, Big Creek, Mill Creek, Sandy Creek and Boar Creek. The Cache River basin was essentially divided into two segments in 1912 by extending and excavating a tributary of the Cache River, the Post Creek channel. The Lower Cache as it exists today is about 50 miles long from the Post Creek Cutoff to the mouth of the Diversion Channel near Cache, IL that empties into the Mississippi River. The seven mile segment of the Cache River situated between the diversion ditch near Cache, IL, and the traditional outlet into the Ohio River was severed from the rest of the Cache River watershed in 1950 when the diversion ditch was constructed (U.S. Fish and Wildlife Service, 1990).

Land within the refuge acquisition boundary contains parts of four overlapping physiographic regions; the Costal Plains, Interior Low Plateaus, Central Lowlands, and Ozark Plateaus. Each of these regions contain unique plant and animal species influenced and molded by the habitat and environmental conditions within the specific region. These conditions create a habitat area of unusual species abundance and diversity. Of the six areas in the country where four or more of these physiographic regions overlap, the Cache River basin is thought to be the most diverse (Initial Evaluation Report, Alexander and Pulasky Counties, Illinois, March, 1984).

The Cache River area is composed primarily of wetlands, bottomland forest, upland forest, and agricultural lands. Five general categories of wetlands occur on the refuge: 1) swamp; 2) shrub swamp; 3) open water; 4) wet floodplain forest; and 5) successional fields (wet farmland). The swamp and shrub swamp areas are dominated by cypress and tupelo trees with varying amounts of buttonbush scrub ticket. Water in these areas stands at a depth of

approximately two feet when full. These cypress and tupelo trees make up some of the oldest living stands of trees east of the Mississippi River. Open water is characterized by a wide expanse of open water that is generally too deep for trees and shrubs. A few cypress trees occur scattered in the open water, but buttonbush is restricted to the edges. The open water lakes or ponds were 8-10 feet deep prior to settlement. Forest clearing and agricultural activity over the last 50 years have resulted in the deposition of over 4 feet of sediment in these water bodies. Manmade ponds are also common throughout the area. Most of the manmade ponds range in size from 0.25 acres to 1.0 acre with maximum depths of 5 to 10 feet. There are currently fifteen manmade ponds with permanent water on the refuge.

II. CONFORMANCE WITH STATUTORY AUTHORITIES

The National Wildlife Refuge System Administration Act of 1966, as amended, and the Refuge Recreation Act of 1962 authorize public fishing on refuges where the fishing program is compatible with the major purposes for which the area was established. The National Wildlife Refuge System Improvement Act of 1997 requires that refuges be managed to facilitate the following six wildlife-dependent recreational uses: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. As part of this document, a compatibility determination was completed and assuming that fishing regulations are based on sound biological principles, fishing is deemed compatible and a worthy recreational opportunity to provide the public.

The mission of the National Wildlife Refuge System as set forth by Congress in the National Wildlife Refuge System Improvement Act of 1997 is:

"...to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Development and enhancement of a quality and biologically sound fishing program that leads to enjoyable recreation experiences, greater understanding and appreciation of fish resources and aids in the conservation of fish populations and their habitats is the overall goal for the fishing program at Cypress Creek National Wildlife Refuge.

The Refuge Recreation Act requires that funds be available for the development, operation, and maintenance of fishing programs. The operating budget of the refuge is sufficient to support a basic fishing program. It will cost approximately \$6,000 per year to administer the fishing program, which includes costs for law enforcement, boat ramp and other access maintenance, and providing public information about fishing on the refuge. It is difficult to determine the number of anglers that will visit the refuge because fishing is dependent upon the rising and falling river levels, access and angler interest.

III. STATEMENT OF OBJECTIVES

The purposes for which Cypress Creek NWR was established are:

- a. Protect, restore, and manage bottomland hardwood forests and wetlands in support of the North American Waterfowl Management Plan;
- b. Provide resting, feeding, nesting, and wintering habitat for waterfowl and other birds;
- c. Protect endangered and threatened species and their habitats;
- d. Increase public opportunities for outdoor recreation and environmental education that are compatible with the preceding purposes; and
- e. Protect a National Natural Landmark (Lower Cache River Swamp).

The objectives for the Cypress Creek NWR fishing program are:

- a. to promote public understanding of and increase public appreciation for the area's natural resources;
- b. to provide opportunities for high-quality recreational and educational fishing experiences;
- c. and to maintain viable, diverse populations of fish species based on sound biological principles and data that seek to maintain populations at sustainable levels.

The overall objective of the refuge fishing program is to provide safe, quality fishing opportunities for the visiting public. Fishing guidelines and regulations will be based on sound biological principles. The fishing program will be compatible with refuge objectives and will not interfere with public use and wildlife management objectives.

