

# Draft Valentine National Wildlife Refuge Hunting Plan

March 2020

**U.S. Fish and Wildlife Service**

**Valentine National Wildlife Refuge  
39679 Pony Lake Road, Valentine, NE 69201**

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# Valentine National Wildlife Refuge

## Hunting Plan

### I. Introduction

National wildlife refuges are guided by the mission and goals of the National Wildlife Refuge System (Refuge System), the purposes of an individual refuge, United States (U.S.) Fish and Wildlife Service (Service) policy, and laws and international treaties. Relevant guidance includes the National Wildlife Refuge System Administration Act of 1966 (NWRSA), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act), Refuge Recreation Act of 1962, and selected portions of the Code of Federal Regulations (CFR) and Fish and Wildlife Service Manual.

Valentine National Wildlife Refuge (NWR) was established on August 14, 1935, by Executive Order No. 7142 “as a breeding ground for migratory birds and other wildlife.”

The refuge is located in the Sandhills of north-central Nebraska. The refuge is a unique and ecologically important component of the Refuge System, which covers over 500 refuges totaling approximately 93 million acres across the United States. The native mixed-grass prairie and wetlands found here support a diversity of wildlife. Little has changed from historic times. The refuge was established by Congress in 1935 “as a breeding ground for migratory birds and other wildlife.” The refuge is home to 270 species of birds, 59 species of mammals, and 22 species of reptiles and amphibians.

The mission of the Refuge System, as outlined by the NWRSA, as amended by the Improvement Act (16 U.S. Code 668dd et seq.), 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 for the benefit of present and future generations of Americans.”*

The NWRSA mandates the Secretary of the Interior in administering the System to (16 U.S. Code 668dd[a][4]):

- provide for the conservation of fish, wildlife, and plants, and their habitats within the Refuge System;
- ensure that the biological integrity, diversity, and environmental health of the Refuge System are supported for the benefit of present and future generations of Americans;
- ensure that the mission of the Refuge System described at 16 U.S. Code 668dd(a)(2) and the purposes of each refuge are carried out;
- ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the states in which the units of the Refuge System are located;

- assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the Refuge System and the purposes of each refuge;
- recognize compatible wildlife-dependent recreational uses as the priority general public uses of the Refuge System through which the American public can develop an appreciation for fish and wildlife;
- ensure that opportunities are provided within the Refuge System for compatible wildlife-dependent recreational uses;
- monitor the status and trends of fish, wildlife, and plants in each refuge.

Therefore, it is a priority of the Service to provide for wildlife-dependent recreation opportunities, including hunting, when those opportunities are compatible with the purposes for which the refuge was established and the mission of the Refuge System.

The refuge is open to migratory bird, upland game, and big game hunting, which provides visitors with more public land hunting opportunities in Nebraska.

## **II. Statement of Objectives**

The objectives of a upland game, big game, and migratory bird hunting program on the refuge are to provide compatible wildlife-dependent recreational opportunities on the refuge. The need of the proposed action is to meet the Service’s priorities and mandates as outlined by the NWRSA to “recognize compatible wildlife-dependent recreational uses as the priority general uses of the NWRS” and “ensure that opportunities are provided within the NWRS for compatible wildlife-dependent recreational uses” (16 U.S. Code 668dd[a][4]). The need of the proposed action also meets the Service’s implementation of 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* by expanding hunting opportunities and aligning Service regulations with state regulations.

Hunting is consistent with the 1999 Valentine NWR Comprehensive Conservation Plan’s (CCP) larger goals and objectives for management of refuge habitats, wildlife, threatened and endangered species, compatible public uses, and partnerships, along with implementation strategies.

## **III. Description of Hunting Program**

### **A. Areas to Be Opened to Hunting**

The Service proposes to open or expand upland game hunting on 70,549 acres in full alignment with state seasons between September 1 and March 31 (Figure 1). We, the Service, propose to open or expand migratory bird hunting from 2,721 acres to 28,918 acres.



