

MOOSE HUNTING PLAN

UNITED STATES FISH AND WILDLIFE SERVICE

UPPER SOURIS AND DES LACS NATIONAL WILDLIFE REFUGES

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I. INTRODUCTION

The United States Fish and Wildlife Service (Service) is proposing to open Upper Souris National Wildlife Refuge (NWR) and Des Lacs National Wildlife Refuge to moose hunting. The purpose of the hunt is to increase the general public's recreational opportunities on the refuges while providing a more “back country” style moose hunting opportunity.

The National Wildlife Refuge System Improvement Act of 1997 (H.R. 1420) signed into law by President Clinton on October 7 of that year, identified hunting as one of six priority public uses of the System. These public uses are to receive priority consideration in the planning and management of refuges and those uses deemed compatible with refuge purposes should be facilitated. The approved (2007) Upper Souris and Des Lacs National Wildlife Refuge Comprehensive Conservation Plan and associated Compatibility Determination for Recreational Hunting (2007) allow for moose hunting on these refuges. Although moose hunting was determined to be compatible for these refuges no hunting plan was written and moose hunting was not added to 50 CFR at that time.

Various members of the public have approached the Service about hunting moose on both Upper Souris and Des Lacs NWRs. The North Dakota Game and Fish has also expressed great interest in opening these refuges to moose hunting. Thus, the Service is proposing a hunt which has already been deemed to be compatible with refuge purposes and is based on sound wildlife management principles. Hunting is an acceptable and traditional form of wildlife-oriented recreation and can be used as a tool to effectively manage game populations.

Service personnel have presented the potential of moose hunting on these refuges to the public during several North Dakota Game and Fish Advisory Board Meetings. The proposal has received overwhelming public support with the public welcoming additional opportunities to hunt moose on public lands.

Public presentations on the proposed plan were held at the Upper Souris NWR Headquarters on ??? and the Des Lacs NWR Headquarters on ???.

A. About the Refuges

Upper Souris National Wildlife Refuge (NWR) is a 32,092 acre refuge that extends south-southeast along 35 miles of the west arm of the Souris River in Renville and Ward counties, North Dakota. The refuge was established under the authority of the Migratory Bird Conservation Act of 1929 on August 27, 1935 ...as a refuge and breeding ground for

migratory birds and other wildlife...

Des Lacs NWR is a 19,500 acre refuge that extends south from the Canada border along 28 miles of the Des Lacs River, a tributary of the Souris River, in Burke and Ward counties, North Dakota. The refuge was established under the authority of the Migratory Bird Conservation Act of 1929 on August 22, 1935 ...as a refuge and breeding ground for migratory birds and other wildlife...

Both refuges are located in the Souris River watershed. The Souris River basin lies near the junction of two ecosystems currently defined by the Service as the Mississippi headwaters/tall grass prairie and main stem Missouri River ecosystems. However, neither ecosystem, as defined and delineated, includes or adequately describes the Souris River basin area.

The Souris River basin is 15–80 miles north of a continental divide formed by a major moraine, the Missouri Coteau. Drainage of the basin is neither east–southeast toward the Mississippi River nor south toward the Missouri River. Instead, the basin drains north into the Assiniboine River–Red River– Hudson Bay system. Furthermore, the Souris River basin area is mixed-grass prairie, not tall-grass prairie. The area is characterized here more appropriately as the Hudson Bay headwaters/ mixed-grass prairie ecosystem.

In the United States, the Hudson Bay headwaters/mixed-grass prairie ecosystem includes north-central North Dakota north of the Missouri Coteau and east to the edge of the Red River Valley. In Canada, it includes southern Manitoba and southeastern Saskatchewan. The Souris River basin lies within a major physiographic subregion known as the “Drift Plain,” which generally is characterized by flat to gently rolling, moderately deep, loamy soils that originated from glacial till. The basin is at the center of North America’s extensive “Prairie Pothole Region,” which annually produces 20–25% of the continent’s ducks and geese.

Until widespread cultivation of prairie soils beginning nearly a century ago, the major ecological community of the Hudson Bay headwaters/mixed-grass prairie ecosystem was northern mixed-grass prairie. Characteristic plants were grasses, especially needlegrass, wheatgrasses, and big bluestem. Bur oak and quaking aspen dominated the Turtle Mountains, along the present-day Manitoba border. Woodland also occurred along much of the Souris River; some stunted bur oak and aspen was scattered among sandhills of present-day McHenry County; patches of trees and shrubs were infrequently encountered at Des Lacs NWR; and woody vegetation was rare elsewhere.

