

US Fish & Wildlife Service
First Public Meeting on the Cherry Valley National Wildlife Refuge Draft Study
Christ Hamilton Church, Saylorsburg, PA
November 19, 2008, 7 PM

MEETING NOTES

MEETING OPENS

Kathi Bangert, a volunteer for the US Fish & Wildlife Service (USFWS), opens the meeting and welcomes the public. She explains the agenda for the evening.

Tony Leger (USFWS regional director) addresses the audience. He notes that he appreciates the community's support and interest in creating a National Wildlife Refuge (NWR) in Cherry Valley. He emphasizes that nothing is yet decided. He states that the representatives from USFWS will do their best to answer questions, but that they do not have all the answers, nor has the agency made a decision on the establishment of a refuge. Leger thanks everyone for coming and for their input. He explains that someone will recap this input at the end of the evening.

Bangert then introduces **Carl Melberg** (USFWS) and **Nels Johnson** (The Nature Conservancy), who will talk about the recently completed study.

PRESENTATIONS

Carl Melberg, Senior Planner for the National Wildlife Refuge System, Northeast Region, begins his presentation.

He notes that the Cherry Valley NWR study area is in the middle of the Delaware River watershed, and is about "as far east in Pennsylvania as you can get." Melberg lists the four main chapters of the study – 1) purpose, 2) affected environment, 3) proposed action and alternatives and, 4) environmental consequences. The presentation tonight will focus on the last 3 chapters.

Melberg gives a brief chronology of the project – it has been in the works as grassroots effort since 2000. The grassroots effort alerted USFWS to sensitive environmental areas here. Melberg says that it is important to note that projects like this don't just happen – good projects will continue.

The Cherry Valley NWR Study Act supported and proposed by Congressman Kanjorski directs USFWS to evaluate fish and wildlife habitat, aquatic and terrestrial communities in Cherry Valley. If those resources were not here, USFWS would not be doing this study, Melberg remarks.

The study team first got together about 1 year ago, and they have made fast progress. The previous public scoping meetings were held in March, and USFWS is proud of the draft report being presented.

Melberg gives an overview of the planning considerations, leading up to the final study report. It is now time to look at the range of alternatives, and hold the public review period. Melberg notes that the alternatives “are really the guts of the report.”

Melberg introduces Nels Johnson, and asks him to discuss the “affected environment” which forms one chapter of the report.

Nels Johnson, Director of Conservation Programs for The Nature Conservancy, notes that this is one of more rewarding projects he has ever worked on. He states that the USFWS staff he has worked with have been incredibly dedicated public servants.

He begins discussing the “physical, biological and socioeconomic environment” which would be affected by the proposed NWR.

The dominant features of the physical environment in Cherry Valley are the ridge and valley provinces, especially the Kittatiny Ridge, which were formed by a collision with what is now Africa. 15,000 years ago, the last glaciation came to an end here in Cherry Valley. That legacy has shaped many things and made this an important area for conservation. Some special features are the many springs, the area’s hydrology due to the glacier, calcareous fens, rare animals and plant species.

Johnson then discusses the biology/wildlife which will be affected. He notes that Cherry Valley hosts important populations of bog turtle, interior nesting forest birds (scarlet tanagers, warblers, etc.), and wood ducks. The ridge provides thermal updrafts which help hawks and eagles migrate and every type of hawk and eagle has been spotted here, from more to less common.

Finally, Johnson talks about the socioeconomic environment of Cherry Valley. The valley has been populated for around 12-15,000 years (and about 250 years since Europeans settled the area). The around 9000 people who live in Cherry Valley today are a mix of early settlers’ descendents and residents who are newer to the area. Farming, agriculture, beekeeping are common occupations.

Johnson displays the map of the ecological systems and land cover in Cherry Valley, showing 13 different ecosystem types, interspersed with different land uses. The study team would like to see this type of mosaic of land use and ecological systems persist over time.

Carl Melberg returns to the podium to discuss the proposed action and alternatives. Alternatives A, B and C are described to the audience.

