

Draft Compatibility Determination

Draft Compatibility Determination for Recreational Hunting with the Use of Motorized and Non-motorized Boating, Kirwin National Wildlife Refuge.

Refuge Use Category

Hunting

Refuge Use Type(s)

Hunting (big game)

Hunting (upland game)

Hunting (waterfowl)

Hunting (other migratory birds)

Boating (motorized)

Boating (human-powered)

Refuge

Kirwin National Wildlife Refuge

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

Basic authority for the existence of Kirwin National Wildlife Refuge (NWR) stems from the Fish and Wildlife Coordination Act, which authorized the establishment of wildlife areas on federal water projects. The purpose of Kirwin NWR, "...shall be administered by him [Secretary of the 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, ...in behalf of the National Migratory Bird Management Program" 16 U.S.C. § 664 (Fish and Wildlife Coordination Act).

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

This compatibility determination reviews and replaces the CD for recreational hunting, as well as the CD for the use of boating in support of the six primary public uses, both of which are found in Appendix B of the CCP for Kirwin National Wildlife Refuge (12/01/2006).

What is the use?

Recreational Hunting – This allows for recreational hunting for big game (mule deer and white-tailed deer), migratory game birds (coot, crow, duck, goose, merganser, mourning dove, rail, snipe, and woodcock), upland game (Bobwhite quail, pheasant, and prairie chicken), small game (cottontail rabbit, fox squirrel, gray squirrel, and jackrabbit) turkey, and state-defined furbearers (badger, bobcat, gray fox, mink, muskrat, opossum, red fox, swift fox, raccoon, striped skunk, and weasel).

Boating in Support of a Primary Public Use - This allows for the use of motorized and non-motorized boats, such as canoes and kayaks, in support of the primary public use of hunting.

Is the use a priority public use?

Yes

Where would the use be conducted?

Kirwin National Wildlife Refuge consists of 10,778 acres of prairie uplands, wetlands, wooded riparian areas, cropland, and developed acres. Hunting on the refuge is permitted on approximately 5,800 acres, in accordance with the applicable federal and state regulations. Of that acreage, Kirwin NWR allows hunting in two distinct areas. The western portion is only open to archery hunting for deer and turkey. The area around Knob Hill (east of Railroad Flats to Kirwin Dam) on the north shore of Kirwin Reservoir and the area from Quillback Cove to Kirwin Dam on the south shore of the reservoir are open to legal Refuge game species referred to above. Hunting is prohibited outside the hunt areas or from across roads, trails, or parking areas.

When would the use be conducted?

Recreational hunting with the use of motorized and non-motorized boating will be in accordance with the seasons and regulations established by the Kansas Department of Wildlife and Parks (KDWP), as well as the Refuge-specific regulations. The refuge is open to hunting a half hour before sunrise and a half hour after sunset. Night hunting is prohibited; setting up and walking in before and after hunting hours is allowed, but no active pursuit of any species is allowed at night. Refuge seasons are from September 1 through April 30. The state archery and regular seasons for spring turkey hunting are the only exception to this rule. The spring turkey seasons extend

until May 31, according to KDWP regulations.

Kirwin Reservoir is open to boating year-round, however, Refuge staff will implement a seasonal boat closure between October 1 and April 1, in which all boating is prohibited, when the lake elevation is 1,722 feet or less. Such seasonal closures are enforced to reduce disturbance to resting migratory birds using the reservoir as a stopover site. During the closure, boats may be launched at the boat ramp at Scout Cove to access hunting areas south of the buoy line at the mouth of the Bow Creek Arm. The Bow Creek Arm is the only area of the lake where boating is permitted during these seasonal boat closures.

How would the use be conducted?

Methods of take allowed on the refuge include archery and shotgun, no larger than 10 gauge. The refuge permits non-toxic shot only. Prohibited methods of take on the refuge include, centerfire rifle, rimfire rifle, air rifle, pistol, trapping, running coyote and/or furbearers, and hunting from vehicles.

Foot travel is allowed in all parts of the refuge. Additionally, there are three boat ramps that are available at varying water elevations. Hunters may park within the road right-of-way or designated parking areas where available. Boats must follow U.S. Coast Guard standards. They must be equipped and operated in accordance with Kansas Boat and Water Safety Laws and Federal regulations.

Why is this use being proposed or reevaluated?

Reevaluation is due per policy 603 FW 2.11 H. We will reevaluate compatibility determinations for all existing wildlife-dependent recreational uses when conditions under which the use is permitted change significantly, or if there is significant new information regarding the effects of the use, or at least every 15 years, whichever is earlier. A refuge manager may always reevaluate the compatibility of a use at any time.