IV. ASSESSMENT

As stated above, the current refuge contains 15,328 acres. As land is purchased from willing sellers, the boundary will continue to grow up to a maximum of 35,320 acres. This fishing plan is intended to apply to all future acquisitions, where appropriate.

Fish populations on Cypress Creek NWR are very diverse representing a overlap of riverine, swamp and stream species. Eighty-five species of fish are known from 77 sites in the Cache River watershed. State endangered fishes in the region are the cypress minnow, *Hybognathus hayi*, and bigeye shiner, *Notropis boops*. State threatened species

are the redbottomed sunfish, *Lepomis miniatus*, and the bantam sunfish, *Lepomis symmetricus*. (Cache River Area Assessment, Vol. I, part II, 1997)

Despite continued drainage, siltation, and resulting lower water levels, West and Hutchinson (1988) report that fishing has gradually improved on the Cache River since the construction of a low water dam on the Diehl property in 1982. No creel surveys have been taken to date. Although the majority of fish in the Cache River are non-game species, the river does support populations of several game species including largemouth bass, white crappie, black crappie, bluegill, and several species of sunfish. Other commonly fished species include catfish and bullhead. Lower reaches of the Cache River experience annual backwater flooding from the Mississippi River. Spring flooding along the Cache provides valuable backwater spawning habitat for a variety of species and helps maintain fish stocks throughout the system. Upland ponds on the refuge typically contain populations of largemouth bass and bluegill. Populations are dependent on past private stocking and harvest levels.

Fish abundance on the refuge depends on annual backwater flooding levels and annual recruitment in nonflood effected waters. There has been a long history of fishing on refuge waters prior to refuge ownership. Providing recreational fishing opportunities on the refuge under regulated manner, means and creel limits will not jeopardize the overall fish population. Competition for fish between refuge visitors and wildlife is not expected because many of the areas used by wildlife are not easily accessed by the public.

The State of Illinois has jurisdiction over all of the rivers and lakes of the state as promulgated in Illinois Rivers, Lakes, and Streams Act 615 ILCS 5/. Ownership of and title to all aquatic life within the boundaries of the state of Illinois come under the jurisdiction of the state with regards to taking, killing, possession, use, sale, and transportation, as set forth in Illinois Fish and Aquatic Life Code 515 ILCS 5/. Fishing is authorized on National Wildlife Refuges when deemed compatible with the purposes of the refuge and shall comply with the applicable provisions of the laws and regulations of the State unless the same are further restricted by Federal law or regulations as provided in Code of Federal Regulations 50, part 32.5. Where the refuge has fee title ownership to the lands bordering rivers, streams and ponds, more restrictive Federal regulations may be utilized to regulate fishing access, methods and seasons. At Cypress Creek NWR, persons fishing from a boat on the Cache River or its tributaries would be governed by State regulations, while those persons fishing from the bank of either the Cache River or inland ponds would be subject to applicable State regulations and any other refuge specific regulations.

The fisheries resource in rivers and streams on the refuge are largely dependent on annual flooding cycles associated with the Mississippi River and other headwater flooding events. Years with spring flooding typically provide good backwater spawning habitat that results in good fish production. Conversely, years without flooding results in low fish production or restocking from the Mississippi River. Inland ponds on the refuge contain bass and

bluegill populations that are self-sustaining when managed with creel and size limits. A fishery management plan will not be prepared for the refuge due to the nature of floodplane fisheries, lack of Federal authority and a largely self-sustaining inland pond fishery.

V. DESCRIPTION OF FISHING PROGRAM

Fishing will be permitted on all refuge waters that are accessible to the public unless posted otherwise. 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. 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). Most inland ponds can be accessed by vehicle to within 25 to 100 yards of the pond. Refuge ponds will be open to the general public and may be used to host special population fishing events. Supplemental stocking of some refuge ponds with channel catfish, bass and bluegill will be used to maintain a well balanced fishery.

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. Commercial fishing activity is not permitted on the Cache River from the headwaters near Anna, IL to hwy. 51 in Ullin, IL unless a contract is set up through IDNR. 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 is only one dual function refuge officer assigned to Cypress Creek NWR. Additional law enforcement assistance is provided on a part time basis through Crab Orchard NWR located 40 miles north of the refuge. Current plans are to station a full time Refuge Zone Officer at Cypress Creek NWR in the next 12 months. This officer will

coordinate law enforcement on all refuges in the area as well as perform law enforcement duties on Cypress Creek NWR. Additionally, personnel from the Law Enforcement Division of the IDNR work patrols that include refuge area. Law enforcement efforts will be coordinated with IDNR officers to the extent possible including the sharing of information and joint operations.

