

Final Compatibility Determination for Hunting and Fishing on Crescent Lake National Wildlife Refuge

Use: Hunting and fishing

Refuge Name: Crescent Lake National Wildlife Refuge

Establishing and Acquisition Authority(ies):

- Executive Order No. 5579 of March 16, 1931

Refuge Purpose(s):

“ . . . reserved and set apart . . . as a refuge and breeding ground for birds and wild animals.”

“ . . . for use as an inviolate sanctuary, or for any other management purpose, for migratory birds” (16 United States [U.S.] Code 715D [Migratory Bird Conservation Act].

National Wildlife Refuge System Mission:

The mission of the National Wildlife Refuge System (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 U.S. for the benefit of present and future generations of Americans.

Description of Use:

What is the use?

As described in the 2020 Crescent Lake National Wildlife Refuge (NWR) Hunting and Fishing Plan, besides current authorized hunting and fishing opportunities, new hunting opportunities on Crescent Lake NWR will be open for dove, snipe, and rail, and hunting opportunities will expand from the current 5,145 acres to 15,039 acres for ducks, geese, and coots. The U.S. Fish and Wildlife Service (Service) proposes to reopen hunting opportunities for pronghorn. The hunting and fishing plan also proposes to establish hunting dates of September 1 through March 15 to better align with state seasons dates. Coyote hunting will be allowed through March 15, and archery pronghorn will open September 1.

Waterfowl and coot hunting is currently permitted on 5,145 acres. This waterfowl hunting unit will be expanded to 15,039 acres with the addition of the North Moore Valley and western portions of the proposed wilderness area. This newly designated 15,039-acre unit will also be opened to new hunting opportunities for dove, snipe, rail, and crow. This unit is approximately 33 percent of the total refuge.

Hunting of furbearers and coyotes is currently permitted until January 31. The hunting and fishing plan proposes to extend the hunting season for coyotes and furbearers (badgers, beavers, bobcats, minks, muskrats, opossums, raccoons, red foxes, gray foxes, striped skunks, and long-tailed weasels) to March 15 each season to better align with State of Nebraska hunting season

dates. Hunting for furbearers is permitted in all units open to hunting, totaling 41,299 acres and approximately 91 percent of the total refuge.

Hunting opportunities will be reopened for pronghorn. The refuge was previously open to pronghorn hunting but was closed in 1989 due to the low population of antelope on the refuge, which is still the case today. All hunting units will be open to pronghorn hunting. Hunting for pronghorn is permitted in all units open to hunting, totaling 41,299 acres and approximately 91 percent of the total refuge. No changes to deer hunting are proposed and deer hunting will continue to be allowed on these same 41,299 acres.

Where will the use be conducted?

Hunting on the refuge is divided into three separate units. These individual units are described briefly below.

Hunt Unit: This unit makes up most of the refuge and contains approximately 41,000 acres, excluding only the 4,500-acre closed area. Migratory bird hunting is only allowed in that portion designated as the migratory bird hunting area.

Migratory Bird Hunt Unit: This unit covers approximately 15,039 acres. It covers the 2007 waterfowl unit (5,145 acres), the North Moore Valley bounded on the south by the West Mail Road (3,832 acres), and approximately 6,000 acres of the western portion of the proposed wilderness area. The unit contains many named lakes, including Island, Crane, Christ, Shafer, Deer, Smith, Ramelli, Martin, and Lost Lakes. The unit also has many wetlands and wet meadows. The unit is open to the hunting of all species that are allowed on the refuge, not just migratory birds.

Closed Unit: This area consists of approximately 4,806 acres that are closed to all public use, including hunting and fishing activities. The closed area covers the refuge headquarters area, including the office, maintenance shops, bunkhouse, and private residences. A 2.5-mile nature trail is located within the closed area that is open to the public only for hiking, wildlife viewing, and photography (on or directly next to the trail only). The trail starts and ends at refuge headquarters. The closed area also has two research natural areas (1,076 acres) established by Director's Order in 1955 that are to remain free of human disturbance, including habitat management and public use.

When and how will the use be conducted?

All hunting will be conducted in accordance with state, federal, and refuge-specific regulations. The refuge is open to hunting from September 1 through March 15 during applicable state hunting seasons.

Why is this use being proposed?

Hunting is a priority public use identified in the National Wildlife Refuge Improvement Act of 1997, and it has traditionally occurred at the refuge without adverse impacts on the purpose for which the refuge was established. In addition, expanding hunting opportunities and aligning regulations with state agencies implements Secretarial Order 3347, "Conservation Stewardship and Outdoor Recreation, and Secretarial Order 3356, Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories."

The hunting program is administered in accordance with sound wildlife management principles and the utmost concern for public safety.

Availability of Resources:

Resources are currently limited to administer the expanded hunting program. Expansion requires a change to regulations, brochures, signage, and website. A minimal law enforcement presence is required to administer a successful program and to provide for visitor safety.

