

# Kootenai National Wildlife Refuge Hunt Program Amendment

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White-tailed Buck

Stan Bousson photo

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# **Kootenai National Wildlife Refuge Hunt Program Amendment**

## **Table of Contents**

<b>I. Introduction</b>	3
<b>II. Conformance With Statutory Authorities</b>	6
<b>III. Refuge Objectives</b>	6
<b>IV. Assessment</b>	12
<b>Maps</b>	
Figure 1: Refuge Land Status and Tracts	5
Figure 2: Hunt Program Amendment Map	7
References	14

## **I. Introduction**

The U.S. Fish and Wildlife Service (Service) manages Kootenai National Wildlife Refuge (NWR or Refuge) as part of the National Wildlife Refuge System. On September 28, 2011, the Service's Regional Director approved Kootenai NWR's Final Comprehensive Conservation Plan (CCP) (USFWS 2011). The CCP set forth guidance for management of the Refuge for the next 15 years as required by the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd et seq.) as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

The purpose of the CCP is to provide the Service, the Refuge System, partners, and the public with a 15-year management plan for improving the Refuge's habitat conditions and infrastructure for fish, wildlife, and public use. An approved CCP ensures that the Service manages the Refuge to achieve its purposes, vision, goals, and objectives as well as fulfill the mission of the National Wildlife Refuge System.

Kootenai NWR's CCP process identified the continued need to provide migration habitat for waterfowl in the Kootenai River Valley; improve habitat conditions on the Refuge's wetland, grassland, riparian, and forest habitats to improve productivity and species diversity, and control of invasive species; the need to address the Refuge's contributions to the recovery of Federal and State listed species native to the lower Kootenai River and Northern Idaho, including bull trout and Kootenai River white sturgeon; and the need to protect and restore habitat values for other sensitive, rare, and declining species of the Kootenai River Valley.

The Refuge's public use programs for the Refuge System's wildlife-dependent priority public uses were also reviewed in order to determine what improvements or alterations should be made in the pursuit of compatible, high quality programs, and to accommodate increasing numbers of visitors while still providing for the needs of wildlife. This Hunt Program Amendment specifies changes to the existing hunt program that were identified and evaluated in the CCP (USFWS 2011).

### **About the Refuge**

Nestled within a glacial valley, flanked on the west by the Selkirk Mountains and the east by the Purcells, the confined Kootenai River inundated the valley floor each spring for thousands of years, creating a mixture of floodplain forests, river meanders, old oxbows, and wet meadows. The river and its tributaries teemed with white sturgeon, burbot, and kokanee, along with redband, cutthroat, and bull trout. During the spring and fall, multitudes of ducks, geese, and swans passed through the valley as they migrated between their nesting areas in Canada and their wintering grounds in the south. In the winter, deer, elk, and moose utilized the valley for food and cover, escaping the deep snows of the higher elevations. This was the ancestral home of the Kootenai (Ktunaxa) people, a "river people" whose lives were dependent upon the abundant fish and waterfowl. Their tie to the river was reflected throughout their culture from their unique sturgeon-nosed bark canoes to their fish traps and weirs.

David Thompson's 1808 exploration through northern Idaho and his establishment of a temporary post near Bonners Ferry marked the first Euro-American arrival into the area. While it was the mineral and timber resources of the area which brought the first major wave of Euro-Americans to Northern Idaho it wasn't long until the rich, fertile soil of the lower Kootenai River Valley was recognized. Beginning in 1921, 47 miles of the Kootenai River along with many of its tributaries were diked in order to drain the bottomland for agriculture. In 1925, the area that would become a National Wildlife Refuge was diked and established as Drainage District Number 7. By 1947, farming dominated the fertile river valley and 95% of what was once the largest wetland complex in the state of Idaho, some 22,000 acres, had been lost. The huge flocks of waterfowl that once darkened the skies became a distant memory.

