

Draft Compatibility Determination for Hunting on Hutton Lake National Wildlife Refuge

Use: Waterfowl, Big Game, and Upland Game Hunting

Refuge Name: Hutton Lake National Wildlife Refuge

Establishing and Acquisition Authorities:

- Migratory Bird Conservation Act, Executive Order 5782

Refuge Purpose(s):

Hutton Lake National Wildlife Refuge (NWR) was established pursuant to Executive Order 5782 dated January 28, 1932. Additional lands were added in 1933 and 1939 pursuant to the Migratory Bird Conservation Act (16 United States [U.S.] Code 715d). The primary purpose of the refuge is to serve as “as a refuge and breeding ground for migratory birds and other wild animals (Executive Order 5782)” and “. . . for use as an inviolate sanctuary, or for any other management purpose, for migratory birds (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? Is the use a wildlife-dependent public use?

Hunting is a priority public use of the Refuge System. Hunting opportunities for waterfowl (including ducks, dark and light geese, American coots, and mergansers), big game (pronghorn and white-tailed deer), and upland game (cottontail rabbits, ring-necked pheasant, sharp-tailed grouse, wild turkey, chukar, and gray partridge) will be allowed on the refuge, managed in accordance with federal laws and U.S. Fish and Wildlife Service (Service) policy and in alignment with state regulations.

Where would the use be conducted?

In accordance with the Hutton Lake NWR’s establishing legislation, the maximum area that can be opened to migratory bird hunting on the refuge is 40 percent. Hutton Lake, Hoge Lake, and surrounding upland acres will be open to waterfowl hunting. The hunting unit is composed of approximately 748 acres (37 percent of the total refuge acres). There are 268 acres of wetlands (55 percent of total refuge wetlands) and 480 acres of uplands (32 of total refuge uplands) in the hunt unit. Hunting areas will be identified by public hunting area boundary signs. Hunting will be prohibited on approximately 1,220 acres as an inviolate sanctuary for waterfowl.

All the refuge will be open to big game and upland game hunting, except for a “no hunting safety zone” (1,648 acres open/341 acres closed) around the road and walking trails.

When and how would the use be conducted?

For the youth waterfowl hunt, youth hunters (17 years of age and younger), each accompanied by adult mentors, will be allowed to hunt during the Wyoming Zone C2 Special Youth Waterfowl Hunting Days. The youth waterfowl hunt will follow federal and state regulations for season dates, hours, bag, and possession limits.

Species to be Taken: The refuge will be open to waterfowl hunting (ducks, mergansers, American coots, dark geese, and light geese), big game (pronghorn and white-tailed deer) and upland game (cottontail rabbits, ring-necked pheasant, sharp-tailed grouse, wild turkey, chukar, and gray partridge).

Hunting Periods: The refuge hunting season will follow the dates of the Wyoming Central Flyway Special Youth Waterfowl Hunting Days. Big game and upland game hunting will be permitted from November 1 to March 1.

Hunting Access: Hunters will be allowed to gain access to the hunting area 1 hour before legal shooting time. All visitors will have access to parking areas on a first-come, first-served basis. An accessible blind will be available for hunters with disabilities. Except for the accessible hunting blind, hunters will park their vehicles in designated parking areas and gain access to the hunt area on foot.

Why is this use being proposed?

Hunting is a priority general public use of the Refuge System that is also an important wildlife management tool. The Service recognizes hunting as a healthy, traditional outdoor pastime, deeply rooted in the American heritage. Hunting can instill a unique understanding and appreciation of wildlife, their behavior, and their habitat needs. Hunting programs can promote understanding and appreciation of natural resources and their management on lands and waters in the Refuge System. In addition, the Wyoming Fish and Game Department leadership expressed interest in having the Service evaluate opening the refuge for waterfowl, big game and upland game hunting. This interest is congruent with the Department of the Interior Secretarial Order 3356, "Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories."

