

Horseback/Mule Riding

Draft Compatibility Determination

Title

Draft Compatibility Determination for Horseback/Mule Riding, Tensas River National Wildlife Refuge.

Refuge Use Category

Outdoor Recreation (General)

Refuge Use Type(s)

Horseback Riding

Refuge

Tensas River NWR

Refuge Purpose(s) and Establishing and Acquisition Authority(ies)

Tensas River NWR was established under the Migratory Bird Conservation Act (16 U.S.C. § 715d).

In an effort to conserve the largest privately owned tract of bottomland hardwoods remaining in the Mississippi Delta, Congress authorized the Secretary of the Interior to establish the Tensas River NWR by Public Law 96-285 on June 28, 1980. Tensas River NWR was established for various purposes:

“For the preservation and development of the environmental resources ... to conserve the diversity of fish and wildlife and their habitat ... for the conservation and development of wildlife and natural resources, the development of outdoor recreation opportunities, and interpretative education,” and “to give special consideration to management of the timber on the refuge to insure continued commercial production and harvest compatible with the purposes for which the refuge is established and the needs of fish and wildlife which depend upon the dynamic and diversified hardwood forest” (94 Stat. 595, dated June 28, 1980);

“For the development, advancement, management, conservation, and protection of fish and wildlife resources” [16 U.S.C. 742f(a)(4)] “for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude” [16 U.S.C. 742f(b)(1) (Fish and Wildlife Act of 1956)];

“For conservation purposes” [7 U.S.C. 2002 (Consolidated Farm and Rural Development Act)]; and

“To conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants” [16 U.S.C. 1534 (Endangered Species Act of 1973)].

National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System, otherwise known as 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 for the benefit of present and future generations of Americans (Pub. L. 105-57; 111 Stat. 1252).

Description of Use

Is this an existing use?

Yes

What is the use?

Horseback/Mule riding is not a priority public use as defined in the National Wildlife Improvement Act of 1997. The priority public uses as defined in the National Wildlife Refuge Improvement Act of 1997 include hunting, fishing, wildlife observation, wildlife photography, environmental education and interpretation (USFWS 2009). Use of horses and mules on Tensas River NWR facilitates raccoon hunting at night, which is a wildlife-dependent recreational activity and priority use. Horseback/mule riding is used as a means of transportation only during the night raccoon season. Therefore, horseback riding is determined to be appropriate with the Refuge mission of providing wildlife-dependent public use.

Is the use a priority public use?

No

Where would the use be conducted?

Horseback/mule riding would occur refuge wide other than three areas closed for safety reasons. The closed areas are located around the Refuge and Red Barn shops and the Mower Woods parking lot on Highway 577. The Greenlea Unit is closed as well during the regular hunting season, including the night raccoon hunt, but several lottery youth and wheelchair bound hunts are conducted within this 2,737 acre area. Horse trailers are restricted to designated parking areas. Designated closed areas are identified in the Tensas River NWR Public Use Regulations Brochure (USFWS 2021b).

The Fee title acres within the acquisition boundary have increased from 74,622 acres when the Comprehensive Conservation Plan (CCP) was approved in 2009 to 77,868 acres in 2024. The additional acreage added has resulted in increased acreage open to hunting. It is not possible to quantify the change in harvest levels due to increased acreage acquired with the current Self-Clearing Visitor Registration Permit and staffing levels.

When would the use be conducted?

This use will only be allowed during the night raccoon hunting season specified in the Tensas River NWR Public Use Regulations Brochure. In the past, the season typically occurred for 3-4 weeks and started in December and ended in January. Currently the season is aligned with the adjacent WMA and starts in January and ends in late February. The stipulation that no individuals may enter the refuge earlier than 4 am and must exit the refuge no later than two hours after legal sunset will be waived during this hunting season. Horses and mules are allowed from legal sunset to legal sunrise.

How would the use be conducted?

The use of dogs and lights are approved but no more than 3 dogs per hunting party are allowed. Hunters may park their trailers in designated parking lots. A Special Use Permit is not required due to the low number of hunters participating in this hunt. Raccoon hunting has declined over the years and the number of raccoon hunter visits has been approximately 50 per year out of 18,000 documented user visits (<1%). Hunters must attempt to harvest raccoons. The Annual Public Use Permit (USFWS 2021a) and Self-Clearing Daily Visitor Registration Permit are required to raccoon hunt on the refuge. Users can obtain Self-Clearing Daily Visitor Registration Permits at refuge entry points and at the Visitors Center. Hunters are required to report raccoon harvest on the Self-Clearing Daily Visitor Registration Permit.