Realizing that there was "*a pressing need for the restoration of waterfowl habitat in this part of the Pacific Flyway to increase nesting habitat, provide feeding, and resting areas during migration*" the Migratory Bird Conservation Commission (MBCC) authorized the acquisition of land to create Kootenai National Wildlife Refuge (NWR or Refuge) on June 24, 1964. The need for restoration of waterfowl habitat in addition to the Migratory Bird Conservation Act's purpose of setting aside lands "for use as an inviolate sanctuary, or for any other purpose, for migratory birds" identified the priority for management of migratory birds with an emphasis on waterfowl. The MBCC's authorization allowed Migratory Bird Conservation (Duck Stamp) funds to be utilized for the purchase of land for establishment of the Refuge.

The first tract of land, 117.19 acres, was purchased from Arthur W. Hart by Warranty Deed on August 31, 1964. Succeeding tracts were purchased from 1965 to 1985. Today, Kootenai NWR, located in Idaho's northernmost county, Boundary County, is comprised of a variety of habitats on its 2,774.29 acres (Figure 1, Map 3 from CCP). Wetlands, meadows, riparian forests, and cultivated agricultural fields (to produce grain for waterfowl) are interspersed in the valley bottom adjacent to the west bank of the Kootenai River. The forested western portion of the Refuge ascends the foothills of the Selkirk Mountains.