Alternative A is “no action.” Melberg notes that this would mean that the valley stays as is, and the current protection stays in place.

Alternative B is the proposed action for FWS. Alternative B protects up to 20,400 acres in fee and easement (50-50%).

Under Alternative C, USFWS would protect up to 14,100 acres in fee and easement (60% fee-40% easement).

The proposed action is the action the agency is promoting, but the other alternatives will be considered. The proposed action is also an alternative. Melberg strongly encourages the audience to consider all of the alternatives carefully.

Melberg shows a map of what Alternative A would look like. There would be no USFWS management or acquisition, etc. He then shows a map of Alternative B, which is known as “Diverse Habitat Complex” – with up to 20,400 acres protected. Melberg discusses in more detail the contents of Alternative B.

Melberg shows a map of Alternative C. This alternative excludes the forested land and agricultural land in the northwest corner of the study area. The total protected area is less than what would be protected under Alternative B. Ridge habitats and limited adjacent agricultural fields would be protected.

Melberg shows a slide with the number acres of each type of land protected under each alternative—forest; wetlands; and agriculture/meadows—plus the total area of each type represented in the study area.

The discussion then turns to Chapter 4 of the study, Environmental Effects.

Melberg discusses some of the anticipated effects of USFWS protecting land in Cherry Valley. He looks at some of the positive and negative impacts on the environment:

- Effects on physical environment (air, water quality).
- Effects on biological environment (species, wildlife and plants).
- Effects on socioeconomic environment.

He then compares some effects across each alternative.

One of the anticipated effects of establishing a refuge includes increased public use. Melberg defines USFWS’s “Big 6” wildlife recreation uses – hunting, fishing, wildlife observation, wildlife photography, environmental education, interpretation.

He encourages the audience to take a look at report materials, and talk to USFWS and/or the study team members who are at the meeting to get their questions answered, or express concerns.

Michael Horne, Watershed Biologist at Great Swamp National Wildlife Refuge, gives the final presentation, on public use and land use.

Horne notes that in his conversations with local property owners, he has heard a lot about the Tocks Island Dam project, which was about ignoring input/rights of land owners. He states that he wants to differentiate this project from that one.

Horne gives the audience some information on his background. He notes that he is a landowner and farmer in nearby Bangor, and that he grew up on farm in central PA in a valley like this one.

First, he notes that any public use on a NWR must be appropriate and compatible. Uses must mutually complement the purposes of the refuge and other public lands. Public uses must be consistent with USFWS's wildlife-first mission. For each refuge the question must be asked, "Is this use appropriate and compatible?" Each refuge is different, so public use opportunities may vary, Horne notes. He presents a list of public uses at nearby refuges. He also reminds the audience that public input is important to decisions made about public use.

Horne refers the audience to Appendix B in study document, the Conceptual Management Plan for the potential Cherry Valley refuge. He encourages the audience to feel free to ask questions of any of the team members present.

Horne moves on to discuss land use changes and other issues he has heard concerns about. He notes that the phrase "I've got concerns about..." was something he heard often, although the subject of the concerns differed.

On concerns about condemnation and eminent domain, Horne stresses that USFWS only buys land and negotiates easements from willing landowners. The purchase price is based on professional appraisals – and USFWS are required to pay fair market value.

Horne notes that he has heard concerns about refuge impacts on future agriculture in the valley. He notes that agricultural easements would be available if the refuge is established. Alternatively, land owners can manage for rare species while still owning their land. As an example, grazing on bog turtle wetlands is a great way to maintain habitat.

On concerns about changes in zoning, additional constraints/regulations on property owners, Horne states that zoning remains a local issue, and is not related to the refuge proposal. There will be no additional regulations to property due to presence of the refuge.

Horne also addresses concerns for and against hunting on refuge lands. He notes that hunting is considered a priority public use / wildlife management tool. USFWS will work with the state, other partners and landowners to develop hunting regulations. Permit-based hunting will be used to control potential overcrowding.