Why is this use being proposed or reevaluated?

Providing the public with wildlife-dependent recreation is a priority use of the refuge. This use directly improves access for raccoon hunting, which is a traditional pastime in this locality. The refuge is 80,000 acres of bottomland hardwoods with a limited system of roads and ATV trails. Some areas are almost impossible to access due to inundation and a lack of roads. The use of horses allows users to access and hunt areas that are otherwise inaccessible where no ATV trails exist. This use also helps meet biological objectives by reducing raccoon population levels. Raccoons can negatively impact turkeys, songbirds and alligator snapping turtle nests (USFWS 2007) by predateding nests. As stated in the CCP and accompanying Environmental Assessment (EA) (USFWS 2009), "Targeted removal of beavers, raccoons, and feral hogs from portions of the refuge would reduce the negative impacts these species are having on ecosystem functions. Regulated trapping of raccoon populations would reduce the nest predation this species causes to neotropical migratory birds, wood ducks and wild turkeys." Trapping to control raccoon populations would reduce their predation on migratory and resident birds which has been shown to adversely impact the reproduction of breeding neotropical migratory birds (Schmidt 2003) and ground-nesting wild turkeys (Dickson 1992) in the hardwood habitats

of Louisiana. Incidental harvest and regulated hunting are an additional control method for population reduction. Raccoon harvest is encouraged by classifying this species as an incidental species for take as well as conducting a specific hunt for them. The hunting season has recently been lengthened to increase harvest and align with state Wildlife Management Area seasons (USFWS 2021).

Availability of Resources

The analysis of cost for administering and managing horseback/mule riding will only include the incremental increase above general operational costs that we can show as being directly caused by the proposed use. Adequate resources exist to properly develop, operate, and maintain the use in a way that will not materially interfere with or detract from fulfillment of the refuge purposes and the Refuge System mission. This use was previously approved in the refuge CCP and associated EA (USFWS 2009a, 2009b) and HMP (2014).

One-time costs:

- There are no one-time costs associated with this use.

Annual/recurring expenses:

- Administration and Management – Refuge law enforcement is the primary method necessary to ensure this use is compliant with regulations.
- Monitoring - Two FTE Law Enforcement Officer's (LEO's) spend approximately 70 hours/year (\$3,700) to monitor horse/mule use during the nighttime raccoon season. Plants and wildlife will be monitored to determine any impacts as a result of public use.
- Maintenance – A Full Time Equivalent (FTE) Wage Grade is the primary employee responsible for providing road access and adding gravel to parking lots. Staff hours would equal approximately 60 hours of a FTE Wage Grade employee's time annually (\$2,700) to maintain parking lots for trucks and trailers.

Offsetting Revenue:

- The Annual Public Use Permit (USFWS 2021a) costs twenty dollars and provides recreation fee funding which may be used to maintain roads, trails, boat ramps and parking lots to facilitate hunting use. Each year approximately \$80,000-100,000 is generated annually from the sale of this permit.

Anticipated Impacts of the Use

Potential impacts of a proposed use on the refuge's purpose(s) and the Refuge System mission

Multiple NEPA analyses and decision documents address the direct, indirect, short-term, long-

term, and cumulative impacts associated with horseback/mule riding on Tensas River NWR, as listed.

- 2009 Tensas River NWR CCP/EA/Finding of No Significant Impact (FONSI) and Endangered Species Act (ESA) Section 7 Biological Evaluation (BE) (USFWS 2009, 2009a)
- 2014 Tensas River NWR HMP/CatEx/EAS (USFWS 2014)
- Annual ESA Section 7s

This use was previously analyzed in the Draft CCP/EA and Environmental Assessment (EA, USFWS, 2009 and 2009a) and approved in the refuge CCP (USFWS, 2009) and HMP (USFWS, 2014). Furthermore, the Intra-Service Section 7 for the CCP and the Intra-Service Section 7 for each prescription support the CCP's FONSI (USFWS, 2009).

Short-term impacts

The purpose of this section is to critically and objectively evaluate the potential effects that horse and mule pack animals could have on the wildlife, habitat, and other public use elements encompassed in refuge purposes. One key concern is to maintain adverse impacts within acceptable limits. Therefore, one of the functions of this section is to point out whether adverse impacts are within or exceed these acceptable thresholds.

