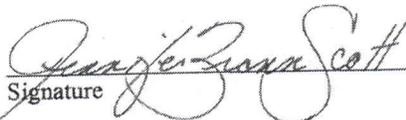


Hunt Plan for a Controlled Deer Hunt on the Lake Lowell Unit of the Deer Flat National Wildlife Refuge

CANYON COUNTY, IDAHO

January 2012

Submitted By:
Project Leader



Signature

1/19/12
Date

Concurrence:

Refuge
Supervisor



Signature

1-25-12
Date

Chief, Office
of Refuge Law
Enforcement

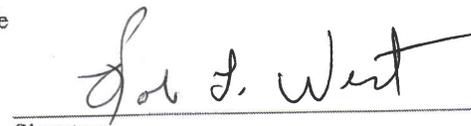


Signature

1/25/12
Date

Approved:

Regional Chief,
National Wildlife
Refuge System



Signature

1-25-12
Date

Hunt Plan for a Controlled Deer Hunt on the Lake Lowell Unit of the Deer Flat National Wildlife Refuge

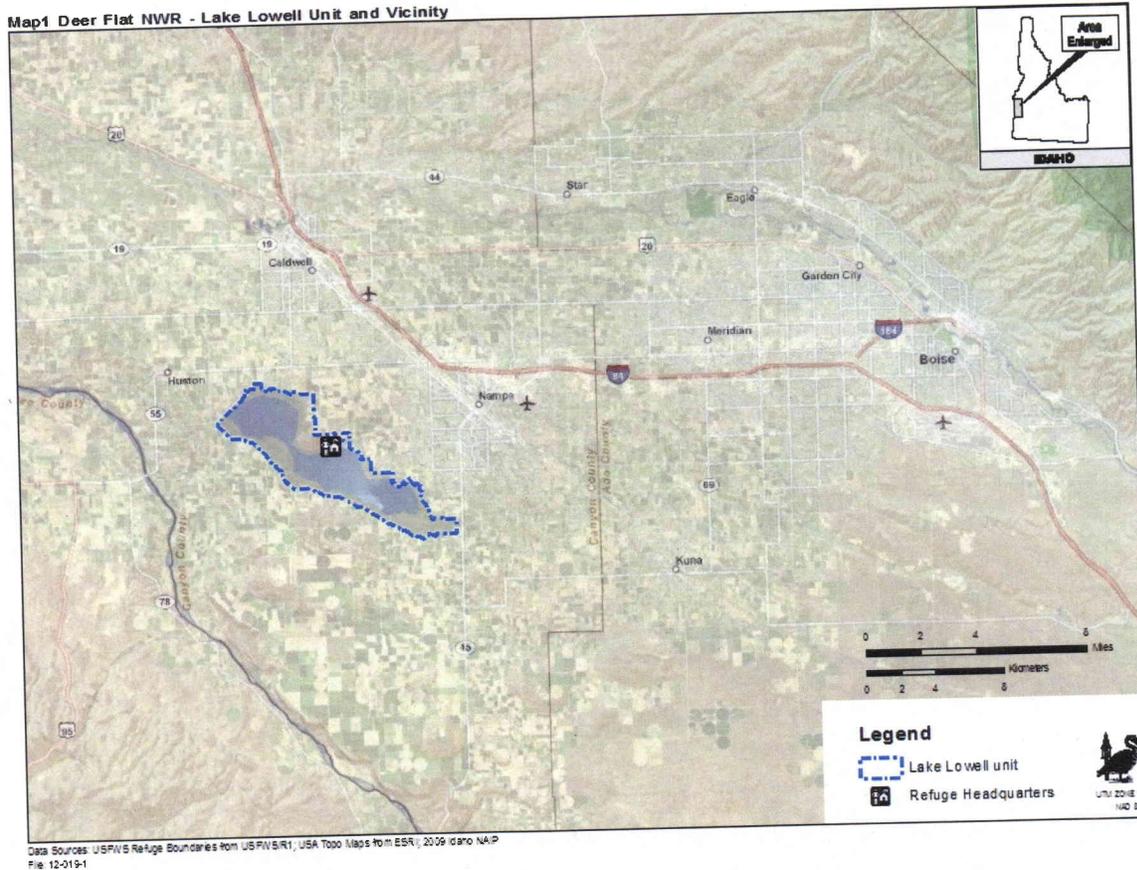
I. INTRODUCTION

The Deer Flat National Wildlife Refuge (Refuge) is situated in the Middle Snake subbasin. The Middle Snake subbasin is an area that lies in the Snake River Plain and is surrounded by several mountain ranges: Jarbidge and Owyhee mountains to the southwest, Boulder Mountains and the Sawtooth Range in the northeast, and the Seven Devils and Wallowa mountains surrounding the northwestern areas of the subbasin (Ecovista and IDFG 2004). Nestled in the high desert landscape in southwest Idaho, the Refuge provides important breeding area for birds and mammals, as well as other wildlife.

