

Compatibility Determination
on
Medicine Lake National Wildlife Refuge

Use: Waterfowl Hunting – Tundra swan, Sandhill crane, American coot

Refuge Name: Medicine Lake NWR

Establishing and Acquisition Authorities:

Medicine Lake NWR:

- Migratory Bird Conservation Act of 1929
- Executive Order 7148 dated August 19, 1935.

Refuge Purpose(s):

Medicine 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 wildlife.” (Executive Order 7148, dated August 19, 1935)
- “Protect and preserve the wilderness character of areas within the National Wilderness Preservation System...in a way that will leave them unimpaired for future use and enjoyment as wilderness” (Public Law 88-577 [Wilderness Act])

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. Hunting was originally opened on Medicine Lake NWR in 1945 and is conducted in accordance with the Refuge Hunting Plan and Medicine Lake Comprehensive Conservation Plan (CCP). Medicine Lake NWR is open to recreational public hunting in accordance with State of Montana seasons and regulations established for each area.

This wildlife dependent, priority public use would allow for the additional hunting opportunity of tundra swan, Sandhill crane, and American coot in hunt area two of Medicine Lake NWR (figure 1).

There are an estimated 7,200 hunter visits on refuge complex lands, while annual visitation may average 16,000 or more visits. Most of the hunter visits are for ring-necked pheasants. The refuge staff observes a small number of waterfowl hunters each year.

Where would the use be conducted?

Hunting of certain species is an existing use that occurs in designated areas of the Refuge. Approximately 10,350 acres are currently open to hunting. Hunting is prohibited on approximately 31,184 acres as an inviolate sanctuary for waterfowl. This amended hunting opportunity would be allowed in designated Area 2 on fee-title lands within the boundaries of Medicine Lake NWR (figure 1).

When would the use be conducted?

Season dates for authorized species are consistent with Montana Fish, Wildlife and Parks (MTFWP) regulated hunting seasons for waterfowl.

How would the use be conducted?

Bag limits and harvest methods for authorized species are consistent with MTFWP rules and regulations for waterfowl hunting and specific Refuge rules and regulations as published in the Federal Register and Refuge Hunting Brochures.

Firearms, muzzleloader, and archery hunting all occur on the Refuge. Hunters make use of boat ramps and parking lots at various locations on the Refuge, and also park along existing roadways. Accessible hunting blinds must be reserved and are on a come-first served basis.

Parking areas, interpretive panels, and signs and other structures will need to be maintained to facilitate this program.

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.

Numerous requests have been made by the public and the MTFWP to allow American coot, tundra swan and Sandhill crane hunting on Medicine Lake NWR. The purpose of this action is to provide the public with additional hunting opportunities on public lands in Montana. Public

hunting opportunities are also available nearby on Waterfowl Production Areas administered by the Northeastern Montana Wetland Management District. In addition, this action would be consistent with hunting opportunities on other refuge lands within the state of Montana and align with state regulations.

Availability of Resources:

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

The present Refuge hunting program is designed to be administered with minimal Refuge resources. Refuge regulations mirror state regulations in large part, which allows MTFWP Game Wardens to assist in law enforcement. There is a small amount of road maintenance, mowing, and other upkeep performed that is funded as part of regular Refuge management activities. Approximately \$10,000 annually is required for labor and materials to update and print maps, and maintain signs. Currently, sufficient resources are available to administer the expanded program to include additional species.

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

At the present level of hunting use there are adequate Refuge resources to implement the hunting program. Law enforcement is the primary tool necessary to ensure proper and safe administration of this use, and although there is no Law Enforcement Officer stationed at the Refuge, a Federal Wildlife Officer is stationed on the Northern Great Plains Wetland Management District Complex, of which Medicine Lake NWR is a part. Additionally, the local State Game Warden and Sheridan and Roosevelt County Sheriff's Office provide additional assistance when requested.

Anticipated Impacts of the Use:

Short-term impacts:

Accommodating this wildlife-dependent use is expected to result in minimal impacts. 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 conflicts between hunters and other visitors, and provide a safety zone around communities and administrative areas.

Feeding and resting habitat for waterfowl would be compromised in the open hunt area during daylight (shooting) hours. However, migratory bird hunting would remain concentrated in a large block of the refuge, ensuring that important habitat areas of the refuge remain an "inviolable sanctuary" for migratory birds and minimize overall disturbance.

Areas of the refuge open to hunting would not be increased. Approximately 33% of the refuge would be open to hunting with 67% of the refuge closed to hunting, which will provide 21,184

acres of the refuge where migratory waterfowl will continue to be protected from any hunting disturbance. This complies with provisions of the refuge's establishing legislation.

Hunters would be required to have State issued permits to hunt Sandhill cranes and tundra swans on the refuge. Opening additional areas for hunting will increase opportunities for permitted hunters. The number of available crane and swan permits, however, is regulated by the State and not directly correlated by refuge hunt unit acreage, so no additional take of swans will occur.

Sixty seven percent of the refuge would remain closed to public hunting. The refuge's enabling legislation requires 60% of the refuge remain as an "inviolate sanctuary" for migratory waterfowl—thus prohibiting hunting and all other public uses. The amount of closed areas offsets the impacts to all other wildlife and aquatic species on the refuge, because it protects large areas of the refuge from disturbance. 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.

Other Uses and Public Safety:

Hunting is not expected to adversely affect other Refuge uses or public safety. Dogs are permitted for hunting for retrieving and trailing game birds. At present, levels of use dogs used for these purposes are not expected to adversely impact non-target species or conflict with other uses. If public use levels on Medicine Lake NWR expand across time, unanticipated conflicts between user groups may occur. The Refuge's Visitor Services programs 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 Medicine Lake NWR are expected to be minor.

Public Review and Comment:

Public review and comment will be 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:

1. Hunting must be conducted according to state-, federal-, and Refuge-specific regulations.
2. Hunting may be more restrictive than State seasons and regulations to ensure compliance with visitor safety and to reduce wildlife disturbance.
3. Hunting is prohibited within identified areas.
4. The islands in Medicine Lake are closed to all visitors and uses.
5. Refuge waters in Area 2 are open to non-mechanical boats (canoes, kayaks, and rowboats) used for hunting.
6. Hunting is allowed in Area 2 along the shoreline of Medicine Lake.
7. Shooting into or retrieval of game from areas closed to hunting is prohibited.
8. All shotgun hunters may only possess and use approved nontoxic shot while in the field.
9. The use of dogs during regular game bird seasons for hunting and retrieving is allowed and encouraged.
10. Motor vehicles access is limited to designated roads, parking areas and trails marked for vehicle travel.
11. Overnight camping and open fires are prohibited.
12. All personal property, including but not limited to stands, temporary blinds, and decoys must be removed daily.

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 mean areas of the Refuge would be 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 Montana consider hunting an acceptable and desirable form of public use and wildlife-dependent recreation. Hunting is consideration educational and recreational opportunity to increase 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).

Infrastructure is already in place to support hunting programs, and current staffing levels and funding are adequate. Special regulations are in place to minimize negative impacts to the refuges and associated wildlife. Montana 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