

Final Compatibility Determination for Recreational Hunting on Valentine National Wildlife Refuge

Use: Recreational hunting

Refuge Name: Valentine National Wildlife Refuge

Establishing and Acquisition Authority(ies):

Valentine National Wildlife Refuge (NWR) was established on August 14, 1935, by Executive Order No. 7142 “as a breeding ground for migratory birds and other wildlife.” Funding for acquisition came from the Emergency Conservation Fund of 1933.

Refuge Purpose(s):

The refuge was established by Executive Order No. 7142, August 14, 1935, “. . . reserved and set apart . . . as a refuge and breeding ground for migratory birds and other wildlife.”

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 United States for the benefit of present and future generations of Americans” (National Wildlife Refuge System Improvement Act of 1997 [Improvement Act], Public Law 105-57).

Description of Use:

What is the use?

The United States (U.S.) Fish and Wildlife Service (Service) proposes to open or expand upland and big game hunting on 70,549 acres in full alignment with state seasons between September 1 and March 31. Pronghorn will align with state season opening date of August 20. This plan proposes to open or expand existing migratory bird hunting from 2,721 acres to 28,918 acres.

Upland and big game hunting includes all non-migratory wildlife hunted in Nebraska under the Nebraska Game and Parks Commission Hunting Regulations. Resident game species are white-tailed deer, mule deer, coyote, greater prairie chicken, sharp-tailed grouse, pheasant, badger, bobcat, cottontail rabbit, fox, long-tail weasel, opossum, partridge, quail, raccoon, skunk, squirrel, dove and turkey, elk, and pronghorn in accordance with the refuge’s hunting plan.

Migratory bird hunting includes waterfowl, dove, crow, rail, snipe, and woodcock in accordance with refuge’s hunting plan.

Where will the use conducted?

The described hunting will occur on refuge lands, specifically identified within the congressionally approved boundary as outlined in the 2019 hunting plan and as indicated on refuge hunting maps.

Adding new lands, species, or hunts requires submission of an opening package, which includes an announcement in the Federal Register; this is done on an annual basis.

When will the use conducted?

The Service proposes to open or expand upland and big game hunting on 70,549 acres in full alignment with state seasons between September 1 and March 31. Pronghorn will align with state season opening date of August 20.

How will the use conducted?

The refuge will utilize existing state bag limits and methods of take for games species open to hunting on the refuge. In addition, recreational hunting is permitted in accordance refuge specific regulations, and those published in Title 50, Code of Federal Regulations.

Why is the use being proposed?

National wildlife refuges are guided by the mission and goals of the Refuge System, the purposes of an individual refuge, Service policy, and laws and international treaties. Relevant guidance includes the National Wildlife Refuge System Administration Act of 1966 (NWRSA), as amended by the Improvement Act, Refuge Recreation Act of 1962, and selected portions of the Code of Federal Regulations and Fish and Wildlife Service Manual.

The mission of the Refuge System, as outlined by the NWRSA, as amended by the Improvement Act (16 U.S. Code 668dd et seq.), is to:

“ . . . 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.”

The NWRSA mandates the Secretary of the Interior in administering the System to (16 U.S. Code 668dd[a][4]):

- provide for the conservation of fish, wildlife, and plants, and their habitats within the Refuge System;
- ensure that the biological integrity, diversity, and environmental health of the Refuge System are maintained for the benefit of present and future generations of Americans;
- ensure that the mission of the Refuge System described at 16 U.S. Code 668dd(a)(2) and the purposes of each refuge are carried out;
- ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the states in which the units of the Refuge System are located;
- assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the Refuge System and the purposes of each refuge;
- recognize compatible wildlife-dependent recreational uses as the priority general public uses of the Refuge System through which the American public can develop an appreciation for fish and wildlife;

- ensure that opportunities are provided within the Refuge System for compatible wildlife-dependent recreational uses; and
- monitor the status and trends of fish, wildlife, and plants in each refuge.

Therefore, it is a priority of the Service to provide for wildlife-dependent recreation opportunities, including hunting, when those opportunities are compatible with the purposes for which the refuge was established and the mission of the Refuge System.

Availability of Resources:

Financial and staff resources have been determined to be sufficient within the Sandhills NWR Complex (of which the refuge is within) to administer these requests. Staffing will be needed to create new hunting brochures, complete signage on new “open to” and “closed to” hunting areas, and to conduct law enforcement compliance checks during hunting seasons. Specialized equipment will be necessary, including utility terrain vehicles for putting in or changing signage, and tractors for parking lot maintenance.