The Refuge has two management Units, the Snake River Islands and Lake Lowell. The Snake River Islands Unit contains about 800 acres on 101 islands. These islands are distributed along 113 river miles from the Canyon-Ada County Line in Idaho to Farewell Bend in Oregon. This plan is specific to the Lake Lowell Unit approximately 20 miles outside of Boise, Idaho. Lake Lowell is adjacent to Nampa, Idaho, the second largest city in the state. See Map 1 for a landscape perspective of the area. The Lake Lowell Unit is situated on a plateau between the Snake River and Boise River (IDEQ 2010). The Unit encompasses approximately 10,500 acres, including the almost 9,000-acre Lake Lowell. Lake Lowell is approximately 14.5 square miles in surface area with 28 miles of shoreline. Much of the lake is fringed with riparian habitat and mudflats that are pronounced at low-pool elevation levels (IDEQ 2010). The private lands surrounding the Lake Lowell Unit are a mix of rural irrigated agricultural lands and urban residential housing.

Before settlement, the area that was to become Deer Flat National Wildlife Refuge was a low-lying nourished by many springs. In winter, herds of deer and elk were attracted to the spring fed grassland and marshes. Early settlers dubbed the area as 'Deer Flat' based upon the abundance of wintering animals. With settlement in Southwest Idaho came the desire to irrigate cropland to sustain the populous. The challenge of irrigating the arid west largely fell to the newly established Bureau of Reclamation. By 1906 local landowners, including James H. Lowell, had lobbied the Bureau of Reclamation to construct an irrigation reservoir at Deer Flat. Upon completion of the reservoir, President Theodore Roosevelt realized the value of a nearly 9,000 acre lake in an arid ecosystem to wildlife. In 1909 Roosevelt established Deer Flat National Bird Reservation as a "... preserves and breeding grounds for native birds' by Executive Order. In 1937 President Franklin D. Roosevelt by Executive Order reaffirmed the Deer Flat Migratory Waterfowl Refuge with the purpose of "a refuge and breeding grounds for migratory birds and other wildlife".

Map1 Deer Flat NWR - Lake Lowell Unit and Vicinity



II. CONFORMANCE WITH STATUTORY AUTHORITIES

Any use of the Refuge must be compatible with resource protection and conform to applicable laws, regulations and Fish and Wildlife Service (Service) policies. Recreational use, in this case hunting, is allowed under the Refuge Recreation Act of 1962 (16 U.S.C. 460K, amended), which authorizes the Secretary of the Interior to administer refuges, hatcheries and other conservation areas for recreational use.

The Refuge Recreation Act requires that:

- 1) any recreational use permitted will not interfere with the primary purpose for which the refuge was established; and
- 2) funds are available for the development, operation and maintenance of the permitted forms of recreation.

Likewise, statutory authority for Service management and associated habitat/wildlife management planning on units of the National Wildlife Refuge System (NWRS) is derived from the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee). The National Wildlife Refuge System Improvement Act (NWRISA) provided a mission for the NWRS and clear standards for its management, use, planning and growth. The National Wildlife Refuge Improvement Act recognizes that wildlife-dependent recreational uses - including hunting, fishing, wildlife observation and photography, and environmental education and interpretation,

when determined to be compatible with the mission of the NWRS and the purposes of the refuge—are legitimate and appropriate public uses of national wildlife refuges. Sections 5(c) and (d) of the National Wildlife Refuge Improvement Act states “compatible wildlife-dependent recreational uses are the priority general public uses of the NWRS and shall receive priority consideration in planning and management; and when the Secretary [of the Interior] determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated, subject to such restrictions or regulations as may be necessary, reasonable, and appropriate.” The term compatible use is defined as a wildlife-dependent recreational use or any other use of a refuge that, in the sound professional judgment of the Director, will not materially interfere with or detract from the fulfillment of the mission of the System or the purposes of the Refuge. The U.S Fish and Wildlife Service’s Final Compatibility Policy Pursuant to the Act delegates the responsibility of determining compatibility to the Refuge Manager with concurrence by the Refuge Supervisor. See Appendix A for the Refuge Manager’s Compatibility Determinations in regards to deer hunting on the Lake Lowell Unit of Deer Flat NWR.

The purposes for which Deer Flat National Wildlife Refuge was established are as follows:

- 1 “...as a refuge and breeding ground for migratory birds and other wildlife...” (Executive Order 7655, dated July 12, 1937)
- 2 “...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” (16 U.S.C. 715d Migratory Bird Conservation Act)
- 3 “...suitable for (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species...” (16 U.S.C. 460k-1) and “...the Secretary...may accept and use...real... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors...” (16 U.S.C. 460k-2 and Refuge Recreation Act 16 U.S.C. 460k-460k-4, as amended).
- 4 “...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 of servitude...” (16 U.S.C. 742f(b)(1) Fish and Wildlife Act of 1956).

III. ASSESSMENT

Implementation of the Hunt Plan will not detract from or interfere with the Deer Flat Refuge purposes or National Wildlife Refuge System Mission. The hunt will implement user and administrative stipulations specified in the Deer Hunting Compatibility Determination. After five years the deer hunting program will be thoroughly evaluated to determine if the Refuge is affording the public a quality and safe hunting opportunity. If there have been no unacceptable impacts to other wildlife populations, any unanticipated impact to other public use programs, or objectionable impacts to public safety the hunting programs would be continued. The evaluation will address any reductions, modifications, or other changes to the hunt program to rectify impacts, improve safety, and promote quality.