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Valentine National Wildlife Refuge

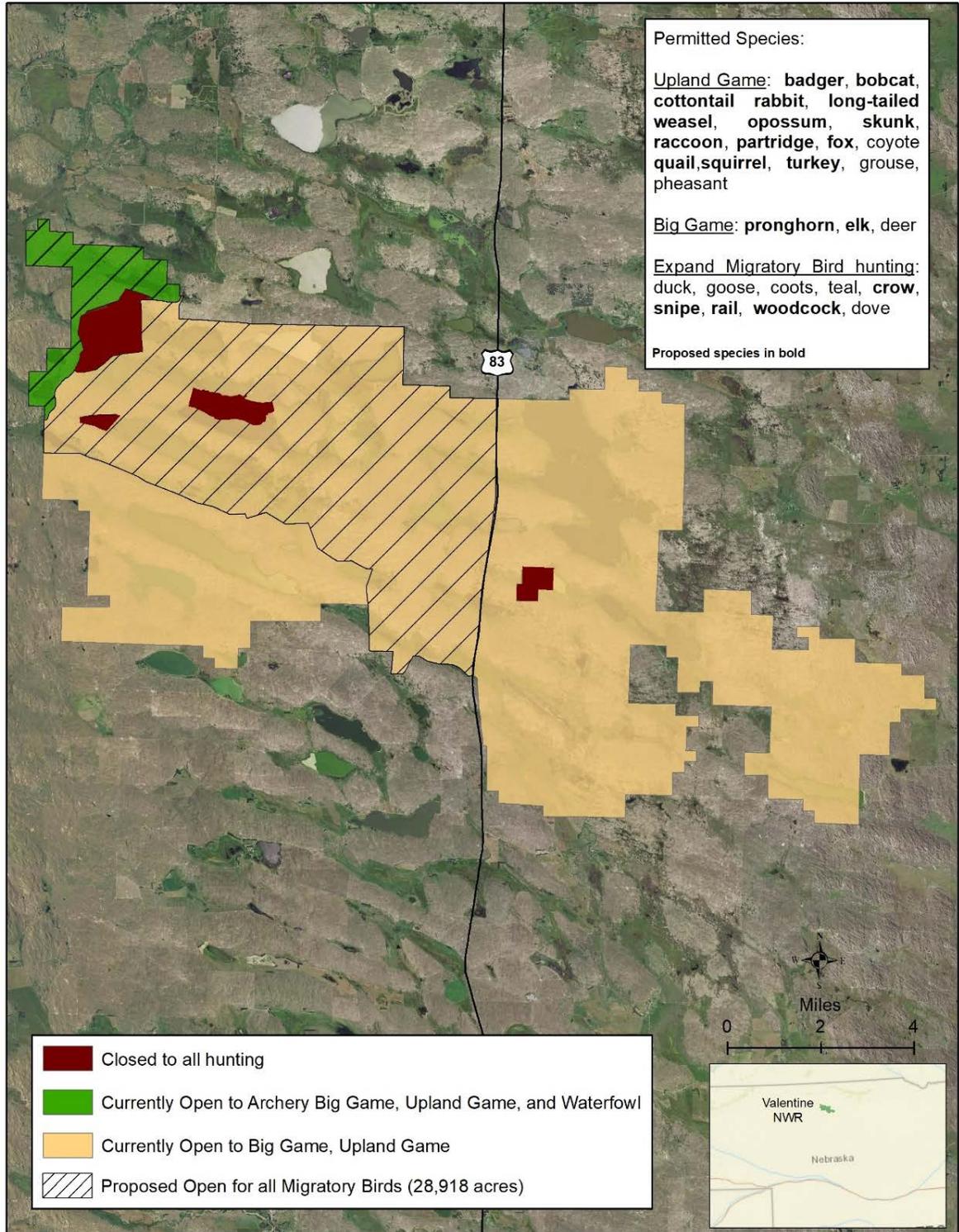


Figure 1. Current and Proposed Hunting Opportunities at Valentine National Wildlife Refuge.

## **B. Species to Be Taken, Hunting Periods, and Hunting Access**

The Service proposes to open or expand upland and big game hunting on 70,549 acres in full alignment with state seasons between September 1 and March 31. Pronghorn will align with the state season opening date of August 20. This plan proposes to open or expand existing migratory bird hunting from 2,721 acres to 28,918 acres.