VI. MEASURES TAKEN TO AVOID CONFLICTS WITH OTHER MANAGEMENT OBJECTIVES

A. Biological Conflicts (also see Section 7 Evaluation and Environmental Assessment)

As stated above, the refuge objectives include the conservation, enhancement, restoration and management of habitat to benefit native fish, migratory songbird and wildlife populations and threatened and endangered species. Most fishing opportunities will occur during spring and early summer when water levels are high from flooding influences. During flooded conditions some wildlife is dispersed to higher ground while some species specifically use the flooded habitat. Any wildlife disturbance from fishing activity should be minimal due to wildlife distribution patterns and the inaccessibility of many areas of the refuge.

When the river is back within its banks, wildlife moves back into the refuge. The area available for visitors to bank fish along the river or inland ponds is small compared to that available to wildlife. Therefore, there will likely be minimal impact on wildlife due to fishing. Refuge personnel may designate specific areas as sanctuary for threatened and endangered species, waterfowl, rookeries or for other purposes, if necessary. Those areas would be closed to all public use.

B. Social Conflicts

Other activities that will occur on the refuge simultaneously with fishing include hunting, canoeing, hiking, birdwatching, wildlife observation, refuge tours and nature photography. No conflict is expected between anglers and non-fishing visitors.

VII. FISHING SPECIFICS

A. Refuge-specific Regulations

The following activities are PROHIBITED at Cypress Creek NWR:

1. Taking any wildlife, plant or part thereof other than specified in refuge regulations
2. Possession or use of trotlines, jugs, yo-yos, nets or any other commercial

fishing equipment, except in areas where commercial tackle is authorized by state regulation

3. Use of more than two poles per angler with more than two hooks or lures per pole
4. Possession of bass less than 15 inches in length caught from inland ponds
5. Possession of more than 6 channel catfish caught from inland ponds
6. Camping/overnight parking
7. Fires

B. Angler Application and Registration Procedures

Anglers are required to have a valid State fishing license to fish on the refuge. No registration with the refuge headquarters is necessary.

C. Description of Angler Selection Process

At this time, there are no restrictions or limits on the number of anglers permitted on the refuge.

D. Draft News Release Regarding the Fishing Program

The Cypress Creek National Wildlife Refuge Manager recently announced that recreational fishing is available on the refuge throughout the year. Access to the refuge is available by boat and land. Two boat ramps are available at the Old Cache River Channel on the southern end of the refuge. There are approximately 15 inland ponds available for fishing throughout the refuge. Information on fishing access points, upland pond locations and refuge fishing regulations are available at the refuge headquarters located at the Shawnee College Rustic Campus, Ullin, Illinois.

Fishing regulations generally follow Illinois Department of Natural Resources guidelines. All freshwater species that are permitted for harvest by the State may be harvested on the refuge.

If you have any questions regarding fishing opportunities on the refuge call the headquarters at 618/634-2231.

E. Angler Requirements

1. Allowable equipment-Use of gear or equipment other than a limit of two poles with up to two hooks or lures per pole is prohibited.
2. Licensing and permits-All anglers are required to possess and carry all applicable State fishing and recreational gear licenses while fishing.

VIII LITERATURE CITED

Illinois Department of Natural Resources. March, 1997. Cache River Assessment, Vol. 1, Part II Living Resources. Natural Survey Division, Champaign, Illinois. 212 pp.

U.S. Army Corps of Engineers. March, 1984. Initial Evaluation Report of the Water Resources Problems of Streams and Tributaries in Alexander and Pulaski Counties, Illinois. St. Louis District, St. Louis, Missouri. 131 pp.

U.S. Fish and Wildlife Service. June, 1990. Final Environmental Assessment - Cypress Creek National Wildlife Refuge, Alexander, Johnson, Pulaski, and Union Counties, Illinois. Region 3, Twin Cities, Minnesota. 236 pp.

West, K.A., and M. Hutchison. September, 1988. Lower Cache River State Natural Area Master Plan, Pulaski and Johnson, Counties, Illinois. Illinois Department of Conservation and Planning, Goreville, Illinois. 159 pp.

Proposed Refuge Specific Fishing Regulations for Federal Register

Cypress Creek National Wildlife Refuge

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We prohibit the use of trotlines, jugs, yo-yos, nets or any other commercial fishing equipment, except in areas where commercial tackle is authorized by state regulation.
2. We prohibit the use of more than two poles per angler with more than two hooks or lures per pole.
3. We prohibit possession of bass less than 15 inches in length caught from refuge ponds.
4. We prohibit possession of more than 6 channel catfish caught from refuge ponds.