IV. BIOLOGICAL SOUNDNESS

Hunting programs need to be based on healthy, sustainable populations of the species hunted. This hunt opening package is specific to the hunting of mule deer (*Odocoileus hemionus*) and white-tailed deer (*Odocoileus virginianus*) on portions of the Lake Lowell Unit of the Refuge. Hunting programs for species currently hunted on Refuge (upland game and waterfowl) will be addressed by the Refuge's Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS).

Status of mule deer on the Refuge

As implied in the Refuge's name, Deer Flat, was named upon an abundance of wintering deer in the area at the time of settlement. Through time the site has seen significant transformations from a natural setting of springs, meadows, and wetlands to a highly engineered irrigation reservoir. Deer still frequent the Refuge seeking cover in the riparian forests around Lake Lowell while foraging on adjacent private lands. These private lands are under production for crops, providing seasonally important and enticing feed for deer.

Mule deer are Idaho's most abundant and widely distributed big game animal providing more recreational opportunity than any other big game species (IDFG 2010). Mule deer densities are highest in Idaho south of the Salmon River. Conversely, north of the Salmon River mule deer are scattered in suitable habitat with white-tailed deer being the dominate deer species (IDFG 2010). The deer herd at Lake Lowell is comprised primarily of mule deer, although it is possible that white-tailed deer may be occasionally present. Much of Idaho's historic mule deer winter range has been developed and is now occupied by man. This is evident at Deer Flat where a series of natural low-lying seeps has been transformed into an engineered irrigation reservoir surrounded by large tracts of agriculture interspersed with rural housing and subdivisions.

For game management purposes, Idaho is split into separate Game Management Units (GMUs). Deer Flat NWR is surrounded by the 1.26 million acre GMU 38. GMU 38 is characterized as 46.4% mixed agricultural lands, 47.0 rangelands, and 5.6% urban. Unfortunately, due to logistical challenges, mule deer population surveys are not conducted within GMU 38. Surveys have been conducted on the three GMUs adjacent to GMU 38 (GMUs 32, 39, and 40). The surveys of these three GMUs suggest an estimated mule deer population of over 55,000 mule deer, as projected after the annual hunt season. Collectively, GMUs 32, 39, and 40 harvested over 5000 mule deer during the 2010 hunting season. Over the last decade GMU 38's short-range weapon seasons have annually harvest an average of 234 mule deer. The true population estimate of mule deer within GMU cannot be estimated, however, these lines of evidence suggest that the population within the Southwest Region of Idaho is generally robust and healthy (L. McDonald, pers. comm.).

Recent deer spotlight surveys conducted on the Refuge and adjacent agricultural lands range from 34-131 deer identified along the survey route. The bulk of the local deer population has been observed along the south shore of Lake Lowell both on and off Refuge property. The spotlight data is not presented to suggest an accurate population projection. Generally spotlight

data suggests a density of deer within an area surveyed that can project a population estimate for a larger landscape. The survey data from Table IV is raw data from the initial surveys. The IDFG and Service estimate the localized population, within ½-mile of the Refuge boundary to be at least 125 mule deer (USFWS/IDFG pers. com.).

Date	# Bucks	# Doe	# Fawn	# Unidentified	Total
Aug. 25, 2010	5	21	8	2	36
Dec. 27, 2010	15	81	0	2	98
Mar. 22, 2011	1	130	0	0	131
June 10, 2011	11	51	2	0	64
Aug. 22, 2011	5	18	8	3	34

To refine the deer population data, the Refuge has a contract to conduct an aerial survey using forward-looking infrared (FLIR) imagery over the terrestrial portions of the Refuge and a ½-mile buffer of private land beyond the Refuge boundary. The survey will be done during the dormant period for trees and should successfully count deer in forested and open habitats. This survey should offer a better refined estimate of the local deer population.

