

**DRAFT  
COMPATIBILITY DETERMINATION**

**Use:** White-tailed deer, Mule deer, and Feral Hog Youth Hunt

**Refuge Name:** Buffalo Lake National Wildlife Refuge

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

Secretarial Order #2843

Executive Order #10787

Bankhead-tenant Act 7 V. 5.C. 1011

**Refuge Purpose(s):**

“...for use as an inviolate sanctuary,...for any other management purposes,...for migratory birds.” 16 U.S.C. 712d (Migratory Bird Conservation Act)

“...shall be administered by him (Secretary of Interior) directly or in accordance with cooperative agreements...and in accordance with such rules and regulations for the conservation, maintenance, and management of wildlife resources thereof, and its habitat thereon,...” 16 U.S.C. 664 (Fish and Wildlife Coordination Act)

“...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)

**National Wildlife Refuge System Mission:**

The mission of the 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.” (National Wildlife Refuge Administration Act of 1966, as amended [16 U.S.C 668dd-668ee])

**Description of Use:**

*What is the use?*

The Buffalo Lake NWR proposed to open the refuge to white-tailed deer, mule deer, and feral hog hunting for youth hunters.

*Where would the use be conducted?*

All areas of the refuge that do not pose a safety concern may be opened for hunting for deer and feral hogs at the Manager's discretion, based on current population survey data. The refuge would be split into 3 hunting units (North, Middle, and South Units), as shown on the Hunt Plan Map.

**North Unit**

The North Unit encompasses the area North of Campground Road to F.M. 168 and Grazing Units 11 and 12. This unit occupies 1,035 acres and consists of part of the old lake bottom, riparian areas, mixed grass prairie, and canyon breaks. Vegetation in this area includes a mixture of trees along the old lake edge, many grasses such as little blue stem, side oats grama, blue grama, buffalo, and western wheat grass. This area has canyon outcrops with rocky slopes.

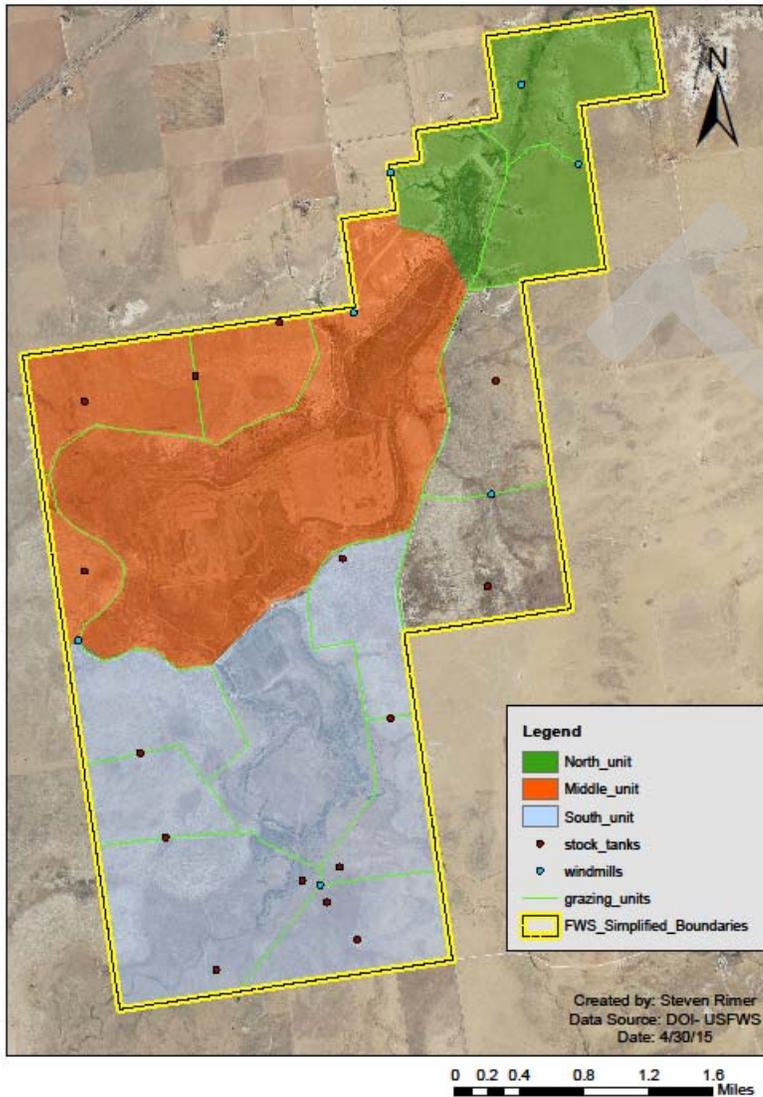
**Middle Unit**

The Middle Unit encompasses the area south of Campground Road to Stewart dike and Grazing Units 1, 2, and part of Unit 3. This unit is 2,966 acres and area consists of the dry lake bed, riparian areas, and short grass prairie. Vegetation in this area includes trees along the north edge of the old lake bottom, forbs in the old lake bottom, and grasses such as little blue stem, side oats grama, blue grama, buffalo, and western wheat grass.