The contemporary landscape of the Souris River basin is dominated by annually tilled cropland. Major crops include cereal grains, principally wheat, and various oilseeds. Some cropland areas classified as “highly erodible” have been seeded to perennial, herbaceous cover under the U.S.

Department of Agriculture's (USDA) Conservation Reserve Program (CRP). Hay is harvested from seeded upland areas once annually, usually in early to mid-summer. Native meadows along the Souris River also supply annual hay crops. In addition, some seasonally flooded wetland basins supply hay (typically late summer). There is almost no irrigated cropland. Ranching for beef cattle (usually cow-calf operations) is common locally, especially in the hilly, sandy area of McHenry County (the southeastern part of the basin) and along the lower half of the Souris River.

In August 2007, the Upper Souris and Des Lacs NWRs final Comprehensive Conservation Plan (CCP) was completed. This plan guides the management of these refuges for the next 15 years. This document is intended to accompany the associated step down Compatibility Determination for Recreational Hunting, specifically for moose hunting, as moose hunting was not implemented in the original opening packages for these refuges.

II. CONFORMANCE WITH STATUTORY AUTHORITIES

Upper Souris and Des Lacs NWRs were established by Executive Orders 7161 and 7154A, respectfully. The federally legislated purposes for which both refuges were established are "...as a refuge and breeding ground for migratory birds and other wildlife..."

This plan supports the priority public use provisions of the National Wildlife Refuge System Improvement Act of 1997. Hunting as specified in this plan is a wildlife-dependent recreational use and the law states that as such, it "shall receive priority consideration in national wildlife refuge planning and management." The Secretary of Interior may permit hunting on a refuge if he/she determines that such use is compatible with the refuge purpose for which it was established. The hunting program will not materially interfere with or detract from the fulfillment of the purposes of the Refuge or mission of the National Wildlife Refuge System (603 FW).

Public hunting on Upper Souris and Des Lacs NWRs is an acceptable and desirable form of wildlife oriented public recreation which is compatible with the purpose for which the refuges were established. Hunting, being a viable management tool when used wisely, often inhibits the overpopulation of species within a given habitat community and can provide for greater wildlife diversity. In this way the environment is preserved for the benefit of a variety of wildlife. The hunting program is designed to minimize potential conflicts with Refuge purposes.

Annual hunt administration costs include salary, equipment and regulation publications. Total expenditures should be below \$3,000. Less than one full time employee equivalent will be expended in conducting hunt-related activities. In summary, funds are available to

allow the proposed hunting activities. Additionally, the proposed hunt would not significantly interfere with the primary purposes for which the refuge was established.

III. STATEMENT OF GOALS

Both Upper Souris and Des Lacs NWRs have the following Visitor Services Goal as written in the CCP:

“Provide wildlife dependent recreational opportunities to a diverse audience when the administration of these programs does not adversely affect wildlife and habitat management.”

Conducting a well-managed moose hunt on these refuges will facilitate meeting this goal. Moose hunting will provide the general public with quality wildlife-oriented recreation that is compatible with the purposes for which it was established.

IV. ASSESSMENT

A. Compatibility with Refuge Objectives

Hunting is one of the six wildlife-oriented recreational uses prioritized by the Refuge Improvement Act of 1997. The Secretary of Interior may permit hunting on a refuge if he/she determines that such use is compatible with the refuge purpose for which it was established. The hunting program will not materially interfere with or detract from the fulfillment of the purposes of the Refuge or mission of the National Wildlife Refuge System (603 FW). Hunting meets refuge objectives by providing a sustainable wildlife-dependent recreational opportunity.

B. Biological Soundness

Moose hunting within North Dakota is regulated by the North Dakota Game and Fish. A limited number of permits are issued by the state through a lottery system. We are proposing to open Upper Souris and Des Lacs NWRs to moose hunting within the respective state authorized and regulated moose hunting district. Both refuges fall within Moose Hunting District M-10. Opening the refuges will only provide additional public land hunting opportunities within Moose Hunting District M-10. Although moose numbers are expanding in this portion of the state, opening these refuges will not result in extra tags being issued solely because the refuges are open; and moose hunting mortality within the hunting unit will be similar to that experienced prior to opening these refuges. Moose use of the refuges is based on a number of environmental factors and moose move

on and off the refuges throughout the year subjecting them to hunting mortality off of the refuge. Due to the limited number of tags issued moose mortality on the refuge should not have any negative impact to moose usage on the refuge.

C. Economic Feasibility

Annual hunt administration costs including salary, equipment and regulation publication are currently estimated to be around \$3,000 annually. The time demands on the staff involve brochure development, calls, phone information requests and law enforcement patrols. It is anticipated that funding will continue to be sufficient to continue the hunting program in the future.

