

Draft Compatibility Determination**Use:**

- **Sump 1 (B) Hunting Area on Tule Lake National Wildlife Refuge (NWR).** The proposed action would add a new waterfowl hunting unit consisting of 1,290 acres on Sump 1 (B) and 233 acres in the unit known as Frey's Island to the refuge's existing hunting program. This action would take advantage of recent habitat improvements in these units while leaving about 61 percent of Sump 1 (B) and 65 percent of Tule Lake NWR closed to waterfowl hunting. The action would offset recent declines in the quality and quantity of waterfowl hunting on the refuge.

Refuge Name:

- Tule Lake National Wildlife Refuge (TLNWR), Modoc and Siskiyou Counties, Tulelake, California.

Establishing and Acquisition Authority(ies):

- Tule Lake Refuge was established on October 4, 1928, by E.O. 4975. This E.O. was subsequently amended by E.O.s: Number 5945 (November 4, 1932) and Number 7341 (April 10, 1936).

Refuge Purpose(s):

- ...as a refuge and breeding ground for wild birds, ..." (E.O. 4975)
- "...to preserve intact the necessary existing habitat for migratory waterfowl in this vital area of the Pacific Flyway, and prevent depredations of migratory waterfowl " on agricultural crops in the Pacific Coast States...", "...dedicated to wildlife conservation...for the major purpose of waterfowl management, but with the full consideration to optimum agricultural use that is consistent therewith.", and "...consistent with proper waterfowl management, continue the present pattern of leasing the reserved lands..." (P.L. 88-567 [Kuchel Act], dated September 2, 1964)

National Wildlife Refuge System Mission:

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

Description of Use:

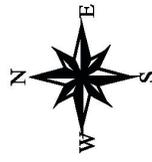
The proposed action would add high quality waterfowl hunting opportunities on Tule Lake NWR by providing a controlled waterfowl hunting area on a portion of Sump 1 (B) and adjacent Frey's Island. This action is intended to restore marsh hunting opportunities on Tule Lake National Wildlife Refuge which have declined in recent years and particularly during the 2001-02 waterfowl hunting season. With the restoration of Sump 1 (B) as a seasonal marsh over the past two years, use of this area by waterfowl has increased dramatically, while waterfowl use and hunting success on nearby Sump 1 (A) which has not been restored have declined as a consequence.

This proposal would add a new waterfowl hunting area of approximately 1,523 acres consisting of the eastern portion of sump 1(B) and the adjacent area known as Frey's Island to the refuge's long established waterfowl hunting program. The hunting area would be open 7 days per week and closed to hunting at 1:00 p.m. each day of the season like other hunting units on Tule Lake and Lower Klamath National Wildlife Refuges. Daily use would be limited to 16 hunting parties drawn the morning of the hunt at the Tule Lake check station. Waterfowl hunters including refuge permitted guides would be allowed to participate in the daily drawing to hunt this area.. Retrieval zones of approximately 200 yards would be in place where the marsh hunting area borders the refuge auto tour route. A single boat launch and 7 small parking areas would be developed for hunter use if this hunting area addition is adopted (see Map on the following page for location of the current and proposed refuge waterfowl hunting areas). Daily lottery drawings to select hunting parties to participate in the new hunt would be conducted at the Tule Lake check station where spaced-blind drawings are held each morning. Participating hunters would be charged the same fees that other refuge hunters are charged. No reductions in the refuge's current hunting program are proposed as a result of the new area being considered in this Compatibility Determination (CD). It is anticipated that 2,000 to 2,500 hunter use days would result from opening the proposed area to hunting. This action would partially offset a decline in the number of marsh hunters using TLNWR over the past 30 or more years (See Table 1 on page 4). If the proposed new hunting area is incorporated into the refuge's waterfowl hunting program, about 65 percent of the refuge will remain closed to hunting (a 4 percent increase compared to the current hunting acreage) and 61 percent of the total acreage of Sump 1 (B) will remain closed to hunting.

