

Compatibility Determination for Waterfowl Hunting On Hutton Lake National Wildlife Refuge

Use: Waterfowl Hunting

Refuge Name: Hutton Lake NWR

Establishing and Acquisition Authorities:

Hutton Lake NWR:

- Migratory Bird Conservation Act, Executive Order 5782

Refuge Purpose(s):

Hutton Lake NWR:

- “For use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” (16 U.S.C. 715d [Migratory Bird Conservation Act])
- “As a refuge and breeding ground for migratory birds and other wild animals.” (Executive Order 5782, dated January 28, 1932)

National Wildlife Refuge System Mission:

The mission of the 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:

What is the use? Is the use a wildlife-dependent public use?

Hunting is a priority public use of the National Wildlife Refuge System. Waterfowl hunting opportunities (including ducks, dark and light geese, American coots, and mergansers) would be allowed on Hutton Lake National Wildlife Refuge (Hutton Lake NWR or Refuge), managed in accordance with Federal laws and Service policy and in alignment with State regulations. The Environmental Assessment and companion Hunt Plan revises and updates the Comprehensive Conservation Plan (CCP) completed by the Service in 2007. Currently, the Refuge is closed to all forms of hunting.

Where would the use be conducted?

In accordance with the Refuge’s establishing legislation, the maximum area that can be opened

to migratory bird hunting on Hutton Lake NWR is 40%. Hutton Lake, Hoge Lake and surrounding upland acres will be open to waterfowl hunting, as shown in Figure 1. The hunting unit is comprised of approximately 748 acres (37% of the total Refuge acres). There are 268 acres of wetlands (55% of total Refuge wetlands) and 480 acres of uplands (32% of total Refuge uplands) in the hunt unit. Hunting areas will be identified by public hunting area boundary signs. Hunting would be prohibited on approximately 1,220 acres as an inviolate sanctuary for waterfowl.

When and how would the use be conducted?

The waterfowl hunt would follow Federal and State regulations for season dates, hours, bag, and possession limits. For the youth waterfowl hunt, youth hunters (seventeen (17) years of age and younger), each accompanied by adult mentors, would be allowed to hunt during the Wyoming Zone C2 Special Youth Waterfowl Hunting Days.

Species to be Taken: The Refuge will be open to waterfowl hunting, including ducks, mergansers, American coots, dark geese, and light geese.

Hunting Periods: The Refuge hunting season will follow the dates of the Wyoming Central Flyway Special Youth Waterfowl Hunting Days and the general waterfowl hunting season.

Hunting Access: Hunters would be allowed to access the hunting area 1 hour before legal shooting time. All visitors will have access to parking areas on a first-come, first-served basis. An accessible blind would be available for hunters with disabilities. With the exception of the accessible hunting blind, hunters will park their vehicles in designated parking areas and access the hunt area on foot.

Why is this use being proposed?

Hunting is a priority general public use of the Refuge System that is also an important wildlife management tool. The Service recognizes hunting as a healthy, traditional outdoor pastime, deeply rooted in the American heritage. Hunting can instill a unique understanding and appreciation of wildlife, their behavior, and their habitat needs. Hunting programs can promote understanding and appreciation of natural resources and their management on lands and waters in the Refuge System. In addition, in June of 2018, Wyoming Fish and Game Department leadership expressed interest in having the Service evaluate opening Hutton Lake NWR for waterfowl hunting. This interest is congruent with the Department of the Interior Secretarial Order 3356, "Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories."

The objectives of a waterfowl hunting program on Hutton Lake NWR are to:

- Meet the Refuge establishing purposes, which includes keeping at least 60% of the Refuge closed to hunting to provide inviolate sanctuary for migratory birds.
- Provide wildlife-dependent recreation opportunities in accordance with Federal laws and Service policy and in alignment with State regulations.

- Provide increased opportunities for a hunting experience on refuge lands, especially for youth and families.
- Provide nearby hunting access for local communities.
- Assist with hunter education.

Availability of Resources:

What resources are needed to properly (considering quality and compatibility) and safely administer use?

The Refuge hunting program is designed to be administered with minimal Refuge resources. There will be a limited amount of road maintenance, hunting signs and other visitor informational resources, and other infrastructure requirements performed funded as part of regular Refuge management activities. Approximately \$12,000 annually will be required for labor, materials and infrastructure. Currently, funding specific for hunting on Hutton Lake NWR has not been allocated.

Are existing Refuge resources adequate to properly and safely administer the use?

There are adequate Refuge resources to implement the hunting program on the Refuge. Law enforcement is the primary tool necessary to ensure proper and safe administration of this use. Enforcement of refuge regulations normally associated with management of a national wildlife refuge is the responsibility of commissioned Federal Wildlife Officers. Other officers, Special Agents, State game wardens, and the local Sheriff's department may assist the Refuge staff. Currently there is no Federal Wildlife Law Officer stationed at the Refuge.

The following methods would be used to control and enforce hunting regulations:

- Refuge and hunt area boundaries will be clearly posted.
- The Refuge will provide a brochure that identifies hunt areas and hunting regulations.
- Refuge law enforcement staff will periodically check hunters for compliance with Federal and State Laws.
- Officers from within the zone will detail in to assist with enforcing hunting regulations.