The objectives of a hunting program on the refuge are to:

- meet the refuge establishing purposes, which includes keeping at least 60 percent of the refuge closed to hunting to provide inviolate sanctuary for migratory birds;
- provide wildlife-dependent recreation opportunities in accordance with federal laws and Service policy and in alignment with state regulations;
- provide increased opportunities for a hunting experience on refuge lands, especially for youth and families;
- provide nearby hunting access for local communities;
- assist with hunter education.

Availability of Resources:

What resources are needed to properly (considering quality and compatibility) and safely administer use?

The refuge hunting program is designed to be administered with minimal refuge resources. There will be a limited amount of road maintenance, hunting signs, and other visitor informational resources, and other infrastructure requirements performed funded as part of regular refuge management activities. Approximately \$2,000 annually will be required for labor, materials, and infrastructure.

Are existing refuge resources adequate to properly and safely administer the use?

Refuge resources are adequate to implement the hunting program on the refuge. Law enforcement is the primary tool necessary to ensure proper and safe administration of this use. Enforcement of refuge regulations normally associated with management of a national wildlife refuge is the responsibility of commissioned federal wildlife officers. The federal wildlife officer for the Central Sage Steppe Complex (stationed at Seedskaadee NWR) will have primary responsibility for enforcement. Other officers, special agents, state game wardens, and the local sheriff's department may assist the refuge staff.

Refugee staff will use these methods to control and enforce hunting regulations:

- Refuge and hunt area boundaries will be clearly posted.
- The refuge will provide a brochure that identifies hunt areas and hunting regulations.
- Refuge law enforcement staff will periodically check hunters for compliance with federal and state laws.
- Officers from within the zone will detail in to assist with enforcing hunting regulations.

Anticipated Impacts of the Use:

Short-Term Impacts:

Overall, accommodating this wildlife-dependent use likely will result in few effects on wildlife. Although hunting causes mortality to wildlife, season dates and bag limits are set with the long-term health of populations in mind. Wildlife will be disturbed temporarily near the activity. Closed areas will provide some sanctuary for game and nongame species, reduce some conflicts between hunters and other visitors, and provide a safety zone around roads, parking lots, and other administrative areas (for example, storage building).

Feeding and resting habitat for waterfowl will be compromised in the open waterfowl hunt area and adjacent wetland areas during daylight (shooting) hours. Refuge wetlands located farthest from the hunting area may ensure that important habitat areas of the refuge remain an "inviolate sanctuary" for migratory birds.

Approximately 37 percent of the refuge will be open to migratory bird hunting, and 63 percent of the refuge will be closed to hunting. The closed areas contain approximately 45 percent of the total wetlands on the refuge. These wetlands will provide migratory waterfowl with areas that are protected from hunting mortality. This complies with provisions of the refuge's establishing

legislation.

Most of the refuge will be open (approximately 1,648 acres or 84 percent) to big game (pronghorn and white-tailed deer) and upland game (cottontail rabbit, ring-necked pheasant, wild turkey, sharp-tailed grouse, chukar, and gray partridge) hunting from November 1 to March 1. Opening the refuge to big game and upland game hunting could cause disturbance to wetland-dependent migratory birds on the refuge for approximately one month between when the hunting season opens (November 1) and when freeze-up typically occurs in early December. Disturbed birds will either seek refuge on other wetlands on the refuge, leave the refuge entirely for other wetlands and lakes in the area, or continue their migration south. During times of no or low hunting pressure, wetlands within the hunting area will provide resting and feeding areas as will times during non-hunting hours (for example, late evening, overnight). We, the Service, expect the direct impacts on refuge birds and other wildlife caused by disturbance to not significantly affect individual fitness or have any population-level impacts. Because hunting is a new recreational opportunity, however, there may be conflicts between the non-hunting public (such as wildlife observation) and hunters. However, a No Hunting Zone has been established around the road and walking trails to reduce the potential for this conflict.