V. DESCRIPTION OF HUNTING PROGRAM

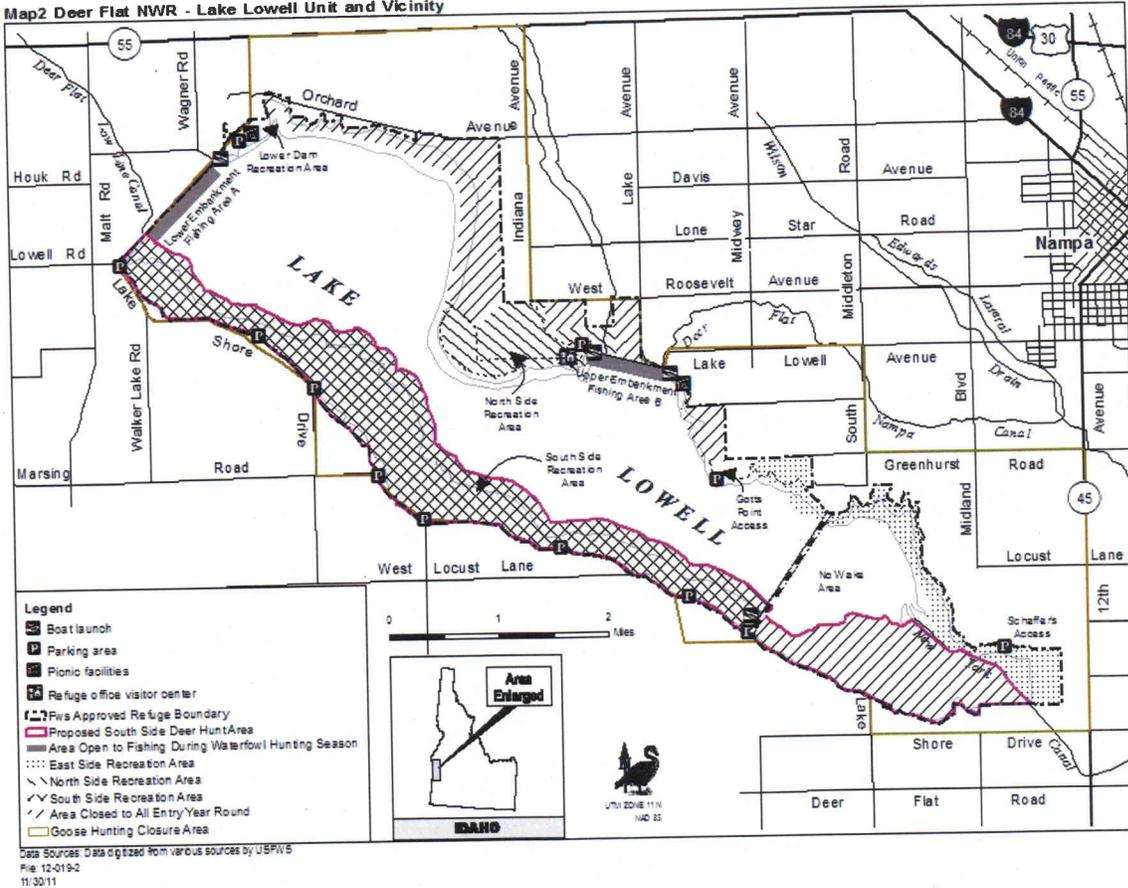
A. Areas of the Refuge that support populations of the target species

Deer currently range throughout the Refuge. Deer tend to concentrate along the south shore of Lake Lowell, often resting in Closed Areas avoiding public use areas and human disturbance during daylight hours. Deer find secure cover within the riparian woodlands situated between the south shore of Lake Lowell and the Refuge boundary.

B. Areas to be opened to the public

As proposed within this opening package, deer hunting will occur along the south shore of Lake Lowell between the shoreline and the Refuge boundary from Parking Lot 8 to the New York Canal. The expanse of this area is largely variable, ranging from 880-2200 acres, depending upon the depth of Lake Lowell and subsequent water encroachment into low laying terrain. Map 2 shows the location where deer hunting will be permitted.

Map2 Deer Flat NWR - Lake Lowell Unit and Vicinity



C. Species to be taken and hunting periods

Controlled Deer Season:

A set total of forty-five permits would be let for the Refuge controlled deer hunt season. The hunt would create a safe and quality recreational opportunity providing a reasonable opportunity to harvest game. Additionally, the hunt would be predominantly for antlerless deer with a goal of population reduction to reduce localized depredation complaints. Hunt seasons would be distributed into four antlerless controlled deer hunts with 10 permits each with each hunt spanning 20 days to distribute hunting pressure evenly over the entire season. Additionally, an antlered deer controlled hunt would be allowed consisting of 5 permits. Table V.C. shows the allocation of permits and seasons. The controlled antlered deer hunt would provide a quality hunt opportunity for bucks during the rut, while additionally reducing localized depredations. IDFG would use its pre-existing hunting framework to manage the controlled hunt. Within the State framework, hunters are allowed to harvest an Extra Antlerless Deer. Extra Antlerless Deer allows hunters to apply for special permits, as an extra deer, even if they are putting in for other controlled hunts. Hunters are allowed two deer under this mechanism, but only one deer within this specific controlled hunt. This is a regularly used framework to help attract hunters to controlled hunts that reduce deer populations when there is the potential that a controlled hunt would be under subscribed.

Special Depredation Season:

IDFG and Refuge personnel will work collaboratively to assess the success of the Refuge controlled deer hunt toward population reduction and to evaluate the need for additional Refuge depredation permits. Continuous collaboration on deer management will ensure that depredation hunt permits adequately address localized depredation issues while not extirpating the Refuge deer population. As established in Idaho Code 36-1108, IDFG would continue to receive and address depredation complaints where appropriate. Upon receipt of a depredation complaint, a delegate of IDFG would contact the landowner to determine the validity and seriousness of the complaint. The delegate of IDFG would inform the landowner of prevention options. These prevention options may include hazing, permanent fencing, depredation hunts, kill permits, and continued use agreements and perpetual easements. Under Idaho Administrative Rules (IDAPA 13.01.0800) depredation hunts may be prescribed to address depredation issues. If depredation hunts are prescribed, the request for the depredation hunt is forwarded to the IDFG Regional Supervisor for approval. The Regional Supervisor would evaluate the potential for crop loss, number of animals involved, anticipated effectiveness of the hunt to minimize damage, opportunity to harvest offending animals, and potential safety issues. Upon mutual IDFG and Refuge approval, permits would be issued to hunters to harvest of deer from the Refuge. If the depredation permits are found to be necessary, depredation hunts would be conducted in a way to minimize impacts to wildlife resources. To maintain flexibility in the program and to promptly and efficiently address depredation issues, the seasonality and duration of the depredation hunting season would individually be prescribed to have a high probability to resolve valid depredation complaints through direct harvest of deer on Refuge. Typically depredation hunts would be set outside the normal deer hunting season because of a lack of hunters available to be directed to the problem area.