Temporary, direct disturbance to wildlife may occur due to horseback riding on the refuge, but it is minimal. Raccoon hunter visits average approximately 50 visits annually. Disturbance, such as flushing a nesting bird, is inherent to these activities, but the disturbance is temporary and not significant. This hunt is conducted during a time when birds are not nesting on the refuge. One study even identified that disturbance of waterfowl to horseback riders resulted in tolerance up to 46 meters versus 75 meters with hikers (Miller et al., 1998) and 77 to 273 meters with boaters. Many wildlife species appear to be habituated to livestock, and thus are less likely to flee when approached through this method. However, any form of approach will likely result in some level of disturbance-related impact. High levels of disturbance would be grounds for the manager to close the area to these uses or restrict the uses further to minimize harm.

The northern long-eared bat (NLEB) is federally listed, and the refuge is within the edge of the NLEB range; although, no NLEB's and maternal colonies have been detected on the refuge. The Tricolored Bat (TCB) is proposed for listing as proposed endangered. Documentation of this species has occurred during mobile acoustical bat surveys and anthropogenic structure surveillance on the refuge. Monarch butterflies have been listed as candidate species and utilize herbaceous ground cover, particularly milkweeds, for foraging. This species does not winter on the refuge. The Fat Pocketbook freshwater mussel is listed as endangered and after a 5-year review in 2019, the U.S. Fish and Wildlife Service proposed to delist this species. This species has not been detected in the Tensas River during two rigorous mussel surveys. The Alligator snapping turtle has recently been proposed threatened and has been documented on the refuge. This proposed use will occur when bats are likely hibernating. The low level of participation

during this hunt should have negligible impacts on either bat species. Impacts to other species are not anticipated.

The potential exists for conflict between other recreation users during this hunt. Because the hunt occurs during the night and latter part of the general hunting season, the timing should reduce the potential for conflicts with other hunters and user groups.

Long-term impacts

Longer term impacts related to use of pack animals include invasive plant seed dispersal, soil compaction and erosion, stream sedimentation, trail widening and vegetation trampling.

Invasive plants can be spread to new sites through manure. Horse digestive systems are relatively inefficient, and seeds of invasive plants are often still viable after passing through the horse digestive system. This could result in introduction and/or spread of invasive species, limiting the ability to restore and maintain natural biological diversity within a refuge (Campbell and Gibson 2001, Wells and Lauenroth 2007, Gower 2008, Quinn et al. 2010) Anticipated impacts described suggest that unrestricted use of horses and mules could lead to invasive plant seed encroachment, vegetative trampling and disturbance to wildlife. This impact could potentially increase invasive plant encroachment with light to moderate trail use and eventually lower species richness values with heavy use. These impacts could be cumulative with the combined impacts of using horses/mules on ATV trails where public use is already high. However, while the above-mentioned relationship between horses and the spread of invasive species is well known in western states, there are no known problems of this type in southern bottomland hardwood habitat that is found on this refuge. For example, use of pack animals has occurred on this refuge for years, and there are no documented instances of a new invasive species encroaching into this habitat associated with its use.

As stated in the Refuge CCP (USFWS 2009) and associated EA (USFWS, 2009a) “The use of horses on clay soil may result in soil compaction with as much as 1,500 psi. exerted on the soil surface with each step.” Additionally, hoof action tends to dig up and puncture the soil surface, which causes sediment loss and increases potential for disturbance-tolerant vegetation to establish. Trail widening can occur from horses flattening vegetation and churning up the soil. This can increase spread of previously established invasive species by providing loose, disturbed soil for germination. Trampling causes mortality of plant (and animal) species by crushing them (Whittaker 1978, Hammitt and Cole 1987). By not restricting horses and mules to roads and ATV trails, hoof action will be dispersed as opposed to concentrated in a localized area. The Refuge will not allow year-round recreation horseback riding, which will greatly reduce any opportunity for negative impacts.

Because horses and mules are not restricted to ATV trails and roads, cumulative negative impacts due to soil compaction on ATV trails will be negligible. Horse and mule use is only allowed to facilitate raccoon hunting during a short hunting season and recreational horseback riding will not be allowed year-round. Annually raccoon hunting visits average

50 visits per year and count for less than 1% of documented visitor use on the refuge. If negative impacts are documented due to an increase in hunter numbers, the number of hunters may be reduced using various methods or the hunt discontinued. For these reasons, the use of horses and mules is determined to be a compatible public use.

