

## **Draft Compatibility Determination for Migratory Game Bird, Upland Game, and Big Game Hunting on Fish Springs National Wildlife Refuge**

**Use:** Hunting of migratory game birds, upland game, and big game

**Refuge Name:** Fish Springs National Wildlife Refuge

### **Establishing and Acquisition Authority(ies):**

- Migratory Bird Conservation Act of 1929; Public Land Order 1942 dated August 12, 1959; Public Land Order 2563 dated December 22, 1961

### **Refuge Purpose(s):**

The refuge was established under the Migratory Bird Conservation Act “. . . for use as an inviolate sanctuary, or for any other management purpose, for migratory birds” (16 United States [U.S.] Code § 715d).

### **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?*

Hunting of game is an activity conducted by the public under regulation authority of the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act); it is considered a priority public use. This compatibility determination updates and supersedes previous hunting-related compatibility determinations and is being completed as part of the Fish Springs National Wildlife Refuge (NWR) hunting plan and Environmental Assessment. This compatibility determination will reevaluate the hunting of migratory game birds (duck, goose, coot, dove, snipe), upland game (chukar partridge, desert and mountain cottontail rabbit), and big game (mule deer, pronghorn), as described in the refuge hunting plan. All hunting activities will follow state, federal, and tribal laws and seasons, except where the refuge administers further restrictions to ensure compliance with refuge-specific laws and compatibility issues. Supporting uses such as use of non-motorized, motorized boats and all-terrain vehicles in order to hunt will be evaluated.

#### *Where is the use conducted?*

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

The total hunting area on the refuge is 12,692 acres. Migratory game bird hunting is permitted on 6,439 acres. Hunting for upland game and big game species listed in the hunting plan will be permitted on 12,692 acres of refuge land (see the hunting plan for maps that show refuge ownership, hunting units, and habitat management units).

*When is the use conducted?*

The hunting season traditionally begins in August on the refuge. All hunting activities are in accordance with the State of Utah Division of Wildlife Resources hunting seasons, which are updated annually. The species and general seasons are as follows:

- Migratory Game Bird – (ducks, geese, coots, snipe) mid-October to late January; (mourning dove) early September to mid-September.
- Upland Game – (chukar partridge) late September to late January; (desert and mountain cottontail rabbit) early September to late January.
- Big Game – (mule deer) mid-August to mid-September for general archery season; (pronghorn) mid-August to late-August for general archery season.

*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, shotgun and archery for upland game, and archery-only for big game, unless otherwise restricted by refuge-specific regulation. State permit requirements are defined in state regulations printed in the UDWR resources guidebooks for waterfowl, upland game and turkey, and big game (<https://wildlife.utah.gov/hunting/regulation.html>).

A refuge hunting regulations brochure and hunting map are available to inform the public of hunting opportunities and refuge regulations. Copies of the hunting brochure are available at the refuge's office, at one outdoor entrance kiosk, and on the refuge website. General information regarding hunting and other wildlife-dependent public uses can be obtained at the Fish Springs NWR office at P.O. Box 568, Dugway, UT 84022, or by calling (435) 693-3122. Hunting season dates, refuge directions, and maps will be available on the station website at: [https://www.fws.gov/refuge/Fish\\_Springs/visit/rules\\_and\\_regulations.html](https://www.fws.gov/refuge/Fish_Springs/visit/rules_and_regulations.html). Regulations pertaining to hunting on all national wildlife refuges are found in the Code of Federal Regulations (CFR) 50 CFR 32.2. Copies of the CFR can be found online and in area libraries; refuge-specific regulations are available on the refuge's website.

Refuge staff have improved access for hunting by 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. Special Use Permits will be authorized by the refuge manager.

*Why is the use being proposed?*

Hunting is a priority public use identified in the Improvement Act, and it has traditionally occurred at the refuge without having adverse impacts on the purpose for which the refuge was

established. Expanding hunting opportunities and aligning regulations with state agencies also 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:**

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 are 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, and 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, and state conservation officers. Ongoing coordination and communication between refuge staff and law enforcement officers is conducted throughout the year.

- Special equipment, facilities, or improvements necessary to support the use will be funded through regular management activities, with no additional money needed.
- Maintenance costs will be funded through regular management activities, with no additional money needed.
- Monitoring costs will be funded through the annual biological monitoring program, with no additional money needed.
- There are no offsetting revenues.

#### **Anticipated Impacts of the Use:**

To see a full analysis of effects of hunting on the environment, refer to the Environmental Assessment that has been completed in relation to the hunting plan. A summary of the impacts from that assessment can be found below.

#### *Short and Long-Term Impacts:*

This activity has had no significant environmental impact on the refuge, its habitats, or wildlife species, but the activity is monitored closely for any signs of change. Staff will monitor species population and harvest trends to ensure that target species can be hunted at the refuge without adversely affecting these species’ regional populations. These monitoring activities involve direct observation, consultation with state and the U.S. Fish and Wildlife Service (Service) species specialists, and review of current species survey information and research. Recent assessments of species hunted in the vicinity of the refuge indicate 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 and allows harvest of annual surpluses through recreational hunting.

Hunting does cause mortality and disturbance to those species hunted, but bag limits, season dates, and other regulation, such as closed areas, are set to protect the long-term health and survival of those species.

The use of non-motorized boats for migratory waterfowl hunting are anticipated to have minimal effects on emergent and submergent vegetation beds due to timing of when boats will be used, and the vegetation has senesced.

There could be impacts on 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 impacts on sensitive non-target species from disturbance by hunters. Federally threatened and endangered species are found on the refuge, but this use is not expected to conflict with the recovery and protection of these species and will require no mitigation measures to be taken. Effects on threatened and endangered species are limited to potential short-term disturbance of Ute ladies'-tresses by trampling. Hunting seasons typically start near the end of the time when these species are found on the refuge, and encounters with these species is unlikely to occur.

*Indirect and Cumulative Impacts:*

It is anticipated that the hunting program, as articulated in the 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 mission. Conducting this program does 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 impacts on area land use, Indian trust resources, 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 Environmental Assessment and hunting plan. The compatibility determination will be posted at the Fish Springs NWR office at P.O. Box 568, Dugway, UT 84022, and made available online at [https://www.fws.gov/refuge/fish\\_springs/](https://www.fws.gov/refuge/fish_springs/). 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 the 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 Title 50 of the 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 not permitted except for individuals with a disability who possess a refuge Special Use Permit. Persons with disabilities may be granted special permits for accommodated access or exceptions to some hunting regulations. Special Use Permits will be authorized by the refuge manager.

### **Justification:**

This use has been determined compatible provided the above stipulations are implemented. 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 Improvement Act. 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: (1) to restore and reestablish native plant communities throughout the refuge for wildlife and for education and recreational opportunities; (2) to maintain the refuge through active management programs, including hunting; and (3) to 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 (2004).

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:**

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Erin Holmes, Project Leader

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Date

**Review:**

\_\_\_\_\_  
Lisa Talcott, Refuge Supervisor

\_\_\_\_\_  
Date

**Approval:**

\_\_\_\_\_  
Will Meeks, Refuge Chief  
Region 6

\_\_\_\_\_  
Date

**Mandatory 15-Year Reevaluation Date: 2035**