Upland and Big Game: Game hunting covers all non-migratory wildlife hunted in Nebraska under the Nebraska Game and Parks Commission (NGPC) Hunting Regulations. Resident game species are white-tailed deer, mule deer, coyote, greater prairie chicken, sharp-tailed grouse, pheasant, badger, bobcat, cottontail rabbit, fox, long-tail weasel, opossum, partridge, quail, raccoon, skunk, squirrel, dove, turkey, elk, and pronghorn.

Migratory Birds: Migratory bird hunting covers waterfowl, dove, crow, rail, snipe, and woodcock.

The refuge will use existing state bag limits and methods of take for games species open to hunting on the refuge.

We will allow hunter access from two hours before legal sunrise to two hours after legal sunset. Motor vehicles are allowed only on public use roads and trails. Driving on ice or off-road is prohibited. Access by horseback is allowed. All or parts of the refuge may be closed to hunting at any time if necessary for public safety, to provide wildlife sanctuary, prescribed burning, or for other reasons.

## **C. Hunter Permit Requirements (if applicable)**

Hunters will be required to have the applicable state and federal licenses, permits, and stamps.

## **D. Consultation and Coordination with the State**

On July 10, 2018, NGPC leadership provided suggestions for expanded hunting opportunities on Service lands in Nebraska. Their input was consistent with the Department of Interior Secretarial Order 3356, "Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories." The refuge reviewed the operations and regulations for neighboring state wildlife management areas, public lands administered by other agencies (for example, the U.S. Forest Service), and other national wildlife refuges in Nebraska to find consistency, where possible. Other conversations have occurred with local NGPC biologists in development of this draft Environmental Assessment and draft hunting plan. The Service will be sending a letter to the state summarizing efforts to increase hunting opportunity and align with state hunting regulations. We will continue to consult and coordinate on specific aspects of the hunting plan to ensure safe and enjoyable recreational hunting opportunities.

## **E. Law Enforcement**

Enforcement of refuge and state regulations normally associated with management of a national wildlife refuge is the responsibility of commissioned refuge law enforcement officers. Other

federal wildlife officers, National Park Service rangers, special agents, state conservation officers, the local sheriff's department often assist the refuge full-time officer.

The following methods are used to control and enforce hunting regulations:

- Refuge and hunt area boundaries will be clearly posted.
- The refuge will provide a brochure that shows hunt areas.
- Refuge law enforcement staff will routinely check hunters for compliance with federal and state laws.

#### **F. Funding and Staffing Requirements**

Funding to administer the refuge hunting program will come from the annual refuge

budget. Funding to cover all expansions such as updated brochures and signage will come from the most recent refuge annual budget. Boundary signs will need to be installed to properly designate hunt areas. The refuge will continue to explore avenues to funding specific for hunting program improvements.

### **IV. Conduct of the Hunting Program**

#### **A. Hunter Permit Application, Selection, and/or Registration Procedures**

The refuge will not require any special hunt applications or reports. All licenses and permits will be issued by the NGPC.

#### **B. Refuge-Specific Hunting Regulations**

Listed below are proposed refuge-specific regulations that pertain to hunting at the refuge as of the date of this plan. These regulations may be modified as conditions change or if the refuge expansion continues/occurs.

*50 CFR 32.46 Nebraska*

*(f) Valentine National Wildlife Refuge—*

*(1) Migratory game bird hunting. We allow migratory game bird hunting in accordance with state regulations and on designated areas of the refuge subject to the following conditions:*

*(i) We allow hunter access from two hours before legal sunrise to two hours after legal sunset.*

*(ii) All personal property such as blinds and decoys must be removed at the conclusion of each day's hunt (see 27.93 of this chapter).*

*(iii) We prohibit discharging of a weapon from a motor vehicle or from across any refuge roadway, which includes the road right-of-way.*

*(iv) Dogs may be used while hunting to locate, point, and retrieve, provided they are under immediate control of the owner at all times.*

*(2) Upland game hunting. We allow upland game hunting of coyote, greater prairie chicken, sharp-tailed grouse, pheasant, badger, bobcat, cottontail rabbit, fox, long-tail weasel, opossum, partridge, quail, raccoon, skunk, squirrel, dove, and turkey in accordance with state regulations and on designated areas of the refuge subject to the following conditions:*

