

Draft Compatibility Determination for Hunting on Ouray National Wildlife Refuge

Use: Hunting for big game (mule deer, elk, and pronghorn), migratory bird (ducks, geese, coots, and sandhill crane), and small game (pheasant and cottontail rabbits)

Refuge Name: Ouray National Wildlife Refuge

Establishing and Acquisition Authorities:

- Migratory Bird Conservation Commission, 1965
- Public Land Order 4973, dated December 11, 1970

Refuge Purpose(s):

For lands acquired under the Migratory Bird Conservation Act of 1929, 16 U.S. Code 715-715r, as amended, the purpose of the acquisition is “. . . for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 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 United States (U.S.) for benefit of present and future generations of Americans.

Description of Use:

What is the Use?

Hunting of game is an activity conducted by the public under regulation authority of the National Wildlife Refuge System Administration Act of 1997, as amended; it is considered a priority public use. This compatibility determination updates and supersedes the earlier hunting-related compatibility determination and is being completed as part of the 2021 Ouray NWR Hunting Plan and Environmental Assessment. This compatibility determination will reevaluate the hunting of migratory game birds (ducks, geese, coots, and sandhill crane), big game (mule deer, elk, and pronghorn), and small game (pheasant and cottontail rabbit) as described in the Hunting Plan. All hunting activities will follow state and federal laws and seasons, except where the refuge administers further restrictions to ensure compliance with refuge-specific laws and compatibility issues.

Where is the use conducted?

The refuge is broken up into various portions, each labeled as a specific bottomland area. The following are written descriptions of the hunting units:

Brennan Bottom: This area lies at the northern reaches of the refuge along the west bank of the Green River. There are three separate parcels of land owned by the refuge, totaling around 200 acres. These lands consist of uplands and bottomland riparian habitats. These areas will be open to pheasant, turkey, deer, elk, and pronghorn hunting.

Johnson Bottom: This area lies at the northern reaches of the refuge along the east bank of the Green River. This area is one large contiguous block of land totaling around 1000 to 1500 acres. These lands consist of uplands and bottomland riparian habitats. These areas will be open to pheasant, turkey, deer, elk, and pronghorn hunting.

Leota Bottom and Overlook: This area surrounds the fish hatchery and lies west of the Green River. This area is one large block of land totaling approximately 4,000 acres. This area has highly managed wetlands, a combination of cottonwood and willow riparian forest bordering the river, and to the west the uplands give way to Leota Bluff rising several hundred feet to overlook the bottoms. These areas will be open to waterfowl, pheasant, turkey, deer, elk, pronghorn, and sandhill crane hunting.

Wyasket Pond: This area lies east of the Green River and north of Wyasket Lake. This area is a solid block of land consisting of around 1,000 acres of lowlands supporting ridges and swales creating small wetlands and one large wetland during high-flow events in the spring. This area is dominated by cottonwoods varying from older growth to early regeneration cottonwood thickets. There is some upland with a mix of grass and shrubs, but most of this area is riparian habitat. These areas will be open to pheasant, turkey, deer, elk, and pronghorn hunting.

When is the use conducted?

Hunting seasons at the refuge traditionally fall within standardized periods with little variation between years.

How is the use conducted?

To ensure safe hunting, visitor, and staff safety, all hunting activities are in accordance with federal and state regulations, subject to refuge-specific regulations. State regulations incorporated into the refuge hunting program include shotgun only for migratory game birds, unless otherwise restricted by refuge-specific regulation. State permit requirements are defined in state regulations printed in the Utah Division of Wildlife Resources (UDWR) guidebooks for small game, waterfowl, and big game (<https://wildlife.utah.gov/>).

A hunting regulations brochure and hunting map is available to inform the public of the refuge's hunting opportunities and requirements. Copies of the hunting brochure are available at the

refuge office, outdoor entrance kiosks, and on the refuge website. General information about hunting and other wildlife-dependent public uses can be obtained at the refuge office at 19001 E. Wildlife Refuge Rd., Randlett, UT 84063, or by calling (435) 545-2522. Hunting season dates, refuge directions, and maps will be available on the station website at <https://www.fws.gov/refuge/Ouray.html>. Regulations pertaining to hunting on all national wildlife refuges are found in 50 Code of Federal Regulations (CFR) 32.2. Copies of the CFR can be found online and in area libraries. In addition, refuge-specific regulations are available on the refuge's website.

Refuge staff have improved access for hunting, which includes providing seasonally opened gates, mowed secondary roads and trails for non-motorized access, and parking areas. Persons with disabilities may be granted special permits for accommodated access or exceptions to some hunting regulations. Hunters must possess a valid UDWR accommodation permit prior to requesting accommodation from the refuge. The refuge manager will authorize special use permits.

Availability of Resources:

The hunting program is designed to be administered with minimal refuge resources. The costs of administering and enforcing the refuge's hunting program comes out of the refuge's annual budget. Expenses cover program management, staff resources, boundary posting, signage, brochures, parking lot construction, facility maintenance, gate installation, and other hunting-specific activities.