Horne then addresses concerns about fishing opportunities, and about public areas being "trashed" by unethical anglers, as well as opportunities for stream habitat improvement. Again, USFWS considers fishing a priority public use, and they will work with the state, other partners,

and landowners to develop a program. Fishing would be limited by access and could be further controlled. Permits will also be issued.

Another group of concerns expressed had to do with privacy, visitors wandering about, possible disturbance to sensitive areas, trespassing, and trail locations. Horne states that refuge lands and their boundaries are clearly posted (he shows some of the signs as examples). Privacy will be maintained through law enforcement's presence and through cooperation with conservation officers, township police, etc. Finally, USFWS will work with landowners to develop trails only in appropriate areas.

Finally, some landowners and residents expressed concerns about the valley being let go to become scrubby and forested. Horne notes that this is not the intent of the refuge planners, as many priority species require open habitat types. The mosaic of habitats has led to great biodiversity in the area.

Horne summarizes his presentation on public uses and land use.

Kathi Bangert then sums up what we have heard up to this point through the various presentations. She notes that no proposal can go on this long without merit, and support from the community. One of the groups that have worked so hard on this is the Friends of Cherry Valley. She asks Debra Schuler, President of the FoCV to make some comments.

Debra Schuler – Friends of Cherry Valley

Schuler thanks everyone for coming out tonight. In preparing for tonight, Schuler would like to share some facts about FoCV and some personal thoughts. Formed in 2002, FoCV is a federally designated nonprofit organization with the mission to educate landowners about their conservation options. 6,000 acres in the Valley are already protected, 2,000 of which are contiguous. However, the existing pressures are greater than the existing programs. The establishment of a NWR would bring federal dollars to the area and options to landowners, if they are interested. Now that we know about the endangered species in the area, we need to do all we can to protect them and keep the area protected for future generations. FoCV gives its full support of the NWR. Schuler encourages those here to speak out and get their questions answered. She says that she would like to walk away tonight knowing that the audience's concerns have been addressed.

PUBLIC COMMENT PERIOD

Bangert explains the rules of the public comment period. USFWS would like to ask commenters to keep their comments to about 3 minutes. All comments are welcome and USFWS really wants to hear all comments and questions. Comment forms and index cards are also available.

1) **Gary Reddinger** – Reddinger states that he owns and operates Cherry Valley Trout Hatchery with his son. He wants to know whether USFWS would put stipulations on his family that would hinder them from making a living like they have done for 40-50 years. He states that they do not feel that they are doing anything to hinder wildlife or aquatic life in the Valley.

Horne states that the refuge will not hinder Reddinger's operations in any way he can perceive. He notes that there is in fact potential for partnerships with business.

Reddinger asks a follow-up question about a situation he is having with the USDA.

Horne states that he can speak with him about this further, but he sees Reddinger as a valued future partner for the refuge.

2) **Suzanne McCool** – McCool is a Monroe County Commissioner, and is speaking on behalf of the Board of Commissioners. Monroe County has long been recognized as a prominent tourist and vacation area. The county has many scenic areas and a wealth of significant natural resources. Monroe County has taken the initiative to protect areas in Cherry Valley and throughout the county as part of the Monroe 2020 program. Every one of the municipalities is cooperating with the county in these conservation efforts. We commissioners feel that the refuge will appropriately complement state, county and municipal efforts to preserve this special area. Great conservation interest has been demonstrated in the municipal and regional plans. Cherry Valley is home to 80 species and natural communities of concern, with 5 federally listed species. The area is worthy of designation as a NWR, to complement local and state conservation efforts. The county is in full support of the project. McCool thanks Congressmen Kanjorski and Dent for their support of the Cherry Valley bill, and asks them to move it forward.