This proposal is being made by the Service to enhance one of the six wildlife-dependent, priority public uses (e.g. hunting) identified in the 1997 National Wildlife Refuge System Improvement Act. If implemented, this would be the only controlled marsh hunting opportunity available on the Klamath Basin Refuges. All other marsh hunting units on the Klamath Basin Refuges are not limited as to the number of hunters allowed onto the unit after the opening weekend of the season. This CD considers the compatibility of the newly proposed hunting area and related facilities in combination with the refuge's existing waterfowl hunting program. The refuge's current waterfowl hunting program is covered by a 1994 Compatibility Determination and subsequent annual reviews by the refuge project leader. The proposed use evaluated in this CD is not an economic use of the refuge, but the six permitted refuge waterfowl hunting guides would be able to participate in this hunting opportunity subject to the guidelines listed above.

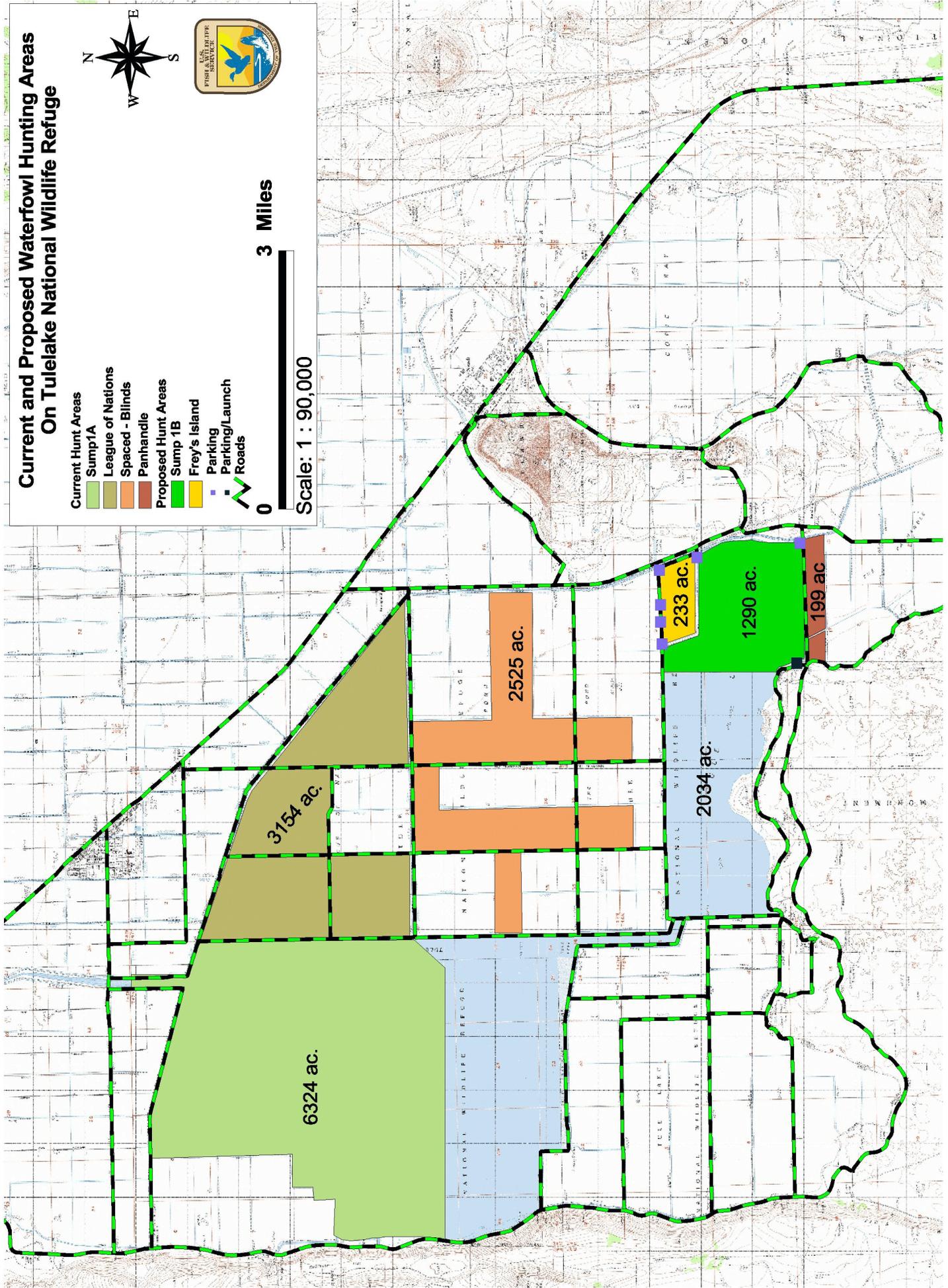
Current and Proposed Waterfowl Hunting Areas On Tulelake National Wildlife Refuge