Long-Term Impacts:

No long-term effects are anticipated on wildlife resources at a population scale. There may be some moderate habitat loss/changes over time due to increased localized, repeated public use. There also may be less recreational opportunity for the non-hunting public because fewer waterfowl using the refuge during fall migration.

Other Uses and Public Safety:

Hunting is not expected to adversely affect other refuge uses or public safety. However, some conflicts are expected, especially during the first hunting seasons. Dogs are permitted for hunting for bird retrieval. Now, dogs used for these purposes are not expected to significantly affect non-target species or conflict with other uses. If public-use levels on the refuge increase in the future, unanticipated conflicts between user groups may occur. The refuge's Visitor Services programs, including the hunting program, will be adjusted, as needed, to eliminate or reduce each problem and provide a quality wildlife-dependent recreational opportunity, which includes promoting public safety. Experience on many national wildlife refuges has proven that time and space zoning (for example, establishment of separate use areas, use periods, and restrictions on the number of users) is an effective tool in eliminating conflicts between user groups. Overall, the cumulative impacts of hunting on other wildlife-dependent recreation or public safety at the refuge are expected to be minor.

Public Review and Comment:

This compatibility determination was prepared concurrently with the draft Environmental Assessment and companion hunting plan for the refuge. Public review and comment were achieved concurrently with the public review and comment period for the draft hunting plan and draft Environmental Assessment. Public review and comment was solicited through public posting of notices at the refuge and notices on local newspapers.

Determination (check one below):

Use is not compatible.

Use is compatible with the below stipulations.

Stipulations Necessary to Ensure Compatibility:

- Motor vehicles are permitted on existing refuge roads only. Vehicles are not permitted on roads marked “Authorized Vehicles Only” or roads closed by gates.
- Parking is permitted only in designated parking areas.
- Off-road vehicles may not be used on any portion of the refuge.
- All watercraft are prohibited.
- Hunting access is walk-in only.
- Fishing, fires, and overnight camping are not permitted on the refuge.
- Portable blinds are permitted but cannot be left unattended or overnight.
- Disturbing, cutting, gathering, manipulating or bringing in any vegetation to create a blind is prohibited.
- Molesting, injuring, disturbing, or destroying any animal or plant is prohibited, as is the removal of animals, plants, or parts thereof.
- Artifacts and historic items are protected on refuge lands by federal law. It is unlawful to search for or remove these objects from refuge lands.
- Possession or use of other than non-toxic shot shells is prohibited
- Persons possessing, transporting, or carrying firearms on Refuge System lands must comply with all provisions of state and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (50 Code of Federal Regulations 27.42 and specific refuge regulations in 50 Code of Federal Regulations Part 32).
- Dogs are to be restrained except while engaged in hunting activity.

Justification:

In view of the above and with the stipulations previously described, hunting will not materially interfere with or detract from the Refuge System mission or purposes of the refuge. Hunting is a priority public use of the Refuge System and providing a hunting program contributes to achieving one of the refuge goals. Disturbance of wildlife will occur, but limitations on hunting locations will result in areas of the refuge free of disturbance. Hunting is not expected to adversely affect the biological integrity, diversity, and environmental health of the refuge or the Refuge System.

The Service and the State of Wyoming consider hunting an acceptable and desirable form of public use and wildlife-dependent recreation. Hunting is considered an educational and recreational opportunity that increases the public’s awareness of wise stewardship and

management of wildlife resources in the public's trust. Recreational public hunting is a historic, wildlife-dependent use of the Refuge System and is one of the six priority public uses established by Executive Order 12996 (March 25, 1996) and legislatively authorized by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

Some infrastructure is already in place to support a hunting program, and current staffing levels and funding are adequate. Special regulations are in place to reduce negative effects on the refuge and associated wildlife. Wyoming state law further controls hunter activities. Hunting is a legitimate wildlife management tool that can be used to control wildlife populations. Hunting harvests a small percentage of the renewable resources, which is in accordance with wildlife-management objectives and principles.

Signatures:

Tom Koerner, 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: February 2035