

## **Questions and Answers: Approval of Cherry Valley National Wildlife Refuge**

***What action was taken to approve Cherry Valley National Wildlife Refuge? What does it mean?***

The Director and Northeast Regional Director for the U.S. Fish and Wildlife Service (Service) on December 16 approved two documents, a “finding of no significant impact” and an environmental assessment, officially establishing a boundary for Cherry Valley National Wildlife Refuge. The Service now has the authority to acquire lands for the refuge within this 20,466 acre area in Monroe and Northampton counties in Pennsylvania. The next step will be to work with partners and property owners within the boundary to identify opportunities to acquire priority lands for wildlife from willing landowners.

***Why was Cherry Valley considered as a potential site for a national wildlife refuge?***

The Cherry Valley area contains an array of nationally significant wildlife resources. Monroe County, Penn., is within a two-hour drive of millions of people. For generations, local landowners and conservation organizations have safeguarded the valley’s clean waters and natural resources, however the area has experienced rapid residential and commercial development pressures in recent years. On behalf of their constituents, U.S. Representatives Paul E. Kanjorski (Penn.-D-11<sup>th</sup>) and Charles W. Dent (Penn.-R-15<sup>th</sup>) co-sponsored a bill in 2005 to study the valley as a prospective national wildlife refuge. The legislation was in response to a petition advocating for refuge establishment endorsed by numerous community leaders and local elected officials. The 109<sup>th</sup> U.S. Congress approved the Cherry Valley National Wildlife Refuge Study Act (Study Act) in 2006, directing the U.S. Fish and Wildlife Service (Service) to evaluate the biological value of natural communities within the valley and to study the feasibility of establishing a national wildlife refuge.

***What geographic area was considered in the Cherry Valley National Wildlife Refuge study? Who conducted the study?***

The 31,500-acre study area included all of Cherry Valley, adjacent sections of the Kittatinny Ridge, and sections of the Delaware, Brodhead, McMichael, Buckwha and Aquashicola Creek watersheds. The majority of the area lies within the southeastern portion of Monroe County, however, it also includes a narrow strip of land along Kittatinny Ridge in Northampton County. The 20,466 acre boundary approved for the national wildlife refuge lies within the larger study area.

The Service worked in partnership with The Nature Conservancy (Conservancy) to establish baseline information as the scientific foundation for the study. The full study team includes representatives from the Service, the Conservancy, Pennsylvania Game Commission, Pennsylvania Fish and Boat Commission, National Park Service, Monroe County Planning Commission, Monroe County Conservation Commission, Northampton

Community College, East Stroudsburg University and the Pocono Avian Research Center.

***What wildlife species and habitats are most important to the Service within the refuge boundary?***

Species in the Service's trust include migratory birds, threatened and endangered species, anadromous fish, and other native fish and wildlife species. In Cherry Valley, the species most in need of protection are several federally threatened and endangered species, including the bog turtle, Indiana bat, and Northeastern bulrush. Migratory birds and fisheries and the habitats that support them are also important in this regard. Numerous Pennsylvania listed threatened and endangered species, as well as several national and state ecosystems of concern, would also benefit from protection by the refuge.

***What lands within the boundary will be a priority for protection?***

Habitats that support sensitive species, as well as wildlife corridors, will have a high priority for protection through fee acquisition or easement. To identify these areas, plant and animal inventories in the valley will be continued and expanded through cooperative partnerships with local, state, and Federal conservation agencies; academic institutions such as Northampton County Community College and East Stroudsburg University; as well as private and non-profit conservation partners. The Service will work with landowners, developers, and conservation partners to protect these areas.

***What wildlife-dependent recreational opportunities may be offered on Cherry Valley National Wildlife Refuge lands?***

Six wildlife-dependent uses have priority on national wildlife refuge lands, including hunting, fishing, wildlife observation and photography, and environmental education and interpretation. Opportunities to participate in these activities are offered when they complement the purposes of the refuge. Other public use opportunities may also be available, but they first must be determined to be "appropriate" and "compatible" with the purposes of the Cherry Valley National Wildlife Refuge. These uses may include, for example, cross-country skiing, fur-bearer management, collection of edible wild plants for personal use, canoeing, boating and hiking.

***How does the Service acquire land for the National Wildlife Refuge System?***

The establishment of a national wildlife refuge places no additional restrictions on existing landowners within or adjacent to its approved boundary. Interested, willing landowners would be eligible to sell or donate land in fee or conservation easement to the Service.

The Service is required by law to offer fair market value for lands to be acquired in fee title or conservation easement. This estimate of value is based upon a professionally-prepared appraisal that is reviewed and approved by an experienced review appraiser. This review assures that the price offered is reflective of the sale prices of comparable

properties in the vicinity. A formula is used to pro-rate the market value for conservation easements.

***What is a conservation easement? Are conservation easements permanent?***

The Service purchases conservation easements on land as an alternative way of protecting fish and wildlife habitat without purchasing the land outright. The Service, for example, may purchase rights from the property owner that restrict certain uses. However, other activities, such as farming, forestry, hunting and fishing, could continue when they are consistent with conservation goals. Any interests in the land purchased by the Service become part of the National Wildlife Refuge System, and terms and conditions are enforced through the National Wildlife Refuge Administration Act.

All conservation easements purchased or accepted through donation will be permanent. They will be recorded with the county as part of the deed description of the property. A landowner may sell or transfer his/her property with easements as usual, but the conditions of the easement remain attached to the property.

***What authority and funding does the Fish and Wildlife Service have to acquire lands for the National Wildlife Refuge System?***

The Service is authorized to acquire lands under several legislative authorities, such as the Fish and Wildlife Act of 1956 and the National Wildlife Refuge Administration Act. The Department of the Interior presents the land acquisition proposals for the National Wildlife Refuge System to Congress for approval of acquisition funding. Two primary sources of funding for refuge land acquisition are the Land and Water Conservation Fund (LWCF) and the Migratory Bird Conservation Fund (MBCF).

***What if a landowner within a refuge boundary doesn't want to sell his/her land?***

A national wildlife refuge boundary merely identifies important and sensitive resource areas for possible inclusion in the National Wildlife Refuge System. Private land within a refuge boundary remains in the control of the owner until such time as the owner decides to sell the property. The Service focuses on working with willing sellers.

***How is a community's tax base affected by federal land ownership?***

Although land acquired by the Service is removed from tax rolls, the affected county or other taxing authority receives annual revenue sharing payments. These are equal to one of the following, whichever is largest: 75 cents per acre, three-quarters of one percent of the fair market value, or twenty-five percent of net refuge receipts. The market value is updated every five years. If refuge receipts are insufficient to allow full payment, the disbursement may be reduced proportionally. Congress may appropriate additional funds to ensure full payments.