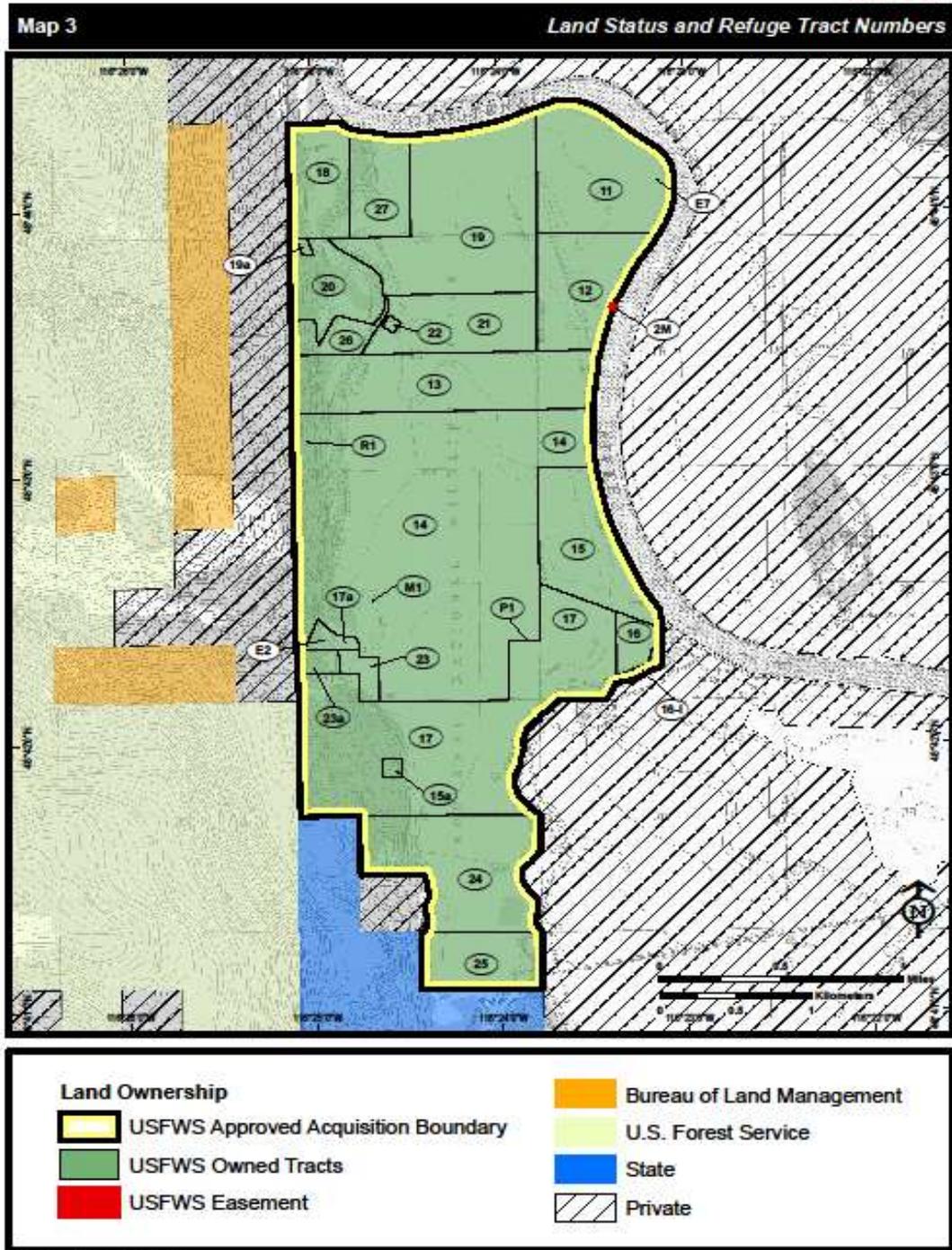


Figure 1. Kootenai National Wildlife Refuge Land Status and Refuge Tracts.

## **II. Conformance with Statutory Authorities**

All National Wildlife Refuges are guided by the mission and goals of the National Wildlife Refuge System (NWRS), their purpose(s) for establishment, Service policy and laws, and international treaties. Relevant guidance includes the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Refuge Improvement Act), Refuge Recreation Act of 1962, and selected portions of the Code of Federal Regulations and the Fish and Wildlife Service Manual.

The Refuge Improvement Act states that wildlife-dependent recreational uses including hunting, fishing, wildlife observation and photography, and environmental education and interpretation, when determined to be compatible with the mission of the System and purposes of the refuge, are legitimate and appropriate public uses of the NWRS. Section 5 (C) and (D) of the Refuge Improvement Act states “compatible wildlife-dependent recreational uses are the priority general public uses of the NWRS and shall receive priority consideration in planning and management; and when the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated, subject to such restrictions or regulations as may be necessary, reasonable, and appropriate.”

According to regulations (16 U.S.C. 668dd(d)(1)(A), National Wildlife Refuge System Administration Act; 16 U.S.C. 703-712, Migratory Bird Treaty Act; and 16 U.S.C. 715a-715r, Migratory Bird Conservation Act), refuges which have been designated, acquired, reserved, or set aside as inviolate sanctuaries cannot allow migratory bird hunting on more than 40% of the refuge.

Kootenai NWR was originally established “for use as an inviolate sanctuary, or for any other management purpose, for migratory birds” thus, the management priority is to provide spring and fall migration habitat for migratory waterfowl and to provide breeding habitat for waterfowl and other waterbirds. While the National Wildlife Refuge System’s policy on biological integrity, diversity, and environmental health (601 FW 3) states that refuge habitats may also be managed to benefit other species (e.g. native fish, amphibians, and mammals) where feasible and appropriate, it should not detract from the purpose for which the refuge was originally established.

## **III. Refuge Objectives Pertaining To Hunt Programs**

Goals, objectives, strategies and rationale for the refuge waterfowl, big game and upland game hunts are included in Chapter 2, Management Direction, of the CCP (USFWS 2011, pages 2.37–2.42). The Hunt Program Amendment Map (Figure 2) shows specific hunt locations.