Table V.C.			
Proposed Controlled Hunt Season for the Lowell Unit, Deer Flat NWR:			
Type of Hunt	Period	Permits Issued per Hunt	Duration
Antlerless Extra Deer	Oct 10 –Oct 29	10	20 days
Antlerless Extra Deer	Oct 30 – Nov 18	10	20 days
Antlerless Extra Deer	Nov 19- Dec 8	10	20 days
Antlerless Extra Deer	Dec 9 – Dec 28	10	20 days
Antlered Deer	Oct 10-Nov 24	5	46 days
Depredation Hunt – as set by IDFG/Refuge	Outside of Oct 10-Nov 24	As needed to adequately address localized depredation issues.	As needed to adequately address localized depredation issues.

The Refuge would implement, as needed, spatial and/or temporal closure areas to protect sensitive non-target wildlife resources such as eagle nests, waterbird nesting colonies and wintering waterfowl. Of specific concern are nesting eagles and herons that may occur after the controlled deer hunt season, often in early February to March. Upon detection, sensitive resources would be mapped and closure areas established to buffer the resource. All hunters

would be required to meet with to obtain a description of areas seasonally closed to hunting and other Refuge specific regulations. When complete, CCP/EIS will establish the size of buffers necessary and appropriate for sensitive wildlife resources.

Consistent with the hunting conditions on the surrounding GMU 38, hunting on Lake Lowell would be limited to short-ranged weapons. These weapons currently include muzzleloaders, archery equipment, crossbow, shotgun using slugs or shot of size #00 buck or larger, or a handgun using straight-walled cartridge not originally developed for rifles. This restriction is imperative due to tracts of private land, thus creating a safety issue for long-range weapons. The controlled deer hunt would also require the use of hunter supplied temporary tree stands. By requiring hunting to take place in tree stands, the trajectory of projectiles would be downward and any errant shots would be directed toward the ground, reducing the potential for projectiles to carry over to adjacent properties. No permanent structures would be constructed on Service lands; therefore, only temporary portable tree stands would be authorized.

D. Justification for permit

By utilizing a permit process, a controlled quality limited-entry deer hunt can be provided. An established number of permits will allow desired low hunter density within a limited hunt area footprint of 880-2200 acres. By reducing the deer hunter density the program will promote quality, safety and un-crowded conditions. Our objective is a quality hunt with no firearm related injuries. The low-density will allow the hunter to select a tree stand location based on signs of deer activity. The permit system also allows the hunting pressure to be distributed over a longer period of time. This will allow the direct harvest of deer from the Refuge and potentially harvest of deer within adjoining portions of GMU 38, should hunting pressure redistribute deer from the Refuge.

E. Procedures for consultation and coordination with IDFG

FWS staff will coordinate through an annual meeting with regional IDFG staff on the effectiveness of the controlled deer hunt. Additionally, the FWS and IDFG will consult regularly on the prescription of depredation hunts on the Refuge. Consultation will address the issuance, number, and duration of Refuge depredation permits, special closures for critical resources, and related resource concerns. IDFG will publish information on the Refuge deer hunt annually in the Big Game regulations.

F. Methods of control and enforcement

The FWS has a Zone Law Enforcement Officer (LEO) stationed at Deer Flat NWR. Although, the FWS Zone LEO will be stationed at Deer Flat, his zone includes southeastern Oregon and southern Idaho. Therefore, effective management of the Deer Flat deer hunt will require State law enforcement assistance.

G. Funding and Staffing Requirements for the Hunt

The proposed deer hunt would not require any additional infrastructure. Hunter access to the

proposed hunt area would be accommodated at existing parking areas #1 to #8. Permanent blinds, additional trails, and roadway pullouts will not be constructed to support the hunt program. Administration of the hunt program would add workload to existing staff, likely in lieu of other priorities. Many of the resource demands (financial and workforce) would occur in the first years of the program, as signage would need updating, existing media would need to be modified, a tear sheet/map would need to be developed, and the plan to authorize the deer hunt is developed. The administration of the program would add annual work load to the biological, management, and public use, and law enforcement staff. The Refuge would incur the annual expense of editing and producing media, monitoring the impacts of the hunt program, addressing public inquiries, interagency coordination, and additional law enforcement patrols. The approximate expenses for implementation and management of the hunt program are identified in Table V.G. By integrating the Lake Lowell Unit controlled deer hunt into the existing short-range weapon deer hunt in GMU 38, administrative efficiencies will be realized. The existing framework for hunting already exists for applications, tags, permits, and other programmatic needs. By capitalizing on the existing framework for the surrounding GMU 38 costs associated with implementation will be reduced.

Table V.G - Estimated Initial and Annual Hunt Program Cost.