- Current Hunt Areas**
- Sump 1A
 - League of Nations
 - Spaced - Blinds
 - Panhandle
- Proposed Hunt Areas**
- Sump 1B
 - Frey's Island
 - Parking
 - Parking/Launch
- Roads**
-



0 3 Miles

Scale: 1 : 90,000



AVAILABILITY OF RESOURCES:

The proposed new hunting area would require infrastructure development consisting of a single gravel boat ramp and 7 small parking areas requiring approximately 30 staff days to develop. Gravel will be purchased using hunter fees collected as part of the refuge fee demonstration program. Some volunteer labor is currently available to contribute to this work effort. Approximately \$ 2,200 in signing costs will be required to delineate the hunting area, adjacent closed areas, retrieval zones and the locations of pit blinds in the Frey's Island portion of the unit.

Annual recurring costs for this program would include the need to hire a seasonal employee to operate the Tule Lake check station over the extended period of use this new program will require. It is estimated that the new program will require hiring a GS-5 biological technician for a three month period during the waterfowl hunting season. In addition to operating the check station this employee will be used to conduct periodic hunter bag checks, summarize data, collect hunting fees and assist with hunt program signing at the beginning and end of the season. Administration of the hunt program using a daily drawing would also require an additional \$ 300.00 to \$ 500.00 in check station supplies, forms and utility costs annually.

Hunter generated funds from the refuge fee demonstration program will be used to offset the one-time costs of gravel and signs which are identified in the first paragraph in this section. Annually recurring costs for a three month temporary employee (\$ 4,800.00) and the cost to rent portable toilets (\$ 800.00) would also be paid for using fee program receipts.

It is estimated that this program will result in the collection of additional fee demonstration program funds of approximately \$ 5,000.00 in daily and multi-day passes and an additional \$ 1,500.00 in annual pass sales to hunters. Hunter fees over the past several seasons have ranged between \$ 74,000.00 and \$ 40,000.00 per year. Using the sources of funds identified above, sufficient funds would be available to administer the additional hunting area outlined in this Compatibility Determination.

The California Waterfowl Association and Cal-Ore Wetlands and Waterfowl Council have offered assistance in setting up and maintaining the proposed new waterfowl hunting area as follows:

1. Purchasing and installing 3 pit blinds in the Frey's Island portion of the hunting area.
2. Assistance installing and removing boundary, retrieval zone and boat channel marking signs.
3. Helping maintain the boat ramp and gravel parking areas.