3) **Kathy Grube** – Grube represents the Lehigh Valley Horse Council, and the Pennsylvania Equine Council. She is speaking in support of the refuge, and believes it will help preserve traditions for future generations. Her organizations are trying to get trail systems open for as many horse people as possible. Proposing this large area to be preserved on this side of the mountain is wonderful. We need places like this where we can enjoy nature in a safe environment. Grube says that she would like to see (and knows this may not happen in her lifetime) multi-use trails – riders sharing trails with hikers and bicyclists. The viewpoint from horseback is phenomenal – the views of nature are remarkable. Riders also have a monitoring role – and often are making calls to conservation organizations. They also know that they should be wearing blaze orange during the hunting season. Grube states that she has experience building multi-use sustainable trails. They can, however, use existing trails (old railroad tracks, logging roads, etc.). Grube understands that there are areas riders do not belong in, and her job is to educate horse riders as to why they should not use trails in those areas. However, she hopes USFWS will designate some trails as multi-use.

4) **Gary Bloss** – Bloss has lived and worked in Cherry Valley for 20 years. He is a professional planner and landscape architect. The plans and studies he has worked on all point to the unique nature of Cherry Valley. He strongly supports the proposed action from both a residential and professional perspective.

5) **Ed Cramer** – Cramer is a supervisor from Stroud Township. He is a resident of Cherry Valley, and knows the beauty of the valley and his neighbors. Stroud Township is supportive of protecting Cherry Valley and Alternative B. The township has already acquired a number of areas, but has expended its money for a significant number of years. Currently, they have 8 property owners waiting to do conservation easements on a total of about 800 acres, but owners have been willing to wait as the money has not been available. These owners do not want to see their properties go to development. Cramer states that it is critical that we preserve this valley, and the wildlife that needs to be protected. He hopes that we can move this process forward and that USFWS will find the money to do create the refuge.

6) **Carl Wilgus** – Wilgus is the President and CEO of the Pocono Mountains Visitors Bureau. He is also a new resident of the valley. He came to the area, called his wife in Boise, Idaho, and said, “I think we found our place.” Wilgus served on the advisory board to USFWS, and says that they are some of the finest people he has met. Pocono Mountains Visitors Bureau has been supportive of the refuge for several years. This destination is significant not only to Monroe County, but also to the Commonwealth of PA and the region. Wilgus sees this both from an economic development perspective as well as a conservation perspective. The conservation of scenic vistas aligns with the Bureau’s values. The NWR will complement state and local conservation, and create opportunities for new public uses which will be enjoyed by residents and visitors, too. Alternative B is the best option in the opinion of the bureau. Wilgus refers to an appropriate advertisement he recently saw of the city of Portland, OR with Mt. Hood in background, which read, “Who said when it’s man vs. nature both sides can’t win?”

7) **Jill Thatcher** – Thatcher lives on lower Cherry Valley Road and is a 15 year resident of Cherry Valley. She notes that it never fails to raise her spirits to see beauty all around her and feel a part of nature. She says that it seems like a miracle that development did not happen here. Thatcher strongly supports the creation of refuge, which will give landowners one more option to keep their land in a natural state. She notes that the white areas on map are the houses, and the refuge will wrap around this residential area. She can’t imagine a more perfect habitat for humans, either. Thatcher thanks the USFWS.

8) **Lori Colgan** – Colgan has been a resident of Cherry Valley for 20 years. The location makes Cherry Valley invaluable to wildlife because of habitat loss due to development pressure from the metro areas. The proposed Alternative B is the one best suited for protection of the habitat here. Colgan notes the wide-based support demonstrated by the agencies and Congressmen. Most importantly, this area should be protected for future generations.

9) **Darran Schuler** – Schuler is a fourth-generation resident and landowner. His family owns hundreds of acres in Cherry Valley. Schuler recounts some of the valuable lessons the valley has taught him about trout, crayfish, porcupines, lamprey eels, leeches, ruffed grouse, wild turkeys, and Indian arrows, among others. However, the most valuable lesson Schuler has learned is that the experience of Cherry Valley is priceless. The opportunity to preserve this valley or any part of it should not be overlooked. Schuler thanks the residents and the USFWS.