Law enforcement of refuge hunting regulations, trespass, and other violations associated with management of the refuge is the responsibility of commissioned federal wildlife officers. Federal wildlife officers cooperate with state and county officers, as well as state conservation officers. Ongoing coordination and communication between refuge staff and law enforcement officers are conducted throughout the year.

Special equipment, facilities, or improvements necessary to support the use: Paid for through regular management activities; no other funding is needed.

Maintenance costs: Paid for through regular management activities; no other funding is needed.

Monitoring costs: Paid for through annual biological observations; no other funding is needed.

Offsetting revenues: None.

Anticipated Impacts of the Use:

To see a full analysis of effects of hunting on the environment, refer to the refuge's draft 2021 environmental assessment that has been completed in relation to the draft 2021 hunting plan. A summary of the impacts from that assessment can be found below.

Short and Long-Term Impacts:

This activity has shown no significant environmental change to the refuge, its habitats, or wildlife species, but the activity is monitored closely for any signs of change. Staff monitors species population and harvest trends to ensure that target species can be hunted at the refuge without appreciably adversely affecting these species' regional populations. These monitoring activities include direct observation, consultation with state and U.S. Fish and Wildlife Service (Service) species specialists, and review of current species survey information and research.

Recent assessments of species hunted near the refuge show that those species are not facing a general decline. For waterfowl, the annual assessments are based upon the distribution, abundance, and flight corridors of migratory birds. The State of Utah manages resident game across broad landscapes with consideration of long-term effects, and allows harvest of annual surpluses through recreational hunting. Hunting does cause mortality and disturbance to those species hunted; however, bag limits, season dates, and other regulations such as closed areas are set to protect the long-term health and survival of those species.

There could be effects to sensitive non-target species through excessive disturbance. Disturbance of wildlife is limited to occasional flushing of non-target species during the open hunting season and is estimated to be a short-term disturbance. There are no foreseen long-term effects on sensitive non-target species from disturbance of hunters. Federally threatened and endangered species are found on the refuge, but it is expected that hunting will not conflict with the recovery and protection of these species, thus requiring no mitigation measures to occur. Effects to threatened and endangered species will be limited to potential short-term disturbance of Uintah Basin hookless cactus from trampling. Additional impacts associated with pronghorn hunting are anticipated to be minimal based on small numbers of hunters expected.

Indirect and Cumulative Impacts:

It is anticipated that the hunting program, as articulated in the draft 2021 Ouray NWR Hunting Plan, has the potential to negligibly affect other recreational uses, other hunting opportunities, visitor services, the local economy, and refuge administration. Visitor safety and law enforcement issues are also important. Providing restrictions that limit access to specific refuge locations will reduce disturbance and unsafe vehicle access. Law enforcement patrols are conducted periodically to ensure compliance with regulations. The hunting program follows all applicable laws, regulations, and policies. This activity is also compliant with the purpose of the refuge and the Refuge System's mission. Conducting this program will not alter the refuge's ability to meet habitat goals, provide for public safety, and support several primary objectives.

There are no anticipated indirect or cumulative effects on area land use, cultural resources, environmental justice, wilderness areas, listed threatened and endangered species, or migratory or resident wildlife populations and their habitats.

Public Review and Comment:

This compatibility determination was prepared concurrently with the 2021 draft environmental assessment and hunting plan for the refuge. Public review and comment was achieved concurrently with the public review and comment period for the draft hunting plan and environmental assessment. The draft compatibility determination was posted at the refuge office at 19001 E. Wildlife Refuge Rd., Randlett, UT 84063, and made available online at <https://www.fws.gov/mountain-prairie/huntfish.php>. Concerns expressed during the public comment period will be addressed in the final environmental assessment.

Determination:

- Use is not compatible
- Use is compatible with the following stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with Refuge System and the refuge goals and objectives, the activity can only occur under the following stipulations:

- This use must be conducted in accordance with state, tribal, and federal regulations, and special refuge regulations published in the Refuge Hunting Regulations and Public Use Regulations brochures and in 50 CFR.
- Hunting hours are determined by state regulations except as restricted by refuge specific regulations.
- Hunting is permitted only in designated areas shown on the map and defined in the refuge-specific approved hunting plan.
- All vehicles are restricted to existing county roads or designated refuge access roads. Utility and all-terrain vehicles are permitted only on developed vehicle roads, must have current Utah registration, and follow all state and refuge regulations. Off-road travel by any type of vehicle is prohibited. Persons with disabilities may be granted special permits for accommodated access or exceptions to some hunting regulations. Hunters must possess a valid UDWR accommodation permit prior to requesting accommodation from the refuge. Special Use Permits will be authorized by the refuge manager.
- The refuge has an interpretive sign discussing location and cactus life history strategy that encourages visitors to voluntarily avoid trampling this species habitat. If observation suggests that hunters are beginning to encroach in occupied habitat, it would be possible to either install signs in areas of known occurrence and provide additional guidance in the refuge's hunting brochure. The Service may take further action (such as temporary closures within habitat occupied by this listed species) if signs and education are not sufficient to avoid impacts on this cactus species.