- (i) The condition set forth at paragraph (f)(1)(i), (ii), (iii) and (iv) of this section applies.*
- (ii) Dogs may be used while upland game hunting to locate, point, and retrieve, provided they are under immediate control of the owner at all times, except that we prohibit the use of dogs to hunt coyotes.*
- (iii) We prohibit the use of bait to hunt coyotes.*
- (iv) We prohibit the use of toxic shot while hunting.*

*(3) Big game hunting. We allow hunting of deer, elk, and pronghorn antelope in accordance with state regulations and on designated areas of the refuge subject to the following conditions:*

- (i) The conditions set forth at paragraph (f)(1)(i), (ii) and (iii) of this section apply.*
- (ii) Portable tree stands and steps are allowed from August 16 through January 31.*

### **C. Relevant State Regulations**

Relevant state regulations are generally covered in the annual Nebraska Guides. The guides are not intended to be a complete digest of state regulations, orders, and statutes. A complete listing may be found at:

- Regulations and Orders: <http://outdoornebraska.org/regulations/>
- Nebraska Revised Statutes, Chapter 37 – Game and Parks: <https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=37>

### **D. Other Refuge Rules and Regulations for Hunting**

- Fires – Open fires are not permitted.
- Camping – Camping is not permitted.
- Gates – Hunters must close any gates they open for access.
- Vehicles – Only licensed motor vehicles are allowed on designated roads. All-terrain vehicles and utility terrain vehicles are prohibited. Motor vehicles are permitted only on public use roads and trails as shown on the hunting and fishing brochure map.
- Boats – Boats propelled with oars, paddles, or electric motors may be used on refuge lakes. The use of internal combustion motors is prohibited.
- Access – Motor vehicles are allowed only on public use roads and trails. Driving on ice or off-road is prohibited. Access by horseback is allowed.
- Refuge and Cultural Resources – All government property, including natural items such as antlers, skulls, plants, historic, and archaeological features, are protected by federal

law. Searching for or removal of any of this property is strictly prohibited. Disturbance of threatened and endangered species is strictly prohibited.

- Monitoring devices – The use of electronic or photographic trail monitoring devices is prohibited.
- Weapons – Persons possessing, transporting, carrying and hunting with weapons 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 DFR 27.42 and specific refuge regulations in 50 CFR part 32).
- Non-toxic Shot-Steel or other non-toxic shot is required for all bird hunting on the refuge. Possession of lead shot in the field is prohibited.
- Carrying, possessing, or discharging fireworks, or explosives on national wildlife refuges is prohibited.

## **V. Public Engagement**

### **A. Outreach for Announcing and Publicizing the Hunting Program**

The refuge keeps a mailing list, for news release purposes, to local newspapers, radio, and websites. Special announcements and articles may be released in conjunction with hunting seasons. Besides, information about the hunting program will be available at Valentine NWR headquarters, on the refuge's website, or at the regional website (<https://www.fws.gov/mountain-prairie/huntfish.php#>).

### **B. Anticipated Public Reaction to the Hunting Program**

Based on the comments received during development of the 1999 Valentine NWR CCP, we anticipate receiving positive, negative, and neutral comments about this revised hunting plan. Hunting of deer, upland game, and waterfowl has been allowed for many years, and most fears regarding opening of hunting have since been allayed.

### **C. How Hunters Will Be Informed of Relevant Rules and Regulations**

General information regarding hunting and other wildlife-dependent public uses can be obtained at Valentine NWR headquarters at 39683 Pony Lake Road, Valentine, NE 69201, or by calling 402-376-3789. Information about hunting will be available on the station website and at the Refuge Headquarters. Information about hunting in Nebraska is available at the Nebraska Game and Parks Commission office located at 2200 N. 33rd St., Lincoln, NE 68503, by calling 402-471-0641, or at <http://outdoornebraska.gov/>.

## **VI. Compatibility Determination**

Hunting and all associated program activities proposed in this plan are compatible with the purposes of the refuge. See the Valentine NWR Appropriate Use and Compatibility Determination for Recreational Hunting (<https://www.fws.gov/mountain-prairie/huntfish.php#>).