10) **Bob Heil** – Heil is a resident of Saylorburg, Hamilton Twp. Heil recalls that 10 years ago Darran Schuler called him up regarding creating a refuge in Cherry Valley, and he thought,

“Good idea, but it will never happen.” Heil says that he knew that the people of Cherry Valley would give it their best, but thought the project would break down when it met with the bureaucracy. Heil says that he is “so happy to be wrong in all his concepts.” To see the USFWS do an entire feasibility study, on time, with good science, is amazing. He states that the people of this community and the people in this room have only thing to think about: “Am I for it, or against it?” Heil asks, “Do you want to be proactive and do something positive now, or do you want to be reactive and have to go against developers and townships later?” Heil emphasizes the possible effects of not acting on the environment and way of life. He quotes Joe Paterno, saying that the saddest words in the English language are “what could have been.” “We don’t want that to happen to us,” Heil emphasizes.

11) **Anne Fetherman** – Fetherman says that she is a resident and proud member of the Friends of Cherry Valley. She agrees with Mr. Heil about the speed with which this study has happened. FoCV has embarked on this effort with great deal of help from The Nature Conservancy, local conservancies and support from Congressman Kanjorski. Fetherman notes the historical efforts of people in the area to preserve this land. She urges that Proposal B be accepted. Fetherman thanks all of the people who have given their time and effort for this to happen.

12) **Sharon Keen** – Keen is a volunteer on various municipal land planning committees. She would like to encourage USFWS to pursue Alternative B. Keen states that she knows this is the best way to preserve this unique habitat. For anyone who has concerns about whether this can be achieved as described, with conservation and public use, too, Keen notes that she recently had the pleasure of riding on the towpath from Washington, D.C. to Pittsburgh [*Ohiopyle??*] by bike. The path is under the administration of NPS and it was very educational. She spent about \$1000 in local communities along the 7 day ride, and before she left she spent a similar amount in her home community by upgrading her bike and supplies for the trip. The pristine setting and amount of wildlife she observed was amazing given the number of people she ran into as well. [*Keen later notes to Tony Leger that she wanted to mention that there was no trash on the trail.*] Keen believes that USFWS will do an even better job of making sure we achieve that balance here. She hopes that this will be approved by Congress.

13) **Vic Keen** – Keen asks a question on the timetable for introduction and legislation to create the refuge. Will USFWS speed up or slow down that process?

Leger thanks Keen for asking that question. Leger notes that USFWS does not need legislation to create the refuge. There are two ways that this process can work. USFWS can get legislation to create the refuge, or they can establish a boundary administratively. The process USFWS goes through with the study determines whether the lands rise to the importance of protection in an NWR. The Director of USFWS allowed the agency to release the draft study. The end of the public comment period is December 5. Assuming everything continues as tonight, the regional staff could go to the USFWS Washington office and recommend establishment. There are some technicalities as to how the decision gets made, but to be brief, USFWS can establish a boundary administratively, or issue a “finding of no significant impact (FONSI).” Or USFWS can say that we need to do an environmental impact statement, but Leger says that he is not hearing anyone suggesting that. Another alternative is that Congress does pass bills from time to time, but this is

between you and your Congressman. Leger notes that those present could go to their Congressman and say they are not interested in waiting for USFWS to make the decision.

John Latini, Project Assistant and representative for Congressman Kanjorski, assures the audience that the Congressman is committed to making the refuge happen. He “is not going away when it comes to Cherry Valley.”

14) **Joseph Burns** – Burns comments that he is concerned about business communities within the refuge boundaries. He notes that there are 3 permitted mines in area (stone and sand quarries), as well as concrete produced and delivered by Morrissey and Rockport cement. Also, the area has manufacturing companies – several machine shops, heavy duty equipment and vehicle repair, wrecker companies. Burns wants to make sure that we are not going to cut off these businesses. He notes that we need to have a place here or nearby to employ people. Burns himself has an active machine shop and excavation business – he notes that he bought land that was zoned correctly, and is trying to do things the right way. He notes that there are two motorhome businesses in the preserve area, and that locals are trying to make a living in this economy. Burns gives some more examples of types of businesses, and says that he wants to make sure we are sensitive to their livelihoods. He notes that he has brought this up at a prior meeting, and thinks the preserve is a good idea, but is concerned it will hurt people and their livelihoods.