Anticipated Impacts of the Use:

As described above, this alternative will expand hunting opportunities in the current open hunting area on the refuge to include white-tailed deer, mule deer, coyote, greater prairie chicken, sharp-tailed grouse, pheasant, badger, bobcat, cottontail rabbit, fox, long-tail weasel, opossum, partridge, quail, raccoon, skunk, squirrel, dove and turkey, elk and pronghorn, waterfowl, dove, crow, rail, snipe, and woodcock. In addition, the refuge hunting program will better align with the Nebraska Game and Parks Commission Hunting Regulations. The potential take of most resident and migratory wildlife species open to hunting on the refuge will likely be negligible in proportion to regional or state harvest numbers and will not add significantly to the cumulative impacts on the various species. Direct impacts on refuge populations of some species (for example, turkey and deer) will not be known until the hunting program is implemented. Expanded hunting opportunities will most likely result in increased temporary disturbance/displacement of hunted and non-hunted wildlife species from foot traffic moving through the area or from gunfire. Minor impacts on other wildlife-dependent recreation (for example, wildlife viewing opportunities and fishing) is possible under the proposed alternative during the fall, winter, and spring. No impacts on cultural resources or the refuge environment and community will be expected.

Public Review and Comment:

This section will be completed after the public review and comment period is over.

Determination:

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

Stipulations Necessary to Ensure Compatibility:

Listed below are refuge-specific regulations that pertain to hunting on Valentine NWR as of the date of this compatibility determination. These regulations may be modified as conditions change or if refuge expansion continues/occurs.

50 Code of Federal Regulations 32.46 Nebraska

(f) Valentine National Wildlife Refuge—

(1) Migratory game bird hunting. We allow migratory game bird hunting in accordance with state regulations and on designated areas of the refuge subject to the following conditions:

(i) We allow hunter access from two hours before legal sunrise to two hours after legal sunset.

(ii) All personal property such as blinds and decoys must be removed at the conclusion of each day's hunt (see 27.93 of this chapter).

(iii) We prohibit discharging of a weapon from a motor vehicle or from across any refuge roadway, which includes the road right-of-way.

(iv) Dogs may be used while hunting to locate, point, and retrieve, provided they are under immediate control of the owner at all times.

(2) Upland game hunting. We allow upland game hunting of coyote, greater prairie chicken, sharp-tailed grouse, pheasant, badger, bobcat, cottontail rabbit, fox, long-tail weasel, opossum, partridge, quail, raccoon, skunk, squirrel, dove, and turkey in accordance with state regulations and on designated areas of the refuge subject to the following conditions:

(i) The condition set forth at paragraph (f)(1)(i), (ii), (iii) and (iv) of this section applies.

(ii) Dogs may be used while upland game hunting to locate, point, and retrieve, provided they are under immediate control of the owner at all times, except that we prohibit the use of dogs to hunt coyotes.

(iii) We prohibit the use of bait to hunt coyotes.

(iv) We prohibit the use of toxic shot while hunting.

(3) Big game hunting. We allow hunting of deer, elk, and pronghorn antelope in accordance with state regulations and on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraph (f)(1)(i), (ii) and (iii) of this section apply.

(ii) Portable tree stands and steps are allowed from August 16 through January 31.

Justification:

Based on the anticipated biological impacts above and in the environmental assessment, it is determined that hunting of resident game and migratory birds on the refuge will not interfere with the wildlife or habitat goals and objectives or purposes for which the refuge was established. Hunting is a priority public uses listed in the Improvement Act. By facilitating this use, visitors will gain knowledge and an appreciation of fish and wildlife, which will lead to increased public stewardship of wildlife and their habitats. Increased public stewardship will support and complement the Service's actions in achieving the purposes of the refuge and the mission of the Refuge System.

managed without invasive populations of non-native game fish and will be managed for migratory bird and native wildlife values” (USFWS 2019, p. 34).

Considerable refuge resources are expended to manage and maintain the facilities for fishing as a recreational use. Parking areas and boat launches next to lakes are very high-maintenance, and any additional opening of lakes will require incorporation of both of these in order to provide a quality visitor-use experience. In order to ensure compatibility, the appropriate refuge resources will be dedicated to the real property resources of the existing fishing lakes.

Signature:

JUANCARLOS GIESE Digitally signed by JUANCARLOS GIESE
Date: 2020.07.28 10:23:44 -05'00'

Steve Hicks, Project Leader Date

Review:

AMY THORNBURG Digitally signed by AMY THORNBURG
Date: 2020.07.29 14:21:36 -06'00'

Barbara Boyle, Refuge Supervisor Date

Approval:

DIANE EMMONS Digitally signed by DIANE EMMONS
Date: 2020.07.29 16:25:52 -06'00'

Maureen Gallagher, Refuge Chief
Region 6 Date

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