D. Relationship with other Refuge Programs

The proposed hunt does not offer significant conflicts with non-consumptive users. Few non-consumptive users utilize the refuge during the hunting season. Peak non-consumptive use is from mid-spring through late summer.

Due to the limited number of tags issued and the relative interest in moose hunting on the Refuges this hunt will not conflict with the already established deer and upland bird hunting programs. The bow hunting portion of the state regulated moose season occurs in September and overlaps with the state regulated bow hunting season for deer which typically runs from September through January. This overlap is minimal and should not create conflict between users groups. The state regulated deer gun season and muzzleloader season take place outside of the moose hunting season and will not result in conflict among user groups.

E. Recreational Opportunity

The proposed hunt would provide a public opportunity for a “back country” off road style of hunt as hunting access to these Refuge lands is foot traffic only and affords hunters the opportunity to access relatively large tracts of road-less public land. This type of hunting opportunity is very limited on private lands adjacent to and surrounding the Refuges.

V. DESCRIPTION OF HUNTING PROGRAM

All habitat types within the Refuges support moose populations, as well as the lands surrounding the Refuges. On Upper Souris NWR moose hunting will be allowed on all portions of the Refuges except the headquarters and administrative areas that are currently closed to all hunting activities due to public and Refuge employee safety

concerns (see attached map). On Des Lacs NWR moose hunting will be allowed on those portions of the Refuge that are open to hunting but do not include those portions of the Refuge open to bow hunting as well as the headquarters and administrative areas (see attached Map).

The moose hunt will follow rules and regulations set forth in the Bighorn Sheep, Elk and Moose Hunting Guide published annually by the North Dakota Game and Fish and subject to additional Refuge restrictions as published in 50 Code of Federal Regulations and refuge hunting brochures.

Refuge Specific regulations will be reviewed annually and incorporated into the annual hunting brochure. The refuge will evaluate the hunt program annually; and may modify seasons, hunt areas, or regulations as necessary.

VI. MEASURES TAKEN TO AVOID CONFLICTS WITH OTHER MANAGEMENT OBJECTIVES

A. Biological Conflicts

A Section 7 evaluation evaluating potential impacts of the hunt on endangered and threatened species has been completed and resulted in a "no affect" conclusion. Scheduling, signing, education and law enforcement will minimize disturbance to these and other non-target species.

B. Public Use Conflicts

Public Use at Upper Souris and Des Lacs NWRs currently consists of hunting, wildlife observation, fishing, photography, hiking and canoeing. Opening the Refuges to moose hunting will increase the opportunity for public recreation. The proposed hunt does not offer significant conflicts with other hunts or with non-consumptive users. Few non-consumptive users use the Refuges during the hunting season. Most non-consumptive use is from spring through Memorial Day. Total non-consumptive visits are estimated to be extremely low through the fall and winter, reducing any potential conflict.

C. Administrative Conflicts

The staffing and funding available to administer this hunt is adequate so long as there is little reduction in current assets. Presently, little labor intensive data is collected during the hunts. The hunt regulations and bag limits will be in accordance with those set by the state. Special regulations, including hunt dates and hours, will be kept to a minimum to avoid

excessive administrative procedures. All regulations will be published in a refuge brochure with reference to the Bighorn Sheep, Elk and Moose Hunting Guide published annually by the North Dakota Game and Fish.

VII. CONDUCT OF THE HUNTING PROGRAM

A. Refuge Specific Hunt Regulations in 50 CFR (proposed additions are highlighted in red)

32.53 North Dakota

Des Lacs NWR

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. Hunters may hunt sharp-tailed grouse, Hungarian partridge, turkey, ring-necked pheasant, cottontail rabbit, jackrabbit, snowshoe hare, and fox on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We open the refuge daily from 5 a.m. to 10 p.m.
2. You may possess only approved nontoxic shot while in the field (see §32.2(k)).
3. Upland game bird and rabbit season opens on the day following the close of the regular firearm deer season through the end of the State season.
4. You may use hunting dogs for retrieval of upland game. Dogs must be under direct control.
5. Turkey hunting is subject to all State regulations, license requirements, units, and dates.
6. Fox hunting is allowed on the day following the regular firearm deer season and closes on March 31.
7. We prohibit hunting the area around refuge headquarters, buildings, shops, and residences. We post these areas with "Closed to Hunting" signs.
8. We prohibit the use of snowmobiles, all-terrain vehicles (ATVs), off-highway vehicles (OHVs), utility terrain vehicles (UTVs), bicycles, or similar vehicles on the refuge.
9. We prohibit the use of horses, mules, or similar livestock on the refuge during all hunting seasons.