ANTICIPATED IMPACTS OF DESCRIBED USE:

Wildlife

This alternative would result in temporary displacement of waterfowl from the hunting area during periods of human activity in addition to direct mortality to hunted species as the result of hunting. Controlling factors limiting impacts to waterfowl and other wildlife species include:

1. Relatively low number of hunters permitted to use this area would lessen impacts to wildlife within the hunting area.
2. Season and bag limits regulate hunter take. Waterfowl are managed on a flyway basis and an allowable harvest is determined each year that does not adversely affect the long-term viability of waterfowl populations.
3. The daily 1:00 p.m. hunting closure would allow displaced waterfowl and other wildlife to reoccupy the hunting area each day after the hunting activity is over.
4. Nearby resting and feeding areas would be available for use of waterfowl temporarily displaced from the hunting area. Over the past several years the refuge developed a number of seasonal wetlands which will be available to waterfowl displaced from Sump 1 (B) as a result of hunting activity. These wetland include Discovery Marsh (80 acres), Hovy Point (240 acres), the "D" blind wetlands (400 acres closed to hunting) in addition to the closed portions of Sump 1 (B) (2,034 acres) and Sump 1 (A) (3,040 acres).
5. Use of the area proposed for hunting by endangered/ threatened species including bald eagles is minimal during the most active period of the waterfowl hunting season and impacts would expected to be negligible as a result. The Service will consult on the proposed action under section 7 of the Endangered Species Act to insure that the action does not affect listed species.
6. Loafing and nesting sites on sump 1 (B) would be located either on the closed portion of sump 1 (B) (loafing site for pelicans, cormorants, terns and gulls) or occur prior to and after the hunting season (breeding activities).

For detailed information concerning: 1) the purpose and need for the proposed action, 2) a description of the proposed action, 3) a description of affected habitats and wildlife and 4) the environmental consequences of the proposed action the reader may reference the following sections of the attached Environmental Assessment (EA):

1. Section I of the EA outlines the purpose and need for the proposed action
2. Section II, Alternative 1 of the EA describes the proposed action in detail
3. Section III of the EA describes habitats and wildlife which may be affected by the action
4. Section IV , Alternative 1 of the EA describes the environmental consequences of the action

Public use

Tule Lake NWR

The proposed Sump 1(B) hunting area would provide high quality waterfowl hunting (particularly marsh duck hunting) which has declined on Tule Lake NWR in recent years. Experience on adjacent Lower Klamath NWR indicates that this habitat type provides excellent duck hunting success and experiences. When managed as a permanent wetland with approximately 30-50% emergent vegetation, Sump 1(B) is expected to provide outstanding hunting opportunities. It is expected that 3 cells in the Frey's Island unit will be managed as seasonal or permanent wetlands and three units will be farmed. This management should provide excellent hunting opportunities for both duck and goose hunters. Limits on daily hunter use will prevent overcrowding which has been a sporadic concern on Lower Klamath marsh hunting units. This would be the only marsh hunting unit on either Tule Lake or Lower Klamath Refuges in which the number of hunters would be controlled beyond the opening weekend. Depending on water availability, some or all of the wetland portions of this unit may not be flooded in dry years and the availability of marsh hunting opportunities may be impacted as a result.

The majority of Sump 1(B) (approximately 2,034 acres or 61 percent) will remain closed to hunting. Waterfowl displaced from the portion of Sump 1 (B) as a result of hunting activity will be able to feed and rest on the un hunted portions of Sumps 1 (B) and 1 (A). Hunting activities on Sump 1 (B) could also result in improved hunting in traditional duck and goose hunting areas on the refuge as ducks and geese are displaced from Sump 1 (B) and Frey's Island may fly over or land in the nearby fields and marshes hunting areas. Hunting activities outlined in this proposal would have no affect on nearby pheasant hunting activities.

Auto tour routes exist on the south edge of Sump 1(A) and on the roads surrounding Sump 1(B). From these tour routes visitors can view marsh and waterbirds on the sumps and species such as waterfowl and raptors on agricultural fields. Tour routes users sometimes react negatively to seeing hunters and hunting activity on the refuges. Serious conflicts between these user groups have not been experienced on Tule Lake and Lower Klamath Refuges in the recent past although several hunting units are located along both auto tour routes. Retrieval zones buffering the proposed hunting area from the adjacent auto tour route should alleviate any possible safety concerns and lessen the potential for negative reactions from auto tour route users. Photography blinds are located in areas where photographers can generally view marsh and waterbirds and raptors in a natural setting and are far enough away from hunting areas so as they would not be impacted by hunting activities.