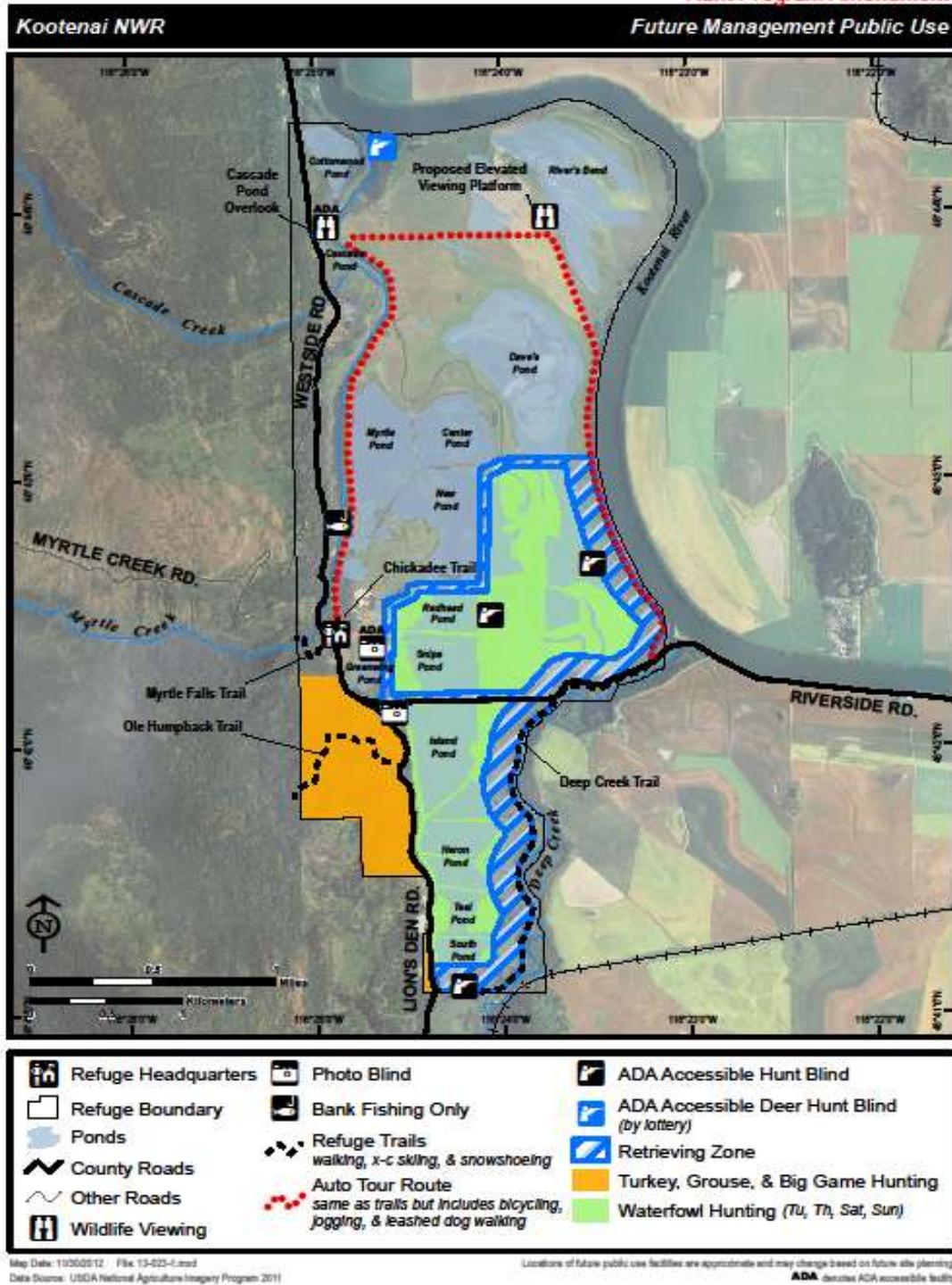


Figure 2. Hunt Program Amendment Map.

## **Waterfowl Hunting**

Kootenai NWR's Final CCP identified the following goal specific to waterfowl hunting: "Provide waterfowl hunters of all ages and abilities the opportunity to participate in a safe, enjoyable, high-quality waterfowl hunt program that encourages a tradition of wildlife conservation and ethical sportsmanlike behavior. The waterfowl hunt program will provide opportunities to observe and hunt a variety of waterfowl species with clear and enforceable regulations, easy access, minimal crowding, and minimal hunter conflicts."