Anticipated Impacts of the Use:

Short-term impacts:

Overall, accommodating this wildlife-dependent use is expected to result in minimal impacts to wildlife. Although hunting causes mortality to wildlife, season dates and bag limits are set with the long-term health of populations in mind. Temporary disturbance will exist to wildlife in the vicinity of the activity. Closed areas will provide some sanctuary for game and nongame species, minimize some conflicts between hunters and other visitors, and provide a safety zone around roads, parking lots, and other administrative areas (e.g., storage building).

Feeding and resting habitat for waterfowl would be compromised in the open hunt area and

adjacent wetland areas during daylight (shooting) hours. Refuge wetlands located farthest from the hunting area may ensure that important habitat areas of the refuge remain an “inviolable sanctuary” for migratory birds.

Approximately 37% of the refuge would be open to hunting with 63% of the refuge closed to hunting. The closed areas contain approximately 45% of the total wetlands on the refuge. These wetlands will provide migratory waterfowl with areas protected from hunting mortality. This complies with provisions of the refuge’s establishing legislation.

Sixty three percent of the refuge would remain closed to public hunting. The refuge’s enabling legislation requires 60% of the refuge remain as an “inviolable sanctuary” for migratory waterfowl, thus would remain closed to hunting. The amount of closed areas help offset the impacts to other wildlife and aquatic species on the Refuge. Some resident mammal and bird species may be displaced from hunt areas, but find refuge in adjacent closed areas. Reptiles and amphibians would not be impacted.

Long-term impacts:

There would be no long-term impacts on wildlife resources at a population scale. There may be some moderate habitat loss/changes over time due to increased localized, repeated public use. There may be a decreased level of recreation opportunity for non-hunting publics due to lower numbers of waterfowl using the Refuge during fall migration.

Other Uses and Public Safety:

Hunting is not expected to adversely affect other Refuge uses or public safety. However, some conflicts are expected, especially during the first hunting season. Dogs are permitted for hunting for bird retrieval. At present, dogs used for these purposes are not expected to significantly impact non-target species or conflict with other uses. If public use levels on Hutton Lake NWR expand across time, unanticipated conflicts between user groups may occur. The Refuge’s Visitor Services programs, including the hunting program, would be adjusted as needed to eliminate or minimize each problem and provide a quality wildlife-dependent recreational opportunity, which includes promoting public safety. Experience on many national wildlife refuges has proven that time and space zoning (e.g., establishment of separate use areas, use periods, and restrictions on the number of users) is an effective tool in eliminating conflicts between user groups. Overall, the cumulative impacts of hunting on other wildlife-dependent recreation or public safety at Hutton Lake NWR are expected to be minor.

Public Review and Comment:

This compatibility determination was prepared concurrently with the draft EA and companion Hunt Plan for the Refuge. Public review and comment was achieved concurrently with the public review and comment period for the draft Hunt Plan and EA. Public review and comment was solicited through public posting of notices at the Refuge and notices on local newspapers.

Determination (check one below):

Use is Not Compatible

Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

- The Refuge is open to waterfowl hunting; no other hunting is allowed on the Refuge.
- Motor vehicles are permitted on existing Refuge roads only. Vehicles are not permitted on roads marked “Authorized Vehicles Only” or roads closed by gates.
- Parking is permitted only in designated parking areas.
- Off-road vehicles may not be used on any portion of the Refuge.
- All watercraft are prohibited.
- Hunting access is walk-in only.
- Fishing, fires, and overnight camping are not permitted on the Refuge.
- Portable blinds are permitted but cannot be left unattended or overnight.
- Disturbing, cutting, gathering, manipulating or bringing in any vegetation to create a blind is prohibited.
- Molesting, injuring, disturbing, or destroying any animal or plant is prohibited, as is the removal of animals, plants, or parts thereof.
- Artifacts and historic items are protected on refuge lands by Federal law. It is unlawful to search for or remove these objects from refuge lands.
- Persons possessing, transporting, or carrying firearms on National Wildlife Refuge System lands must comply 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).
- Dogs are to be restrained except while engaged in hunting activity.
- All pets must be leashed.
- Retrieving birds from “Closed to Hunting” zones is prohibited.

Justification:

In view of the above and with the stipulations previously described, hunting will not materially interfere with or detract from the Refuge System mission or purposes of the Refuge. Hunting is a priority public use of the Refuge System, and providing a hunting program contributes to achieving one of the Refuge goals. Disturbance of wildlife will occur, but limitations on hunting locations will result in areas of the Refuge free of disturbance. Hunting is not expected to adversely affect the biological integrity, diversity, and environmental health of the Refuge or the Refuge System.

The Service and the State of Wyoming consider hunting an acceptable and desirable form of public use and wildlife-dependent recreation. Hunting is considered an educational and recreational opportunity that increases the public’s awareness of wise stewardship and management of wildlife resources in the public’s trust. Recreational public hunting is a historic wildlife dependent use of the Refuge System and is one of the six priority public uses established by Executive Order 12996 (March 25, 1996) and legislatively authorized by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

Some infrastructure is already in place to support a hunting program and current staffing levels and funding are adequate. Special regulations are in place to minimize negative impacts to the Refuge and associated wildlife. Wyoming state law further controls hunter activities. Hunting is a legitimate wildlife management tool that can be used to control wildlife populations. Hunting harvests a small percentage of the renewable resources, which is in accordance with wildlife-management objectives and principles.

Signature: Refuge Manager _____
Date

Review: Refuge Supervisor _____
Date

Concurrence: Regional Chief _____
Date

Mandatory 10- or 15-year Re-Evaluation Date: February, 2024

Figure 1. Hutton Lake NWR proposed hunt area, parking areas, and access for Alternative B and C.