Bangert notes that USFWS wants to hear all concerns in these tough economic times. She says it is very important for us to hear these comments.

Burns says as a follow-up that he is speaking for a lot of people in the community, who did not want to come out to talk at the meeting. Some have expressed concerns about condemnation.

Quist remarks, “My ears perked up when you said the word condemnation.” Part of Mike [Horne]’s presentation was going over the concerns of people in area. As chief of realty in the area, Quist says that he wants to emphasize that USFWS works with willing sellers. As far as conducting businesses, local businesspeople already have a variety of regulations that they have to follow. These will continue, and the presence of the refuge is not going to change that. However, having land in the refuge area gives you more options in the future. Quist notes that the team has taken areas of concentrated development out of the study area, but recognizes that there are businesses within the study area, too. Quist emphasizes that it is not the way USFWS operates to take lands from owners.

15) **Christine Dettore** – Dettore is the Open Space Coordinator for the County Planning Commission. The county has in place an open space bond referendum, which is handled in different ways. The county is nearing the exhaustion of the bond referendum monies, and the planning commission sees the NWR as complementary to its efforts. Dettore expresses support for the creation of the refuge.

16) **Marie Springer** – Springer is President of the Walkill NWR in NJ. She moved into the NWR area on purpose due to the reputation of the USFWS. On the issue about condemnation and taking of land; Springer says, “they don’t do it. They are not interested in anyone who is not

a willing seller.” On the refuge that Springer lives in, there is a rubber plant and a quarry on the edge of the refuge. These businesses are governed by state laws, and are not affected by the refuge. Springer remarks that those present would be gaining a great neighbor and business partner with the creation of the refuge. She encourages the audience to search the USFWS website for “Banking on Nature” – this will bring up a report on how much money a NWR brings into a community. Springer says, in conclusion, that USFWS is the best – they are exceptional and truly honorable people. She offers her congratulations.

17) **Janet Weidensaul** – Weidensaul says that it is an honor to stand before the audience this evening as a seventh-generation resident of Hamilton Township and as a retired county commissioner. Weidensaul says that she recalls her father advocating for the importance of preserving this valley, and says that past generations would be honored to know we are close to achieving their vision. Monroe 2020 expresses the vision of preserving the unique character of Cherry Valley – open space and farmland. This plan included participation from all geographic areas of the county, input from residents, and all disciplines, in planning process. Weidensaul notes that there is a collective renewed awareness of natural heritage, appreciation of the present pristine landscape, and protection of land for future generations. The refuge proposal was initiated from the community, and has wide support from the public. Cherry Valley is special because it has been largely left untouched by development pressures, but the development pressures will come again. It should be clearly noted that the greater area will experience negative fiscal impacts due to infrastructure improvements that would be necessary for development. The refuge protects the community environmentally, but also fiscally. Weidensaul states that the fact that Cherry Valley is a bedroom community for NY / NJ metro area means development pressures. The people of Monroe County support Alternative B to establish new NWR here.

18) **Fran Grant** – Grant has been a resident of the valley for 10 years, is a member of FoCV, and supports the proposed wildlife management. He notes that there are a few questions that deserve some answers, from the fish hatchery and local businessmen. He notes a recent invasive plant study – what will happen in 2 or 3 years? Property owners are still a bit concerned – Grant asks them to give USFWS a bit more information. People with doubt are most important people in the room right now. People with questions are an important part of the valley, just like the bog turtle.

Bangert emphasizes to the folks who have questions that USFWS will be glad to answer them, but people can feel free to leave if they need to.

Debra Schuler notes that she appreciates everyone’s support – and thanks everyone for being here.

NEXT STEPS

Carl Melberg returns to the podium to talk about next steps.

On Dec. 5, the comment period ends – Melberg encourages all present to please get any comments in by then. After Dec. 5, USFWS will evaluate all the comments and see if there is a need to revise the draft assessment. The final assessment will then be submitted to Tony Leger, and he will submit it to the Director for review. This will be the process over next 30 days or so.

MEETING ADJOURNS