Originally, waterfowl hunting on the Refuge was allowed every day from 1965 until 1969. Due to the high amount of hunting pressure on a small area, the hunt quality suffered. In 1970, waterfowl hunting was reduced to only three days per week – Wednesday, Saturday, and Sunday, until 1974 when the number of hunt days increased to what it is today – Tuesday, Thursday, Saturday, and Sunday. The non-hunt days also provide waterfowl with a necessary resting period since studies have concluded that hunting disturbance can modify waterfowl distribution and use of various habitats (Belanger and Bedard 1995). Refuge hunt days correspond with the State season of early October to mid-January, and shooting hours of ½ hour before sunrise until sunset. The Refuge to participates in the Youth Waterfowl Hunt, typically scheduled by the Idaho Department of Fish and Game (IDFG) for a weekend in late September.

Hunters are allowed entry to the hunt units after 3:00 a.m. on hunt days and are limited to the use and/or possession of no more than 25 shells per day. Both free-roam and fixed blind hunting will continue to occur throughout the waterfowl hunt area unless future monitoring demonstrates that waterfowl hunter conflicts are occurring. An adaptive management strategy based upon hunter surveys, hunt program monitoring, habitat quality, and waterfowl use of the various wetlands will determine the location of fixed blinds and free-roam hunt areas.

The use of moist soil management to improve wetland habitat for waterfowl and other wildlife is a habitat management strategy outlined in the Final CCP. If moist soil management is implemented and successful there may be the potential for increased disturbance effects to foraging waterfowl due to hunting. If monitoring during the time frame of the CCP (15 years) indicates that a significant amount of disturbance is occurring, changes to the Kootenai waterfowl hunt program may be evaluated.

### ***Proposed Changes Evaluated in the 2011 CCP***

The main change to the waterfowl hunt program is establishment of a consistent 200-yard buffer along the western edge of the Auto Tour Route and the Deep Creek Trail. This change will provide for consistency between the north and south waterfowl hunt units; manage for enforceable hunt boundaries; reduce user conflicts; and most importantly, provide for public safety. The buffer zone may be utilized as a retrieval area by waterfowl hunters, where a waterfowl hunter may only enter the retrieving zone with an unloaded firearm to retrieve down or wounded waterfowl. Although the establishment of the buffer will decrease the total amount of available waterfowl hunting acreage (from approximately 765 acres to 582 acres), it does not significantly affect waterfowl hunting opportunities since waterfowl typically do not occupy the habitat in the buffer areas.

Currently, there are two ADA-accessible waterfowl hunt blinds available on the Refuge that hunters must reserve in advance while other hunt blinds are available on a first-come-first-served basis. An additional ADA-accessible waterfowl hunt blind will be constructed on the north hunt unit along the west side of Center Ditch, possibly along the eastern side of Snipe Pond. South Pond, currently open to free-roam hunting, will be open to hunting from the ADA blind only. Additional hunt blinds may be constructed in the waterfowl hunt area south of Riverside Road once those wetlands have been restored to reach their full potential.

### **Upland Bird Hunting (Grouse)**

Hunting forest grouse (ruffed grouse, spruce grouse, and dusky grouse) on the Refuge has been conducted in accordance with State regulations west of Westside and Lion's Den Roads following IGFG's season of August 30 through January 31. The 2012 bag limit is 4 grouse per day in an aggregate of species with an aggregate possession limit of 12. The lawful method of take includes bow, muzzleloader shooting shot or shotgun with shots not exceeding 3 1/2 inches in length. Refuge upland bird hunters may only possess approved nontoxic shot. No refuge-specific permits or hunter check-in procedures are employed.

Few hunters hunt grouse exclusively in Idaho's Panhandle and it is believed that most harvested grouse are taken incidental to other activities such as big game hunting or in conjunction with driving on forest roads (Knetter 2009). A telephone survey conducted by the Idaho Department of Fish and Game of upland game hunters estimated that 4,847 hunters harvested 28,222 forest grouse in the Idaho Panhandle in 2007. Approximately 85 percent were ruffed grouse, 11 percent blue/dusky grouse, and 4 percent spruce grouse (Knetter 2009). This harvest data and species proportion would be considered typical for most years. No data specifically describing the grouse harvest on the Refuge have been collected but it is estimated that the grouse harvest on the Refuge at less than 10 per year, consisting mainly of ruffed grouse. The small area of the Refuge open to forest grouse hunting, the lack of roads, and the steepness of the terrain limits the intensity of this activity.