Anticipated Impacts of the Use:

Short and Long-Term Impacts:

Hunting removes individual animals from the population and causes some wildlife disturbance. This disturbance is limited to fall and winter months when most wildlife have completed critical life processes and are migrating or absent from the refuge. State and federal game harvest regulations are in effect to assure perpetual populations of game animals and to prevent populations from reaching unreasonable numbers resulting in die-offs or nuisance problems.

Indirect and Cumulative Impacts:

Proposed changes or additions to hunting on the refuge will have minor effects on wildlife species in Nebraska. Although the proposed expanded opportunities will likely increase hunting activity on the refuge, the slight increase will not rise to a significant level.

Public Review and Comment:

The Service prepared this compatibility determination concurrently with the draft environmental assessment and companion hunting and fishing plan for the refuge. Public review and comment were achieved concurrently with the public review and comment period for the draft hunting and fishing plan and environmental assessment. Public review and comment was solicited through public posting of notices at the refuge and notices on local newspapers.

Comment (1): We received several comments either fully supporting the expansion of hunting opportunities or supporting the expansion with qualifiers.

Response: Hunting is a nationally recognized use of national wildlife refuges.

Comment (2): We received a few comments recommending that we not expand hunting opportunities on Crescent Lake NWR. There were different reasons for these recommendations, but mostly they liked the quality of the current hunt and did not want that changed.

Response: Hunting is a nationally recognized use of national wildlife refuges.

Comment (3): One commenter stated that wilderness qualities are diminished by hunting.

Response: Hunting is routinely allowed on national wilderness areas while maintaining acceptable quality of experience by all users.

Comment (4): One commenter stated that we did not have adequate law enforcement or staff to administer the hunt.

Response: While we could use more law enforcement and staff, we were not allowed by upper-level management to find the use incompatible due to lack of law enforcement and staff.

Comment (5): One commenter stated that new access roads should not be constructed to facilitate the expansion of hunting opportunities.

Response: The majority of the refuge was previously open to hunting and new facilities, including access roads, are not needed or proposed.

Determination:

- Use is not compatible.
- Use is compatible with the below stipulations.

Stipulations Necessary to Ensure Compatibility:

- Area closed to hunting remains in effect.
- Less than 40 percent of the refuge is open to migratory bird hunting.

Listed below are refuge-specific regulations that pertain to hunting on the refuge as of the date of this compatibility determination. These regulations may be modified as conditions change, or if refuge expansion continues or occurs. The following information is from 50 Code of Federal Regulations 32.46.

(b) Crescent Lake National Wildlife Refuge—

(1) Migratory game bird hunting. We allow hunting of coot, crow, dove, duck, goose, merganser, rail, and snipe on designated areas of the refuge subject to the following conditions:

- (i) Hunters may access the refuge from 2 hours before legal sunrise until 2 hours after legal sunset.*
- (ii) We allow the use of dogs.*
- (iii) We open the refuge to hunting from September 1 through March 15.*
- (iv) We prohibit publicly organized hunts unless authorized under a Special Use Permit (FWS Form 3-1383-C).*

(2) Upland game hunting. We allow hunting of cottontail and jack rabbit, coyote, porcupine, prairie dog, state-defined furbearers, ring-necked pheasant, and prairie grouse on designated areas of the refuge, subject to the following conditions:

- (i) The conditions set forth at paragraphs (b)(1)(i) through (iv) of this section apply.*
- (ii) We allow electronic calls for coyote and furbearer hunting.*
- (iii) Coyotes and all furbearers or their parts, if left in the field, must be left at least 50 yards away from any road, trail, or building. Otherwise, hunters must remove them from the refuge.*
- (iv) Shooting hours are from ½ hour before legal sunrise until ½ hour after legal sunset.*

(3) *Big game hunting. We allow hunting of white-tailed deer, mule deer, and pronghorn antelope on designated areas of the refuge, subject to the following conditions: The conditions set forth at paragraphs (b)(1)(i), (iii), and (iv) of this section apply.*

(4) *Sport fishing. We allow sport fishing on designated areas of the refuge, subject to the following conditions:*

(i) Anglers may enter the refuge 1 hour before legal sunrise and remain until 1 hour after legal sunset.

(ii) We open Blue, Smith, Crane, and Island Lake to fishing year-round. We close all other refuge lakes to fishing.

(iii) We prohibit leaving temporary shelters used for fishing overnight on the refuge.

Justification:

Based on biological impacts described in the environmental assessment and hunting and fishing plan, it is determined that recreational hunting within the refuge will not materially interfere with or detract from the purposes for which the refuge was established. Further, hunting has been identified as a priority public use in the National Wildlife Refuge System Improvement Act of 1997 when this activity is compatible with the refuge purpose.

Signatures:

Brian DeVries, Refuge Manager

Date

Review:

Project Leader

Date

Approval:

Maureen Gallagher, Refuge Chief
Region 6

Date

Mandatory 10- or 15-Year Re-Evaluation Date: 2035