Position	Activity or Product	Initial	Reoccurring
Many Participants including Refuge and Regional Office Personnel	Preparation of Hunt Opening Package	\$20K	
Project Leader/Deputy Project Leader	Coordination with IDFG & Program Management		\$5K
Wildlife Biologist	Deer Monitoring, Resource Monitoring, Hunt Plan Updates, Coordination, Program Management		\$5K
Law Enforcement	Coordination with IDFG & Patrols		\$5K
Visitor Services Manager	Outreach, Production of Media, Program Management		\$5K
Visitor Services Manager	Modify existing outreach/regulatory materials (brochures, website, signage)	\$7K	
Maintenance Worker	Improve Signage	\$3K	
Total		\$30K	\$20K

VI. MEASURES TAKEN TO AVOID CONFLICTS WITH OTHER MANAGEMENT OBJECTIVES

A. Biological Conflicts

1. Threatened and Endangered Species

The following federally listed or federal candidate species have the potential of occurring

on the Refuge or the surrounding landscape — Columbia spotted frog (candidate), yellow-billed cuckoo (candidate), Greater sage-grouse (candidate), Snake River physa snail (endangered), and Slickspot peppergrass (threatened). In accordance with the FWS's Endangered Species Management Policy (7 RM 2), an analysis was conducted of recreational hunting impacts.

a. Columbia spotted frogs (*Rana luteiventris*)

Lake Lowell is within historic range for Columbia spotted frogs. Spotted frogs live in spring seeps, meadows, marshes, ponds and streams, and other areas where there is abundant vegetation. They often migrate along riparian corridors between habitats used for spring breeding, summer foraging and winter hibernation. Despite potentially having suitable wetlands and riparian habitat to support portions of their life history, they haven't been confirmed on Deer Flat NWR. Should Columbia spotted frogs be identified on Refuge, there is minimal potential threat imposed by deer hunters. The controlled hunt season is in the fall when the frogs are dormant. Depredation hunts have the slight potential to overlap frog breeding and migration periods with a few depredation hunters on the landscape. The probability of conflict is minimal, as the hunters will largely be confined to tree stands, while the frogs will be moving in dense riparian cover or breeding in shallow wetland margins.

b. Yellow-billed cuckoos (*Coccyzus americanus*)

Lake Lowell is within historic summer and breeding range for cuckoos. Yellow-billed cuckoos were formerly a common nesting bird in the west utilizing dense riparian areas. Cuckoos are currently a very unusually vagrant species at Lake Lowell during the summer months. Should cuckoos be documented in the future, it would be anticipated to be in the summer months and outside of the controlled deer season. There could be seasonal overlap with depredation hunts that might include a few hunters over the landscape. The probability of conflict between a vagrant migratory bird and a depredation hunter is negligible

c. Greater sage-grouse (*Centrocercus urophasianus*)

Lake Lowell is within historic territory for sage grouse and offers limited expanses of preferred shrub-steppe habitat. Sage grouse are not currently known to use the Refuge or immediate area. The deer hunt area is generally riparian habitat, so the hunting is largely removed from potential sage grouse habitat. The only foreseeable potential impact would deer dispersed from hunting pressure might relocate to potential sage grouse habitat and reduce shrub-steppe conditions.

d. Snake River physa snail (*Physa natricina*)

Snake River physa snails are found in the middle Snake River of southern Idaho including Canyon County. It is believed to be confined to the Snake River, inhabiting areas of swift current on sand to boulder-sized substrate. Given the snail's affinity to

swift water within the Snake River system, the snail isn't associated with the habitats present on Lake Lowell. Therefore, deer hunting will have no potential to impact Snake River physa snails or their preferred habitat.

d. Slickspot peppergrass (*Lepidium papilliferum*)

Slickspot peppergrass is endemic to the region. However, it is currently known only to a few remnant disjunct populations. Rangelwide, Slickspot peppergrass is associated with sagebrush-steppe habitat. Slickspot peppergrass is not known to the limited shrub steppe habitat of the Lake Lowell Unit. Deer hunting is largely proposed within riparian habitat and limited to tree blinds. So, direct impacts to slickspot peppergrass are unlikely. Indirectly, deer dispersed from Lake Lowell riparian areas could relocate in shrub-steppe habitat. However, impacts to peppergrass is highly improbable.

2. Other Wildlife and Habitats

a. Mule Deer

Annual hunting, if allowed in the same area each year, may cause deer to begin using the remaining no-shooting zones to a greater degree. No-shooting zones of the Refuge have historically received lesser deer use perhaps due to the relatively greater level of human disturbance associated with the recreation areas and Refuge facilities. This lesser deer use may additionally be related to the lack of adequate escape cover in the no-shooting zone. Currently, riparian and shrub-steppe habitat in these areas have shown little impact from deer.

Hunting represents a greater influence on deer behavior than many other public uses. Additionally, hunting promotes intensive cover use by deer (Skovlin 1982). Presumably, a direct impact of deer hunting will be that deer will likely begin to increase utilization of the no-shooting areas and its limited escape cover. Increased density of deer in the no-shooting areas may occur, increasing the intensity of deer browse in shrub-steppe and riparian areas in remaining sanctuary areas or non-hunted public use areas.

b. Wetland and riparian habitat and associated wildlife

Off-trail use associated with proposed hunting program would have minimal to no impact on wetland and riparian habitat. While hunting will occur within or adjacent to these communities, the hunt program involves a small number of widely dispersed individuals over a broad period of time. The controlled deer hunt is outside of the breeding and growing season for most species. Individually prescribed depredation hunts may occur in spring and summer but will be limited to a few hunters addressing a specific depredation complaint. Therefore, the duration and scope of these hunts will be minimal. Additionally, the Refuge will issue specific area closure maps as necessary to buffer critical resources from hunters. Wetland and riparian habitats and their associated species are not likely to be impacted significantly because the hunting programs would involve a small number of widely dispersed individuals and occur outside of the breeding

and growing seasons for most species.

