

## **Draft Compatibility Determination for Hunting on Lee Metcalf National Wildlife Refuge**

**Use:** Hunting

**Refuge Name:** Lee Metcalf National Wildlife Refuge

### **Establishing and Acquisition Authorities:**

- Established on February 4, 1964
- Migratory Bird Conservation Act (16 United States [U.S.] Code 661–667e)
- Refuge Recreation Act (16 U.S. Code 460k–1)
- State of Montana approval under provisions of Public Law 87–383 (75 Stat. 813)

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

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds” (16 U.S. Code 715d, Migratory Bird Conservation Act)

“suitable for (1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species...” (16 U.S. Code 460k–1)

“the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors...” (16 U.S. Code 460k–2, Refuge Recreation Act, as amended (16 U.S. Code 460k–460k–4))

### **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 one of six wildlife-dependent priority public uses specified in the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). Hunting occurs in three forms on the refuge: waterfowl and turkey (by shotgun) and white-tailed deer (by bow). Besides the site-specific regulations mentioned below, state hunting regulations will apply to all Lee Metcalf National Wildlife Refuge (NWR) lands open to hunting. Hunters may only possess and use U.S. Fish and Wildlife Service (Service)–approved, nontoxic shot shells on the refuge, and vehicle travel and parking are restricted to public roads, pull offs, and parking areas. The refuge website and refuge hunting brochures provide guidance on site-specific regulations. The general hunting regulations are available from the Montana Department of Fish, Wildlife, and Parks (MFWP).

*Where would the use be conducted?*

Waterfowl hunting is open in the southeast part of the refuge and the Bitterroot River. The southeast, 654-acre area of the refuge encompasses 10 wetlands and is closed to the nonhunting public. Waterfowl hunters access this area from one parking area. From 2005–2009, the 654-acre spaced blind area accommodated an average of 965 visits per year. The Bitterroot River is accessed primarily by boat from MFWP fishing access areas.

Archery hunters access 2,275 acres of refuge lands from five archery hunting access parking areas east of the Bitterroot River. Access to refuge areas west of the Bitterroot River will be via the Bass Creek Fishing access site, Poker Joe Fishing access site, and Ruffatto Block Management Area. From 2005–2009, archery hunting for white-tailed deer on refuge lands east of the river drew an average of 1,030 visits annually with an average of 33 deer harvested each year.

Turkey hunting will be allowed on refuge lands west of the Bitterroot River (approximately 40 acres) and will be open for limited entry opportunity hunting on designated areas east of the Bitterroot River. Turkey hunters will access the areas west of the river via the Bass Creek Fishing access site, Poker Joe Fishing access site, and Ruffatto Block Management area.

*When and how would the use be conducted?*

Waterfowl hunting is conducted during the state hunting season, which usually occurs from the first weekend of October through the second week of January. Youth waterfowl season opens a week earlier, often during the last weekend in September. Waterfowl hunting in the 654-acre spaced blind area is available on a first-come-first-serve basis except for opening weekend, during which blinds are allocated by drawing. Hunters must hunt from one of the blinds to safely space hunters from one another. Waterfowl hunting on the Bitterroot River is accessed, often with a boat, from one of the MFWP fishing access sites or private land.

Archery white-tailed deer season is conducted during the state hunting season, which typically occurs from the first weekend in September through the second week of January. Multiple tags are available to each hunter, currently including up to five antlerless tags. Allowing the use of either sex tag 260-20 will also permit the harvest of up to two antlered white-tail deer.

Wild turkey hunting will be conducted during state turkey seasons in the fall and spring. The fall season typically occurs from the first weekend in September through the end of December. The spring season typically occurs from mid-April through the third week of May. Only bearded turkeys are legally harvestable during the spring season. Multiple tags are available from the MFWP, including region-specific tags, general tags, and beardless tags.