**South Unit**

The South Unit encompasses the area south of Stewart dike and south of Tour Road Wind Mill in Grazing Unit 3, Grazing Units 4, 5, 6, 7, and 8. This unit is 3,063 acres and consists of wooded areas along the old lake bottom edge and Tierra Blanca Creek. Grasses such as western wheat grass, little blue stem, sideoats grama, and buffalo grass. In some areas of this unit sage bush is present.

## Buffalo Lake NWR- Hunt Plan Map



### *When would the use be conducted?*

The refuge would open two youth hunts per season on two weekends (two hunt periods equaling four total days), during the established Texas Parks and Wildlife Department (TPWD) deer season, which typically occur in November and December of each year. The exact dates are yet to be determined, in cooperation with TPWD.

### *How would the use be conducted?*

The refuge would allow deer and hog hunting by youth hunters. Hunters would be determined by lottery method by TPWD; allowing only a certain number of species to be hunted; specific firearms that can be used; hunting on specific days; opening certain areas of the refuge to hunting, and specific time periods for hunting.

Two youth hunts will occur per season. Each hunt will include 3 youth hunters. This would allow 6 youth hunters over the hunting season. A two day Special Use Permit to allow hunting access will be issued to youth who are drawn by Texas Parks and Wildlife Department (TPWD).

Each hunter will be allowed to harvest one mule deer or one white-tailed deer (either sex). There will be no limit on feral hogs. Feral hogs may be taken at any time during the youth hunt to reduce or eliminate this invasive species as they occur on the refuge.

Hunters will be given a map of the general area as well as their assigned hunting unit. Hunters will be given a safety briefing and orientation prior to participating in public use activities. Hunter orientations will utilize hunting regulation leaflets with maps delineating areas open for hunting and no hunting areas. Hunters may scout at any time during normal refuge hours from public roads and areas open to public.

During each of the 2 day hunts (2 hunting periods equaling 4 total days), general public use of the refuge will be closed for safety purposes.

Hunters will be given a safety briefing and orientation prior to participating in public use activities. Hunter orientations will utilize hunting regulation leaflets with maps delineating areas open for hunting and no hunting areas. Hunters may scout at any time during normal refuge hours from public roads and areas open to public.

#### *Why is the use being proposed?*

This hunting program is designed to contribute to and be compatible with the refuge objectives. It will provide a recreational experience to youth and the opportunity to utilize a renewable resource. It will also assist in maintaining wildlife populations at proper management levels. Refuge management goals and objectives may require occasional modifications to the hunting program as wildlife populations and harvest data are analyzed, public use is modified, and other refuge programs are developed.

#### **Availability of Resources:**

It is estimated that Refuge costs would be about \$6,000 per year for deer and hog hunting. This includes program implementation, personnel, facility maintenance, administration, and law enforcement. The refuge will rely on Texas Parks and Wildlife and a US Fish and Wildlife Service Law Enforcement Officer for law enforcement.

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

Historically, Big Game hunting has been part of the culture throughout most of Texas. The refuge is also proposing to limit the number of hunters and hunting days to ensure a quality hunt. Although hunting activities may cause minor disturbances to other wildlife, the negative effects of regulated hunting will be minimized through management actions. A Section 7 Consultation under the Endangered Species Act of 1973 was completed to ensure that no federally endangered or threatened species are at risk.

### Short Impacts:

Providing carefully planned and managed hunting opportunities with restrictions that limit access to specific refuge locations will generally minimize disturbance to wildlife populations, the environment, and non-consumptive users. Direct mortality to hunted species (deer, feral hogs, turkey and dove) would, of course, occur. Some wounding of animals may occur as well. In all cases, the refuge would seek to provide a quality hunt experience while minimizing negative impacts to refuge resources. Foot travel associated with these hunting activities could potentially result in vegetation trampling; however, these impacts are expected to be minimal.

The activity of hunters could disturb some wildlife species. Hunters driving or walking in or adjacent to wildlife habitat and gunfire from hunting can result in behavioral responses by other resident wildlife. The permitted activity will cause minor disturbances of limited duration and the effects are likely to be minimal.

### Deer:

The refuge has been doing deer surveys since 2010 and overall deer populations have been stable; however, local impacts on riparian habitat have been noted.

The data indicate that the refuge deer herd is at or below the “carrying capacity” (*simplistically defined as the number of individuals an environment can support without significant negative impacts to the given organism and its environment*) on the refuge. While the proposed limited deer hunt will only marginally impact the number of deer on the refuge, hunting is the only management tool currently available to the refuge to affect the deer population. By controlling deer populations through a hunting program, the refuge will be able to maintain healthy riparian zones for all wildlife while making a stronger, healthier deer herd due to decreased competition for habitat and food resources.