The proposed use would directly support the refuge's public use objective which is to "provide high quality, wildlife-dependent visitor services." Table 1 below demonstrates the dramatic decline in both hunter use and waterfowl taken by hunters on Tule Lake over the past 20 years. Implementation of the proposed new hunting program is expected to increase hunter use by

2,000 to 2,500 hunter use days which would, in part, offset this recent decline. More significantly, it is expected that the quality of the waterfowl hunting experience in the Sump 1 (B) hunting area would be much improved over other waterfowl hunting opportunities currently available on the refuge.

Table 1. Twenty Year Summary of Waterfowl Hunters and Waterfowl Taken on Tule Lake NWR from 1982 through 2002.

<u>Hunting Season Taken</u>	<u>Hunter Use</u>	<u>Waterfowl Taken</u>
1982-83	9628	10800
1983-84	8900	8100
1984-85	7141	9128
1985-86	4550	6194
1986-87	5588	8249
1987-88	6401	10390
1988-89	7468	11179
1989-90	7425	9396
1990-91	6127	7983
1991-92	6288	7662
1992-93	4775	6914
1993-94	4561	6949
1994-95	4803	9394
1995-96	4252	6118
1996-97	4666	9401
1997-98	4092	8883
1998-99	3662	7877
1999-00	5201	8914
2000-01	4208	6797
2001-02	2992	3844

PUBLIC REVIEW AND COMMENT:

The Service held a public meeting on April 20, 2002 in which the groups listed below as well as individuals interested in hunting issues on the Klamath Basin National Wildlife Refuges were invited to learn more about the proposed Sump 1 (B) hunting area on Tule Lake NWR. Meeting participants will be given the opportunity to comment on the proposal to open a hunting area on the eastern portion of Sump 1 (B) and Frey's Island.

This draft CD and the corresponding draft Environmental Assessment will be available for public review and their availability will be announced via press release to local and regional newspapers and radio stations. In addition, copies both documents will be provided to congressional staffers and organizations that have shown interest in Klamath Basin and Refuge issues. Those wishing to comment will have 30 days to submit written comments following the release of the two documents to the public. After consideration of comments, a final CD will be revised as necessary and circulated for review and approval. Parties to receive copies of this document include:

Senator Barbara Boxer, California
Senator Diane Feinstein, California
Congressman Wally Herger, California
Congressman Mike Thompson, California
Congressman George Miller, California
Senator Gordon Smith, Oregon
Senator Ron Wyden, Oregon
Congressman Greg Walden, Oregon
Congressman Peter DeFazio
Klamath Tribes

Siskiyou County Game and Fish Commission
Klamath County Commissioners
Siskiyou County Commissioners
Modoc County Land Use Committee

U. S. Bureau of Reclamation, Klamath Falls
Office
U. S. Fish and Wildlife Service, Klamath Falls,
Sacramento, Portland and Washington
offices
U. S. Forest Service, Doublehead Ranger
District
National Park Service, Lava Beds National
Monument
California Department of Fish and Game -
Sacramento and Redding Offices
Oregon Department of Fish and Wildlife-
Klamath Falls Office

California Waterfowl Association
Cal-Ore Wetlands and Waterfowl Council
Ducks Unlimited
Klamath Forest Alliance
Tule Lake Irrigation District
National Audubon Society- Washington &
California
Klamath Basin, Portland, Sacramento and
Washington Audubon Society offices
Oregon Natural Resources Council
The Wilderness Society
Defenders of Wildlife
The Nature Conservancy - Portland
The Klamath Basin Water Users Assn. .
National Wildlife Federation
National Wildlife Refuge Association
Tule Lake Growers Assoc.
Northwest Environmental Defense Center
North Coast Environmental Center
Wildlife Management Institute
Tule Lake Irrigation District

Klamath Falls Herald and News
Lost River Star