### ***Proposed Changes Evaluated in the 2011 CCP***

Hunting forest grouse (ruffed grouse, spruce grouse, and dusky grouse) on the Refuge will continue but will be limited to the 173-acre forested upland portion of the Refuge which lies west of Lion's Den Road. Hunting west of Westside Road will be discontinued due to public safety concerns, increasing law enforcement violations, and low hunt quality in this steep narrow piece of land west of and adjacent to Westside Road. Hunter access will continue to be available in the existing parking areas along Lion's Den Road. Retrieval of wounded grouse escaping across Lion's Den Road and into the bottom lands will not be allowed in order to maintain the sanctuary character of these habitats for resident and migratory wildlife.

### **Upland Bird Hunting (Wild Turkey)**

Hunting of wild turkey has not been allowed on the Refuge. Wild turkeys are not native to Idaho but were introduced in 1961 with more than 150 translocations conducted statewide. Three subspecies of wild turkeys were introduced – Merriam's, Rio Grande, and the Eastern (IDFG 2012). The Merriam's wild turkey, the first to be introduced, comprises more than 90% of the

wild turkeys in the state and is widely distributed in the Panhandle region. As turkey hunting has grown in popularity in Idaho along with the dramatic increase in turkey numbers, they have saturated their habitat and have proven to be nuisances in some areas particularly during the winter (Knetter 2009). The Idaho Department of Fish and Game does not conduct annual population surveys of wild turkeys but considers the population to be stable.

As wild turkeys became well established in Boundary County, a limited spring hunting season was initiated in the 1980's. In 1986 and 1987, IDFG released 15-20 birds adjacent to the Refuge. Today, the current turkey population utilizes portions of the Refuge as a part of their larger home range, moving on and off the Refuge regularly.

In the Idaho Panhandle (Unit 1), the general spring season is from April 15 to May 25 where one bearded turkey can be taken per day, with no more than two bearded turkeys taken in the spring. A general season youth hunt, for hunters 10 to 15 years of age, occurs from April 8 to the 14. The general fall turkey season, September 15 to December 15, allows the taking of up to five turkeys of either sex to be taken in a day. Shooting hours are from ½ hour before sunrise until sunset. Hunters may harvest up to six turkeys per year indicating that the population can withstand the slight additional harvest that would result from turkey hunting on the Refuge.

#### ***Proposed Changes Evaluated in the 2011 CCP***

Turkey hunting will be allowed on the 173 acres of the Refuge which lie west of Lions Den Road and will coincide with the State's turkey seasons and bag limits. Hunting with both archery equipment and firearms will be allowed. Refuge turkey hunters may only possess approved nontoxic shot. No refuge-specific permits or hunter check-in procedures will be employed. Hunter access will be from the existing parking areas along Lions Den Road. Retrieval of wounded Turkeys escaping across Lion's Den Road and into the bottom lands will not be allowed in order to maintain the sanctuary character of these habitats for resident and migratory wildlife. While this may result in a wounded turkey escaping a hunter, it will likely be a very infrequent occurrence. Turkey hunting on Refuge lands will be an extension of the activity already occurring on adjacent public and private lands, and offering a wild turkey hunt program on the Refuge will provide hunters an additional opportunity to pursue birds that would otherwise be inaccessible.

#### **Big Game Hunting**

A hunting program for big game species including white-tailed deer, mule deer, elk, black bear, mountain lion, and moose was initiated on the Refuge in 1970. From 1970 through 1977, big game hunting was allowed on the waterfowl hunting area in addition to the forested area west of Westside Road (this included present day Lions Den Road). Beginning in 1978, the big game hunting area was reduced to the area west of Westside Road and Lion's Den Road in order to prevent safety hazards to waterfowl hunters.

#### ***Proposed Changes Evaluated in the 2011 CCP***

The Final CCP published in September 2011, proposed maintaining big game hunting following State seasons on 173 acres west of Lion's Den Road and discontinuing big game hunting west of

Westside Road to address public safety concerns, increased poaching, and low hunt quality in this steep narrow piece of land west of and adjacent to Westside Road.

