

Draft Compatibility Determination for Hunting on Browns Park National Wildlife Refuge

Use: Hunting for big game (mule deer, elk, pronghorn, and moose), migratory bird (ducks, geese, coots, and mourning dove), and small game (cottontail rabbits)

Refuge Name: Browns Park National Wildlife Refuge

Establishing and Acquisition Authorities:

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

Refuge Purpose(s):

The primary purpose of Browns Park National Wildlife Refuge (NWR) is to provide sanctuary for migratory birds, to provide for suitable fish and wildlife-dependent recreation, protection of natural resources, and conservation of threatened and endangered species.

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 compability determination and is being completed as part of the 2020 Browns Park NWR Hunting Plan and Environmental Assessment. This compatibility determination will reevaluate the hunting of migratory game birds (ducks, geese, coots, and mourning doves), big game (mule deer, elk, moose, and pronghorn), 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?

Big game (moose, pronghorn, mule deer, and elk) hunting will be allowed on all refuge units except administrative and camping areas as per state regulation. That area includes the Grimes, Nelson, Spitzie, and Warren Units as well as other areas identified. These units are divided between Colorado Parks & Wildlife (CPW) Hunt Units 1 and 201. All hunts will be administered

per state regulation, including weapon and annual season dates set by CPW. Cottontail rabbits and mourning doves will be open on this area as well.

Waterfowl (ducks, geese, and coots) hunting is allowed in Butch Cassidy Wetland, Hog Lake, and the Green River corridor per state season and regulation. Hunters are required to use non-toxic shot for all migratory waterfowl and hunters must first obtain a Federal Duck Stamp before hunting on the refuge. Non-toxic shot is being proposed for mourning doves and cottontail rabbits. For hunting of big game, non-lead ammunition is encouraged.

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 a safe hunt and 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 CPW guidebooks for small game, waterfowl, and big game (<https://cpw.state.co.us/>).

A refuge hunting regulations brochure and hunt map is available to inform the public of hunting opportunities and refuge regulations. Copies of the hunting brochure are available at the refuge's office, outdoor entrance kiosks, refuge campgrounds, and on the refuge website. General information about hunting and other wildlife-dependent public uses can be obtained at the refuge office at 1318 Hwy 318, Maybell, CO 81640, or by calling (970) 365-3613. Hunting season dates, refuge directions, and maps will be available on the station website at https://www.fws.gov/refuge/Browns_Park.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 CPW 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, reference the refuge's draft Environmental Assessment that has been completed in relation to the draft 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 monitor 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 Colorado manages resident game across broad landscapes considering 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 to 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 to sensitive non-target species from disturbance of hunters. Federally threatened and endangered species are found on the refuge but it is expected that this use will not conflict with the recovery and protection of these species requiring no mitigation measures to occur. Effects to threatened and endangered species will be limited to potential short term disturbance of Ute ladies'-tresses from trampling. Hunting seasons typically start at the end of when these species are found on the refuge and encounters with these species are unlikely to occur.

Indirect and Cumulative Impacts:

It is anticipated that the hunting program as articulated in the 2020 Browns Park 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 of the refuge.

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

Public Review and Comment:

The draft compatibility determination will be available for public review and comment during the review of the associated draft Environmental Assessment and draft hunting plan. The draft compatibility determination will be posted at the refuge office at 1318 Hwy 318, Maybell, CO 81640 and made available online at https://www.fws.gov/refuge/browns_park/. Concerns expressed during the public comment period will be addressed in the final draft.

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 Colorado 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 CPW accommodation permit prior to requesting accommodation from the refuge. Special Use Permits will be authorized by the Refuge Manager.

Justification:

This use has been found compatible provided the above stipulations are carried out. This use is being permitted as it is a priority public use and will not diminish the primary purposes of the refuge. This use will meet the mission of the Refuge System by providing renewable resources for the benefit of the American public while conserving fish, wildlife, and plant resources on these lands.

Hunting is one of the six priority wildlife-dependent recreational uses identified in the Refuge System Improvement Act of 1997. Service policy directs us, the Service, to provide hunting opportunities when compatible with refuge management and offering this use helps us meet the long-term goal of the refuge. Hunting is consistent with the refuge’s larger goals to (1) restore and reestablish native plant communities throughout the refuge for wildlife, educational, and recreational opportunities; (2) maintain the refuge through active management programs, including hunting; and (3) provide opportunities for visitors to understand, observe, and enjoy wildlife and native habitats of the Great Basin. More information about these goals can be found in the comprehensive conservation plan (1999).

Hunting seasons and bag limits are established by the states within a framework set nationally by the Service for migratory game birds and at the state level for big game and upland game. These restrictions ensure the continued well-being of overall populations of migratory birds. Hunting does result in the taking of many individuals within the overall population, but restrictions are designed to safeguard an adequate breeding population from year to year. The area closed to waterfowl hunting on the refuge provide feeding and resting habitat for migratory birds during the hunting season. Specific refuge regulations address equity and quality of opportunity for hunters.

Signatures:

Robert Bundy, Project Leader

Date

Review:

Lisa Talcott, Refuge Supervisor

Date

Approval:

Will Meeks, Refuge Chief
Region 6

Date

Mandatory 10 or 15-year Re-evaluation Date: 2035.