Availability of Resources

The need for staff time to administer the current hunting program is already committed and available with current staffing levels. Resources involved in the administration and management of the hunting program include personnel time associated with law enforcement, managing the limited draw for the archery deer and packaging the hunt materials for successful applicants, monitoring for the presence of endangered whooping cranes and other species of concern and posting open and closed signs and communication related to their protection, providing information to the public throughout the hunting season and spring migration, maintaining facilities, such as adjusting docks to fluctuating water levels, cleaning restrooms, and assessing the effects of public access to the refuge, such as the degree of littering and vandalism. Plants and wildlife will also be monitored to determine any impacts that

are a result of public use.

Anticipated Impacts of the Use

Hunting and other human activities cause disturbance to wildlife. Hunting has shown no detrimental environmental impact to habitats or wildlife. Hunting harvests a small percentage of the populations of waterfowl and upland game species, which is in accordance with wildlife objectives and principles.

Restricting vehicle use to designated purposes, times, and established roads, trails, and parking lots protects habitats from damage and minimizes disturbance to wildlife.

Short-term impacts

Refuge staff respond to biological conflicts with regulations, management, and proactive adjustments in real time as needed. Hunting activities would be limited or not allowed where there are significant biological concerns, conflicts, or a high probability of a negative impact to species of conservation concern. Monitoring of species, habitat, and environmental conditions conducted by the state, refuge, and other partners would be periodically reviewed to determine if any negative impacts to natural resources are occurring because of public use. Areas on the refuge are closed to hunting to provide sanctuary, and temporary closures and limitations in seasons and methods of take reduce hunting pressure and increase protection during specific wildlife events. For example, closures occur for the primary bird breeding season in the spring and early summer and also for the protection of whooping cranes during migration, potentially fall and spring because the refuge is identified as an extended-use core intensity site in Kansas for this species. Many of the proposed hunting opportunities occur in late fall and winter in upland habitat when upland-associated wildlife abundance and diversity are low relative to breeding and peak migration seasons and are limited to the refuge hunt unit during open hours (not at night).

Long-term impacts

No long-term impacts are expected for wildlife populations. Game harvested by users at current and projected levels, in accordance with established State and Federal regulations pertaining to seasons, bag limits, and methods of harvest, are not expected to have long-term impacts on the overall populations of game species within the refuge. Refuge staff monitor wildlife populations, and State and Federal regulatory bodies continually respond to management needs by adopting regulations to ensure the continued health of wildlife populations. Hunting may be permanently or periodically closed to species or to areas of the refuge if the Refuge staff determines it is needed for wildlife, habitat, or public protection. Hunting opportunities are limited, such as in season, area, and methods of take to provide safe recreational experiences that are compatible with habitat goals and objectives and state and federal regulations.

Public Review and Comment

The draft compatibility determination was available for public comment for 14 days from February 8, 2023 to February 22, 2023. A hard copy of this document was posted at Refuge Headquarters at 702 E Xavier Rd, Kirwin, KS 67644.

It was made available electronically on the Refuge website at <http://www.fws.gov/refuge/kirwin>. Alternative forms of the document were available upon request.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

1. Only non-toxic shot is permitted on the refuge when hunting with a shotgun.
2. Hunting must be in accordance with federal, state, and refuge-specific regulations.
3. Vehicle travel is limited to designated roads, trails, and parking areas.
4. Promote sound hunting practices for hunter safety and quality experiences.
5. Monitor vehicle use for wildlife disturbance, law enforcement violations, etc.
6. Do not permit unattended boats to remain on the refuge overnight.
7. At water levels <1,722 feet, implement a seasonal (October 1 to April 1) boat closure on most of the reservoir.
8. Continue the No Wake Zone in Bow Creek.
9. Continue the No Wake Zone within 100 yards of all shorelines and islands.
10. Boats must be equipped and operated with the Kansas Boat and Water Safety Laws and appropriate federal regulations.

Justification

It is a priority of the U.S. Fish and Wildlife Service to provide for wildlife-dependent recreation opportunities, including hunting, when those opportunities are compatible for the purposes for which the refuge was established and the mission of the National Wildlife Refuge System.

Hunting is a traditional activity in central Kansas and visitors to Kirwin National Wildlife Refuge (NWR) have enjoyed this public use for nearly as long as the refuge has been established. Each year, between 40,000 and 125,000 people visit the refuge

to participate in this wildlife-dependent recreation. The Kirwin NWR Hunting and Fishing Plan provides goals and strategies for the conservation of the refuge's wildlife resources, that is, the Refuge purpose, while ensuring the priority public use of hunting. Through implementation of the hunting program in accordance with State seasons and regulations, Refuge stipulations, and continued monitoring of fish and wildlife and their habitats, significant disturbance to wildlife resources is mitigated and recreational hunting is conducted in such a way that is compatible with the Refuge purpose and mission of the Refuge System.

Signature of Determination

Refuge Manager Signature and Date

Signature of Concurrence

Assistant Regional Director Signature and Date

Mandatory Reevaluation Date

2039