10. We prohibit accessing refuge lands from refuge waters.

C. Big Game Hunting. We allow deer **and moose** hunting on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We open the refuge daily from 5 a.m. to 10 p.m.
2. We only allow the use of portable tree stands and ground blinds. We prohibit leaving stands and blinds overnight (see §27.93 of this chapter) on the refuge. Tree stands cannot injure trees. Screw-in steps, bolts, nails, wire, or other objects that penetrate the bark of the tree cannot be used (see §32.2(i)).
3. We prohibit entry to the refuge before 12 p.m. (noon) on the first day of the respective bow, gun, or muzzleloader deer hunting seasons.
4. We prohibit the use of flagging, trail markers, paint, reflective tacks, or other types of markers (see §27.93 of this chapter).
5. We prohibit the use of trail cameras and other electronic equipment.
6. Conditions B7 through B10 apply.

Upper Souris NWR

A. Hunting of Migratory Birds. [Reserved]

B. Upland Game Hunting. We allow hunting of sharp-tailed grouse, Hungarian partridge, and pheasant on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow the use of dogs for hunting and retrieving of upland game birds. Dogs must be under direct control of the hunter (see §26.21(b) of this chapter).
2. We open for hunting on Unit I during the State hunting season. Unit I includes all refuge land north of the township road that runs east of Tolley, across Dam 41 (Carter Dam), and east to State Route 28.
3. We open for hunting on Unit II during the State hunting season, except we close from the first day of the regular State waterfowl season through the last day of State deer gun season. Unit II includes refuge land between Lake Darling Dam and Unit I.
4. We close land south of Lake Darling Dam to all upland game bird hunting
5. We prohibit hunting the area around refuge headquarters, buildings, shops, and residences. We post these areas with “Closed to Hunting” signs.

6. We prohibit remaining on the refuge between the hours of 10 p.m. to 5 a.m.
7. We prohibit the use of snowmobiles, all-terrain vehicles (ATVs), off-highway vehicles (OHVs), utility-terrain vehicles (UTVs), bicycles, or similar vehicles on the refuge.
8. We prohibit accessing refuge lands from refuge waters, including Lake Darling and the Souris River.
9. We prohibit the use of horses, mules, or similar livestock on the refuge during all hunting seasons.
10. Hunters may possess only approved nontoxic shot for all upland game hunting as identified in §20.21(j) of this chapter.

C. Big Game Hunting. We allow deer and moose hunting on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We only allow the use of portable tree stands and ground blinds. We prohibit leaving stands and blinds overnight (see §27.93 of this chapter) on the refuge.
2. We prohibit the use of flagging, trail markers, paint, reflective tacks, or other types of markers (see §27.93 of this chapter).
3. We prohibit the use of trail cameras and other electronic equipment left overnight.
4. We prohibit remaining on the refuge between the hours of 10 p.m. to 5 a.m.
5. Conditions B5 and B7 through B9 apply.
6. We prohibit entry to the refuge before 12 p.m. (noon) on the first day of the respective bow, gun, or muzzleloader deer hunting seasons.

B. Anticipated Public Reaction to the Hunt

Public reaction to the proposed hunt has been favorable. In this portion of North Dakota few public “back country” style moose hunting opportunities exist. Generally, the public desires more hunting than less on the refuge. Public reaction from surrounding communities to all refuge hunts has been very favorable and should continue to be the same in the future. Nationally, there are some anti-hunting sentiments, and many organizations are opposed to hunting on national wildlife refuges. It is possible that some objections may be voiced to the hunt presented within this plan.

C. Hunter Application Procedures

Persons interested in hunting moose on the Refuges must apply for a moose hunting permit through the North Dakota Game and Fish lottery permit system.

D. Description of Hunter Selection Process

Moose hunting permits are issued by the North Dakota Game and Fish through a lottery permit system.

E. Media Selection for Publicizing the Hunt

The proposed hunts will be publicized in News Media circulated in North Dakota as well as on Social Media managed by the respective Refuges. The North Dakota Game and Fish will also publicize hunts in their brochures and on their Social Media platforms.

F. Description of Hunter Orientation

No specific effort will be made toward hunter orientation other than above-mentioned media along with refuge specific hunting and use brochures and personal contacts. Refuge specific hunting brochures are available on-line, at the respective Refuge headquarters and at designated kiosks on Refuge lands.

G. Hunter Requirements

Hunters are subject to the requirements put forth by the State of North Dakota and the North Dakota Game and Fish.