Elk and white-tailed deer are the most frequently observed and hunted big game species on the Refuge. Elk tend to utilize the Refuge beginning in the late fall through the winter, primarily during November to the early spring when they feed on the refuge fields at night. The total herd consists of more than 200 head. Most elk hunting occurs when hunters attempt to harvest elk moving between the forested upland and the refuge bottomlands at dawn or dusk. This has resulted in wounded animals escaping into the closed portions of the Refuge to be either lost to the hunter or requiring effort from the refuge staff to escort hunters attempting to retrieve dead or wounded game. The majority of these problems occurred along the forested portion west of Westside Road where the long, narrow shape of this parcel and its steep terrain discouraged most hunters from venturing very far from the public road. This and the compromised safety of other hunters, Refuge visitors, and neighbors along with vehicle congestion along the narrow road led to the decision to discontinue big game hunting in this area of the Refuge. The parcel west of Lion's Den Road extends further from the county road and its terrain provides easier access and greater safety to both hunters and other users. Retrieval of wounded game escaping across Lions Den Road and into the bottom lands will not be allowed. While this may result in a wounded animal escaping a hunter, it is unlikely to be a frequent occurrence. All of the same big game species may be hunted in this area with either firearms or archery equipment in accordance with IDFG rules and regulations except hunting mountain lions with dogs (allowed by IDFG after December 13) and/or training dogs (dog training season is open February 17 – March 31) will be prohibited on the Refuge in order to minimize disturbance to non-target wildlife.

In an effort to provide new hunting opportunities to a select group as well as mitigate the loss of hunting opportunities west of Westside Road, the Refuge will conduct a special lottery hunt for white-tailed deer and mule deer. Hunters that have valid State licenses and tags and require ADA accessibility may apply to receive one of ten seven-day hunt permits for deer as follows:

Archery Only, Antlered or Antlerless

Week 1 Aug 30 - Sep 5

Week 2 Sep 6 - Sep 12

Week 3 Sep 13 - Sep 19

Week 4 Sep 20 - Sep 26

Archery & Special Weapons Only\*, Antlered

Week 5 Oct 10-Oct 16

Week 6 Oct 17 – Oct 23

Week 7 Oct 24 – Oct 30

Archery & Special Weapons Only\*, Antlered or Antlerless

Week 8 Nov 1 - Nov 7

Week 9 Nov 8 - Nov 14

Week 10 Nov 15 - Nov 21

\*muzzleloader, archery equipment, crossbow, a shotgun using slugs, or a handgun using straight-walled cartridges not originally established for rifles. Use of non-toxic, non-lead ammunition is required.

The Refuge will conduct a random drawing the first week of August to ten hunters for the ADA Deer Hunt Permits. Hunters must provide proof of requiring ADA accessibility prior to the random drawing. Hunters may apply for one of four 7-day Archery Only Permits (August 30 to September 26) or for one of six 7-day Archery & Special Weapons Only \* Permits (October 10 to November 21). All hunting for the special lottery deer hunt will be conducted from a blind that will be located in the northwest corner of the Refuge where the Myrtle Creek and Kootenai River dikes merge, west of Aspen Slough, approximately 0.39 miles north of the Auto Tour Route. Selected hunters should have a helper to assist with retrieving/caring for down game. This new hunting opportunity is expected to be quite popular in the Panhandle as the Refuge is known for producing quality white-tailed bucks. We hope to reach out to special user groups such as Wounded Warriors to provide them with a quality hunting opportunity.

#### **IV. Assessment**

No Refuge data are available to describe the exact level of big game hunting participation and success rates since there are no user fees or formal check-ins. The use by big game hunters is estimated to be about 300 visits per year with a relatively robust amount of white-tailed deer hunting.