*Why is this use being proposed?*

Hunting is a priority public use of the Refuge System that is encouraged, when compatible with the purposes for which the refuge was established. Hunting can be used as a management tool to move or remove individuals and reduce numbers in subpopulations. 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.

## **Availability of Resources:**

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

Hunting is and will continue to be administered by the refuge staff. Volunteers and the engineering equipment operator assist the refuge manager in managing the hunting program. Refuge law enforcement now is covered, when possible, by Western Montana NWR Complex (refuge complex) law enforcement officers.

Hunting and fishing program infrastructure on the refuge has the following:

- five hunt parking areas;
- one fishing parking area (Wildlife Viewing Area);
- five hunting kiosks and information stations;
- 14 waterfowl hunt blinds and roads and trails to access (two blinds are universally accessible);
- three designated accessible archery white-tailed deer hunt areas;
- one accessible fishing trail;
- one accessible fishing pavilion;
- one portable toilets;
- refuge waterfowl decoys that may be reserved.

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

Administering the hunting and fishing program will annually require staff time from the refuge manager, maintenance worker, administrative assistant, and refuge complex law enforcement officers to respond to hunter and angler inquiries; conduct hunter, angler, and visitor outreach; reduce conflicts among users; conduct law enforcement; maintain boundary posting and parking areas; repair hunt kiosks; maintain fishing platform, parking areas, waterfowl blinds, gates, and infrastructure; mow and grade roads and trails; observe impacts to wildlife, habitat, and visitor use; and ensure public safety.

The refuge is part of the larger refuge complex. In 2019, the refuge complex hired two more law enforcement officers. Law enforcement officers are deployed to different locations within the refuge complex to ensure coverage during peak times. With the addition of the two new officers, the Service does not anticipate that the new hunting and fishing opportunities will have a significant impact on the refuge or the refuge complex as a whole.

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

The impacts addressed here are further discussed in the Compatibility Determination found in Appendix C of the refuge's 2012 comprehensive conservation plan: [https://www.fws.gov/mountain-prairie/refuges/completedPlanPDFs\\_F-L/lmc\\_ccp\\_all.pdf](https://www.fws.gov/mountain-prairie/refuges/completedPlanPDFs_F-L/lmc_ccp_all.pdf). The National Wildlife Refuge System Act of 1966, as amended, and Service policy encourage allowing hunting on national wildlife refuges when it is compatible with the purposes for which

the refuge was established. Although white-tailed deer, waterfowl, and wild turkey populations are no longer watched on the refuge, instituting refuge-specific hunt regulations as well as enforcing state game regulations should support healthy hunted wildlife populations. Habitats on the refuge are managed to produce healthy wildlife populations that normally produce a harvestable surplus that could be considered a renewable resource.

By keeping adequate sanctuary on the refuge, wildlife learn to use the refugia and populations are sustained. Refuge signage, hunting and general brochures, informational kiosks, Web site postings, and state hunting regulations will also inform hunters of where and how the hunt program is managed to reduce overharvest of any wildlife population segment.

Displacement of wildlife as a result of the hunt program can interfere with non-consumptive wildlife-dependent recreationists. Wildlife photographers, wildlife observers, hikers, and walkers all may not have the same opportunities to view wildlife that is displaced or harvested. The refuge attempts to provide ample opportunities for all six wildlife-dependent recreational opportunities by separating uses.

### **Public Review and Comment:**

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

### **Determination (check one below):**

Use is not compatible.

Use is compatible with the below stipulations.

### **Stipulations Necessary to Ensure Compatibility:**

- Hunters participating in hunting will be provided the Service's public use regulations, including site-specific regulations. Hunters are encouraged to read and understand state hunting regulations.
- Hunters will use only approved nontoxic shot for waterfowl and turkey hunting.
- Vehicles will be restricted to county and designated public roads and parking areas in the refuge.
- Signage and brochures will be used to provide hunters information on where and how to hunt on the refuge to ensure compliance with public use regulations.

### **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