### Feral Hog:

Feral hogs are invasive species that have been documented causing destruction to habitat that wildlife utilizes on both private and public lands. Their existence on the refuge would be catastrophic to the very animals the refuge is trying to protect. The refuge makes a concerted attempt to control and/or eliminate invasive species in accordance with Executive Order 13112. The feral hog is a destructive invasive species that degrades refuge habitats and adversely impacts native wildlife. Hunting is one management tool used to try to control this species. While the refuge’s hunting program may not impact the overall feral hog population, any reduction in feral hog numbers will reduce the negative impacts caused by this species.

### Long-term impacts:

No detrimental long-term impacts from hunting are anticipated as long as wildlife populations are monitored through the refuge biological program or by state officials. When deer populations become over-abundant they can have profound negative impacts on their environment through herbivory thereby directly and indirectly affecting other native plants and wildlife species.

**Cumulative Impacts:**

No cumulative impacts are expected from the hunt program on the refuge. The hunt program will be strenuously monitored and staff will manipulate harvest requirements on an annual basis to match the refuge needs and goals. This activity will add to the public use opportunities on the refuge and result in beneficial cumulative impacts on the human environment.

**Public Review and Comment:**

A public comment period was held for the Buffalo National Wildlife Refuge Youth White-tailed deer, Mule deer, and Feral Hog hunt between July 10<sup>th</sup> and July 24<sup>th</sup>, 2015. The refuge posted a public notice that established a 14-day comment period with a scheduled culmination date of July 24<sup>th</sup>, 2015. The public notice was posted at the Buffalo Lake National Wildlife Refuge, Umbarger, TX Post Office, and Canyon, TX Post Office.

During the public comment period the refuge received a total of 2 comments. Both comments were by phone calls in support of hunting on the refuge.

**Determination (check one below):**

- Use is Not Compatible
- Use is Compatible with Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

Hunting of deer is permitted in designated areas of the refuge subject to the following conditions:

1. The refuge prohibits recreational shooting and target practice or any non-hunting discharge.
2. The refuge prohibits shooting or hunting of all animals except deer and feral hogs during the hunt.
3. The refuge prohibits any use of all-terrain vehicles (ATV).
4. The refuge prohibits the use of dogs for big game hunting.
5. The refuge prohibits the use of horses.
6. The refuge prohibits the use or possession of alcoholic beverages while hunting on refuge lands.
7. The refuge prohibits the use of tree stands or any devices such as nails, tacks, and scaffolding used to climb trees, tripod types of blinds or other elevated blinds.
8. Hunters are not allowed on the refuge after dark except in designated camping areas.
9. The refuge prohibits the use of silencers or any like device that alters the noise on a firearm.
10. The refuge defines youth hunters as ages 9 to 16 years of age. A Texas-licensed, adult sponsor age 18 or older that has successfully completed a Hunter Education Training Course, must accompany youth hunters. The hunter education requirement is exempt for sponsors born prior to September 2, 1971. We define accompanied as being within normal voice contact. Each adult sponsor may supervise only one youth hunter. Hunters must be between 9 and 16 years of age at the time of application and when the hunt occurs to participate. No applicant under the age 9 or over the age 16 at the time of application and hunt when the hunt occurs will be allowed a special use permit to hunt.

11. A sponsor 18 years of age must be within normal voice control of the youth hunter at all times.
12. The hunter may have two sponsors, 18 years or older accompany them on the hunt. . The sponsors will not be allowed to hunt.
13. Proof of successful completion of a state hunter safety course by hunter and/or one sponsor unless exempted by being born prior to September 2, 1971, must be provided to refuge staff at the time of the hunt or they will not be allowed to hunt.
14. Public access and hunting permits and all applicable state licenses are required.15. Legal firearms include rifles.
16. Hunters are required to check in and out of the refuge daily.
17. All deer harvests must be checked at the designated check point.
18. Harvested game must be legally tagged and taken to the refuge check station.
19. Hunters and their sponsors will be required to wear a minimum of 144 square inches of blaze orange and a blaze orange hat
20. Only the youth hunter will be allowed to carry a firearm.
21. A sponsor 18 years of age must accompany the hunter. The hunter and two sponsors over 18 years of age will be allowed on the refuge.
22. Pop-up blinds are allowed, but no tree blinds. The hunter's permit number must be located on the outside of the blind.
23. Litter, including spent casings, must be removed from the refuge daily.

**Justification:**

As defined by the National Wildlife Refuge System Improvement Act of 1997, wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Hunting is included as one of these six wildlife-dependent recreational opportunities, which are to receive enhanced and priority consideration in refuge planning and management. Hunting is accepted as an important recreational use of Texas' natural resources and this opportunity on the refuge will provides a low cost, safe, and enjoyable option for the public (youth). Through the compatibility determination process, the refuge has determined that hunting in accordance with the stipulations provided about, will not material interfere with or detract from the fulfillment of the Refuge System mission or the purposes for which the refuge was established.

**Signature: Refuge Manager** \_\_\_\_\_  
 (Signature and Date)

**Concurrence: Regional Chief** \_\_\_\_\_  
 (Signature and Date)

**Mandatory 5-year Re-Evaluation Date:** 2030