Public Review and Comment

The draft CD will be available for public review and comment for 15 calendar days, from April 17, 2024 to May 1, 2024. The public will be made aware of this comment opportunity through the refuge website (https://www.fws.gov/refuge/tensas_river/) and Tensas River Refuge Association Facebook page (<https://www.facebook.com/trrapage/>). State agencies and Native American Tribes have been asked to review and comment on the draft CD. A hard copy of this document will be posted at the Refuge Headquarters or Visitor Center (2312 Quebec Rd., Tallulah, LA 71282). Please let us know if you need the documents in an alternative format. Concerns expressed during the public comment period will be addressed in the final CD.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

- The Annual Public Use Permit (USFWS 2021a) and Self-Clearing Daily Visitor Registration Permit are required to raccoon hunt on the refuge.
- Horse/mule use is only allowed during the night raccoon season from legal sunset to legal sunrise.
- Horse trailers are restricted to designated parking areas.
- The use of dogs and lights are approved.
- No more than 3 dogs per hunting party.
- Hunters must attempt to harvest raccoons.
- Raccoon hunters may not harvest any incidental species during the night hunt.

Justification

While not listed as a primary wildlife-dependent recreational use under the National Wildlife Refuge System Administration Act of 1997, use of horses and mules is a standard and historical means of providing access to hunt game, particularly raccoon. Therefore, horseback/mule riding, as described in this compatibility determination, is determined compatible with the refuge mission of providing wildlife-dependent public use. The use of horses and mule pack animals is determined to be a compatible public use under the stipulations outlined in this compatibility determination. Primary reasons for this determination include:

- This use is infrequent, during the night and seasonal with only low levels of use expected. The past two years, the total number of raccoon hunters has averaged 50 user visits out of approximately 18,000 documented user visits on the refuge. This represents less than 0.5% of documented visitor use. Out of the 50 visits, approximately half of these users actually used horses/mules during the hunt.
- Impacts associated with horseback riding are not believed to exceed impacts already caused by other public use activities.
- The presence of invasive species introduced by use of horses has not been documented on the refuge in decades since the refuge has been established.
- Trampling of plants and animals should not occur due to the low level of visitor participation.
- If any adverse impacts occur from any aspect of public access, then further restrictions may be imposed to protect the plant and animal resources of the refuge.
- Raccoons can negatively impact forest interior breeding birds, wild turkeys and wood ducks by nest predation (USFWS 2007). This use supports reducing raccoon population levels to acceptable biological population levels.

It is understood from the summary of anticipated impacts that allowing the use of horses and mules for raccoon hunting can have some detrimental effects. This often is the case with several of the primary wildlife-dependent recreational uses that support the refuge mission and purpose (Pease et al., 2005). The duration of the hunting season minimizes impacts. During the 2019-2020, hunting season, only 50 raccoon hunter visits were documented, and most were not using horses while hunting. Very few individuals participate in the nighttime raccoon hunt using horses; therefore, impacts are expected to be minimal to negligible. Raccoon hunter visits average approximately 50 visits annually. A Refuge LEO stated that approximately half of these visits were hunters using horses or mules during the raccoon season. (Personal Communication, Tarver) Due to declining fur prices and the declining number of hunters for this hunt, there has not been a need to regulate hunter/horse numbers. Any impacts to wildlife habitat would be monitored closely and this compatibility determination re-evaluated if necessary. This compatibility determination is based on the findings and recommendations of Tensas River NWR's CCP/EA (USFWS 2009a, 2009b).

The proposed use can be categorically excluded from further National Environmental Policy Act (NEPA) analysis under 40 CFR 1508.4,

516 DM 8.5 B (7): Minor changes in the amounts or types of public use on Service or state-managed lands, in accordance with existing regulations, management plans, and procedures.

8.5 B(9) Minor changes in existing master plans, comprehensive conservation plans, or operations, when no or minor effects are anticipated. Examples could include minor

changes in the type and location of compatible public use activities and land management practices.

Further, this action does not trigger an extraordinary circumstance as outlined under 43CFR§46.215. This use is consistent with the 2009 CCP and associated EA for Tensas River NWR and the environmental conditions and use have not changed substantially since the previous NEPA analysis and decisions.

The use of horses and mules on the Refuge was previously analyzed in the EA for the Refuges' CCP. (USFWS 2009a). This use was found to be appropriate and compatible on Tensas River NWR. This CD updates and replaces the previous CD for use in 2009.

Based on available science and best professional judgement, the Service has determined that horseback and mule riding at Tensas River NWR, in accordance with the stipulations provided, would not materially interfere with or detract from the fulfillment of the Refuge System mission or the purposes of Tensas River NWR. Horseback and mule riding, as outlined in this CD, would not conflict with the national policy to maintain the biological diversity, integrity, and environmental health of the refuge.

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Signature of Determination

Refuge Manager Signature and Date

Signature of Concurrence

Assistant Regional Director Signature and Date

Mandatory Reevaluation Date