White-tailed deer are the most numerous big game species and utilize the Refuge year-round primarily on the valley floor while mule deer tend to occupy the higher elevations on adjacent lands and are rarely encountered on the Refuge. White-tailed deer are extremely adaptable and are capable of exploiting a wide variety of habitats including forest, shrub, agricultural, riparian, and suburban settings (IDFG 2005). Selection of habitat is generally based upon the deer's energy budget thus; the weather during the winter has the most influence upon the white-tailed deer's movements and ultimate survival. Snow depths are the most influential factor as the energy cost of locomotion increases exponentially with increasing snow depth (IDFG 2005). So, during the winter deer will typically utilize lower elevation areas such as valley floors where snow accumulation is less and where temperatures are milder. The availability of closed canopy coniferous stands within the white-tailed deer's winter range is very important. "Consequently, deer select spring/summer/fall habitats with the most nutritious forages available. Open canopy, low elevation, southerly exposed habitats are the first to be snow free and support new nutritious green forage in the spring" and the use of grass, forbs, and agricultural crops is the highest in the spring and summer (IDFG 2005). Kootenai NWR provides all of the habitats critical to the survival of white-tailed deer.

The white-tailed deer population declined precipitously in Idaho during the late 1800s to early 1900s due to unregulated harvest by loggers, miners, and settlers. Decades later, deer populations increased as a result of conservative hunting seasons and the lush growth following the large early wildfires and heavy logging. During the late 1940s, two consecutive severe winters significantly reduced the deer population statewide but herds recovered and reached an all-time high in the 1960s. Concerned with over browsing of winter habitat, game managers established long hunting seasons in order to reduce the population and allow for regeneration of

critical winter ranges. White-tailed deer populations continued to decline during the 1970s as a result of the increased harvest and aging of once prime habitat. The 1980s and 1990s saw an increase in the deer populations until one of the most severe winters struck in 1996-1997 which led to a significant decline in the white-tailed deer population in the Panhandle region. It is currently estimated that there are 200,000 white-tailed deer in Idaho, a population level reaching that of the 1950s and 1960s (IDFG 2005).

The Refuge has seen an increase in the white-tailed deer population over the past decade. White-tailed deer counts conducted on the Refuge over an eight week period during the summer and early fall of 2012 confirmed that deer utilized the area north of the Auto Tour Route most frequently.

White-tailed deer hunter densities in the Idaho Panhandle Units 1, 2, 3, 4, 4A, and 6, based upon a three year average, are 3.2 hunters per square mile with a success rate of 26% (IDFG 2005). Management objectives, including number of hunters, hunter-days of recreation, buck harvest and percent of bucks harvested with 5+ point antlers were all easily met in 2008 (the most recent data available)(Compton 2009). In 2012 the combined archery and any-weapon hunting seasons for white-tailed deer in Unit 1, which includes the Refuge, was August 30 through December 24, providing 100 days of hunting. This includes 31 days of any-weapon antlerless hunting and 47 days of archery antlerless hunting (Idaho Fish and Game 2012). The liberal season and inclusion of an antlerless harvest indicates a healthy population of white-tailed deer sufficient to support hunting.

Mule deer comprise less than 10 percent of the deer harvest in the population management unit that includes the Refuge (Rachael 2010). Few mule deer use the Refuge due to its low elevation leading to very few if any being harvested on the Refuge each year. The low number of mule deer and the subsequent lack of hunter pursuit means there is little impact to the species related to hunting on the Refuge.

The majority of big game hunting happens in the fall, after nesting season for birds and the rearing season for all forms of wildlife. While the presence of hunters can temporarily influence resident game and non-game wildlife by increasing their level of stress and possibly causing them to flee in alarm, these occurrences are short lived, relatively rare, and not excessively energetically taxing at that time of year.

Hunters pursuing white-tailed deer and elk have the greatest potential to disturb other wildlife. The presence of hunters in the forest, movement into and out of hunt areas, and increased vehicular traffic on the adjacent roads can all be construed as disruptive to wildlife other than those being directly pursued. However, the level of this impact has not resulted in a noteworthy negative effect to this point and there is no evidence that continued big game hunting will have a significant negative impact on other wildlife co-habitants.

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