B. Public Use Conflicts

Deer Flat NWR provides a variety of recreational opportunities and experiences with approximately 200,000 annual visitors. The Refuge currently offers a mix of wildlife-dependent on-water uses (e.g., fishing) and non-wildlife-dependent on-water uses (e.g., jet skiing). The lake is open April 15 - September 30 with a no-wake zone imposed east of Parking Lot 1. Portions of Lake Lowell are open to fishing all year. During the boating season fishing is allowed on the lakebed. During the non-boating season from October 1 to April 14 (excluding the waterfowl season), fishing is permitted from the bank or by human powered boats in specific fishing areas, Fishing Areas A and B, in the vicinities of Upper and Lower Dams. During the waterfowl hunt season, fish is only allowed from human powered boats in Fishing Areas A and B.

Hunting on the Lake Lowell Unit is limited to the East Side and South Side Recreation Areas. Hunting at the Lake Lowell Unit is restricted to upland game birds, mourning doves, ducks, and coots. Lake Lowell receives over 6000 annual hunt visits. All duck and coot hunting must take place within 200 yards of the water's edge. Duck and coot hunting in the East Side Recreation Area is walk-in only. Duck and coot hunters in the South Side Recreation Area may use float tubes, non-motorized boats, or boats with electric motors within 200 yard of the shoreline. Waterfowlers may also access the shoreline for hunting by foot.

The Refuge offers a network of trails and roads in the North Side, East Side, and South Side Recreation Areas for wildlife observation, photography, jogging, bicycling, on-leash dog walking, and horseback riding. The Refuge additionally has a visitor center with a viewshed of a variety of habitats including uplands, riparian, and Lake Lowell. The visitor center attracts over 18,000 annual visitors. Wildlife observation is further supported by driving tour along the 29.5-mile Lake Lowell Unit Bird Tour. Additionally, the Refuge has offers environmental education programs to over 11,000 youth, annually

The area of the Refuge for deer hunting has been selected to focus hunting pressure in the area with the highest depredation complaints. The proposed deer hunting area will physically overlay the entire South Side Recreation Area, as well as the currently closed area between Parking Lot 1 and the New York Canal. Additionally, the seasons for the controlled deer hunt from October 10th to December 28th will coincide with duck/coot seasons and upland game bird seasons. Therefore, there is the potential for conflict between hunting groups. It is anticipated that duck/coot hunters will somewhat spatially separate from deer hunters by utilizing the area within 200 yards of water's edge while deer hunters will be concealed within the interior of the riparian forest. However at high water there may be significant overlap between riparian and shoreline, increasing the odds that these duck/coot hunters may share space with deer hunters. Certainly their use areas will temporarily overlap as duck/coot hunters travel through riparian areas to access the shoreline. There is greater potential for hunter conflict in the South Side Recreation Area where the deer hunting area will overlap with hunters in the pursuit of upland game birds. In some instances, the presence of multiple hunting groups may be beneficial by moving game

species into range. But deer hunters confined to a set location in a tree stand may be frustrated by upland game bird hunters walking past on any regular basis. These issues will be unique to areas west of Parking Lot 1 where the hunt programs overlap. Between Parking Lot 1 and the New York Canal will be reserved specifically to deer hunting. Additionally, the only hunting allowed in the East Side Recreational Area will be upland game, mourning dove, duck, and coot hunting.

During the deer hunting season the North Side and East Recreation Area will be open for recreation. This includes the Visitor Center, self-guided nature trail, and Centennial Trail. Additionally, Fishing Area A & B will be open for fishing during the deer hunt season. These facilities are segregated from the deer hunting area by significant distance. Currently, non-hunting visitors may use the South Side Recreation Area but are limited to parking areas and developed trails and roads. This affords some separation between non-hunting users and deer hunters. The use of short-ranged weapons from tree stands will additionally safeguard the deer hunting program by insuring that intended game is in close proximity and that the trajectory of ammunition is downward into the ground. The CCP/EIS will further examine the non-hunting uses currently allowed in the South Side Recreation Area. These non-hunting uses may be contracted or expanded during the CCP planning process.

C. Administrative Conflicts

Existing staff (management, administrative, biological, law enforcement, and visitor services) and funding available to administer the proposed hunt is limited but sufficient. Outreach about the new hunting programs will require additional resources or reprogramming of existing resources or priorities.

The hunt program has the potential to conflict with some of the normal management, maintenance and biological monitoring activities that will continue in the vicinity of the deer hunt area. Refuge management activities within the deer hunt area are generally avoidable during the controlled deer season. However, the plasticity of the depredation hunt complicates the scheduling of management and biological activities. Safety briefings for staff working in hunt areas will make them aware of hunting times and locations. Hunters will be warned of predictable Refuge activities that might be occurring in the hunt units. These measures will ensure the safety of Refuge staff and Service authorized agents and allows the completion of Refuge management activities as well as other Refuge uses. As such there will be no administrative conflicts.

Some of the activities that might occur concurrently with the hunts include:

Wetland/Riparian Restoration Activities

Wetland and riparian restoration activities may be occurring concurrent with hunting seasons. Fall and winter months often provide the best conditions for wetland restoration work.

Habitat and Wildlife Monitoring

Wildlife and habitat surveys, water level monitoring, condition assessments, and roost surveys, and searches for early nesting activity (especially eagles) may occur during hunting seasons.

Research Activities

Research activities on the Refuge seldom extend into the fall hunting season and those that do will be separated from the hunting areas when possible. Any researcher using the Refuge during the hunting season will be directed to use alternate areas, if possible. Any researcher working in the hunt area will be informed of the hunt program in progress.

Maintenance Activities

Fall maintenance activities include maintaining fences, gates, signs, water control structures, debris removal, and roads and clearing downed trees from roads or fences.

VII. CONDUCT OF THE HUNTING PROGRAM

There will be a one page handout with map and explanation of Refuge specific hunting regulations for the Lake Lowell Unit deer hunt. National Wildlife Refuge hunting program regulations and Special Regulations specific to the Lake Lowell Unit of the Deer Flat Refuge will be posted in 50 CFR. National Wildlife Refuge hunting program regulations are described in 50CFR 32.3. Hunters should familiarize themselves with the appropriate Code of Federal Regulations. Hunters should also be familiar with regulations as listed in the State Big Game Regulations, the State Waterfowl Regulations pamphlets put out by IDFG, and the Refuge hunting handout.

A. Refuge Specific Hunting Regulations

In addition to annually published state regulations, the following are Refuge-specific regulations for the deer hunts on the Refuge:

1. Regulations Common to All Species

- Each hunter will secure and possess the required State licenses, tags, stamps, or permits.
- Each person will comply with the applicable provisions of state and federal laws as well as hunting regulations of the Idaho State.
- Only those firearms identified for that particular hunting season are allowed.
- Camping, overnight use, and fires are prohibited.
- Vehicles must use designated parking areas to access hunting sites. No ATVs are allowed within the hunting units.
- No overnight parking is allowed.
- No trapping is allowed.
- It is unlawful to use or possess alcoholic beverages or drugs while hunting.
- It is prohibited to shoot or discharge any firearm from, across, or along a public highway, designated route of travel, road, road shoulder, road embankment or designated parking area.
- Individuals may possess, carry and transport concealed, loaded and operable firearms on the refuge in accordance with all provisions of state and local law.

- Persons may only use (discharge) firearms in accordance with refuge regulations (50 CFR 27.42 and specific refuge regulations in 50 CFR Part 32).
- Target shooting and sighting-in weapons are not permitted.
- Nontoxic shot is required for all waterfowl and upland game bird hunting that is 0.20 inches in diameter (T size) or smaller.

2. Deer Hunting Regulations Specific to Lake Lowell Unit of Deer Flat NWR

- Use of dogs to hunt or pursue big game is prohibited.
- You must obtain a Refuge-specific permit to hunt deer on the Lake Lowell Unit of the Refuge. You must sign and carry the permit in the field while hunting.
- No person including, but not limited to, a guide, guide service, outfitter, club, or other organization, will provide assistance, services, or equipment on the Refuge to any other person for compensation unless such guide, guide service, outfitter, club, or organization has obtained a Special Use Permit from the Refuge.
- Lake Lowell Unit deer hunting is permitted from within designated hunting areas only, generally defined as the areas between the shoreline of Lake Lowell on the north, the New York Canal on the east, the Refuge's southern boundary, and Parking Lot 8 on the west.
- Deer hunting will be limited to short-ranged weapons as defined in State Big Game Regulations. These weapons currently include muzzleloaders, archery equipment, crossbow, shotgun using slugs or shot of size#00 buck or larger, or a handgun using straight-walled cartridge not originally developed for rifles.
- All Lake Lowell Unit deer hunting will be from temporary tree stands.
- Each hunter is allowed to install non damaging portable tree stands up to the maximum number allowed under 50 CFR part 32. The tree stands may be erected on, or after, the first day of their hunting season and must be removed by the last day of their season. Hunters must permanently affix their name, contact phone number, and address to their deer stand(s).
- We prohibit the use of nails, wires, screws, or bolts to attach a stand to a tree or hunting from a tree into which a metal object has been driven.
- Lake Lowell Unit deer hunters must use a Fall-Arrest System (FAS)/Full Body Harness meeting Treestand Manufacture's Association (TMA) Standards while utilizing a tree stand.
- It shall be unlawful to use a tree stand without permission of the owner.
- Hunting by aid of or distribution of any feed, salt, other mineral, or electronic device, including game cameras is prohibited.
- Lake Lowell Unit deer permit holders will be limited to designated parking areas. Access will be walk-in-only from existing Parking Lots 1-8.
- Deer hunters may enter the Refuge no earlier than two hours before shooting time and must leave the Refuge within 2 hours after shooting time. Unless retrieving a deer, retrieval times extend 5 hours past shooting time.

- Lake Lowell Unit deer permit holders must be accompanied by a Refuge employee or State Game Warden to retrieve a wounded or expired deer from a Closed Area outside of the hunt area.
- Terrestrial based stalking and/or still hunting is not permitted at any time. Shooting (firearm or bow) from the ground is not permitted, except to dispatch wounded deer.
- Deer drives are prohibited.