

Chapter 7: Public Comment on Draft EIS/CCP and the Supplement (Alternative E) and Response

7.1 Introduction

The Draft EIS/CCP for the Upper Mississippi River National Wildlife and Fish Refuge (Refuge) generated tremendous public interest and input. Chapter 6 describes in detail the public meetings and workshops held during the planning process. In summary, the Refuge hosted 46 public meetings attended by approximately 4,500 people. A total of 3,230 written comments were received during the two comment periods and these comments are the focus of this chapter. Table 34 summarizes the comments received by source.

Table 34: Source of Comments

Affiliation	Number of Written Comments Draft CCP/EIS, May 1 to Aug. 31, 2005, 120-day comment period	Number of Written Comments Supplement (E), Dec. 5, 2005 to March 6, 2006, 90-day comment period
Tribal Governments	1	--
Federal Agencies	4	2
State Agencies	6	5
Local/Other Agencies	10	4
Elected Officials (state/fed)	9 ¹	3 ¹
Organizations	48	23
Businesses	18	11
General Public	2,420	666
Totals	2,516	714

1. *Eight Wisconsin State Legislators signed one comment letter in each comment period*

7.2 How Comments were Handled

Public comments received during 11 public meetings of the first comment period and 9 public meetings of the second comment period were an important part of the planning process. All public meetings were video taped and later converted to digital video disc (DVD) to become part of the official record for the planning process. The DVDs are kept at the Refuge headquarters in Winona, Minnesota. Arrangements for viewing the DVDs can be made by calling the Refuge at (507) 452-4232.

Public comments received during the 10 public workshops of the first comment period were summarized in 87 separate workgroup reports. These workgroup reports were posted a few days after each workshop on the Refuge planning website and are still available for viewing (<http://www.fws.gov/midwest/planning/uppermiss>).

Written comments received during the two comment periods came in a variety of forms including letters, comment forms distributed at meetings, e-mails, and faxes. Each comment received was assigned a log number, summarized and recorded on a master electronic file, and then placed in a three-ring binder. A standard acknowledgement letter or e-mail was sent to each person or group who submitted a comment.

All written comments are available for public review at the Refuge headquarters in Winona, Minnesota. Arrangements for viewing can be made by calling the Refuge at (507) 452-4232. A copy of the written comments received from tribes, states, elected officials, other agencies, local units of government, and conservation or other organizations are included on the Refuge's planning website at <http://www.fws.gov/midwest/planning/uppermiss>.

7.3 How Comments and Responses are Organized

Comment categories and locations:

Tribes, States, Corps of Engineers, Environmental Protection Agency	(7.4, page 360)
Elected officials (state/federal)	(7.5, page 373)
Petitions	(7.6, page 380)
Form letters/e-mails	(7.7, page 384)
Comments by topic or plan objective	(7.8, page 386)
General comments	(7.9, page 421)

Due to the volume of written comments received, most are not included in their entirety as noted below. Comments from both comment periods are combined unless otherwise noted. Simple edit suggestions were generally accepted and made in the Final EIS/CCP and are not referenced here or discussed.

Given the Refuge's close working relationship and shared responsibility for natural resource management, the comments from Tribes; Minnesota, Wisconsin, Iowa, and Illinois departments of natural resources; Corps of Engineers; and the U.S. Environmental Protection Agency are treated individually. Each of these letters is summarized by issue or concern raised, followed by a Service

response. Comments from state and federal elected officials are also treated in this way due to the general heightened public interest in elected official comments. Scanned copies of letters from tribes, agencies, and elected officials are included at the end of this chapter, and page numbers for each are included in the respective comment/response.

Since petitions and form letters represent a large number of individuals, they are also treated separately. The basic issues or concerns in each petition and form letter is quoted or summarized, followed by a response.

Comments from individuals, organizations, businesses, and local/other units of government are combined and aligned with the 41 objective topics that comprise the heart of each alternative in Chapter 2. This objective framework helps the tracking of particular areas of interest, and eases reference back to the body of the EIS/CCP. For example, comments on Waterfowl Hunting Closed Areas are found under 4.2, the same objective number for the closed area objective across all alternatives. The number in parenthesis () following each comment represents the number of people and/or organizations who provided a similar comment. For certain comments, a unit of government or organization submitting the comment may be cited if it helps put the comment in context.

Finally, comments which are general in nature and do not match a particular objective, including comments for or against a particular alternative, are summarized followed by a response, as appropriate. As above, the number in parenthesis () following each comment represents the number of people and/or organizations who provided a similar comment. For certain comments, a unit of government or organization submitting the comment may be cited.

7.4 Tribes, States, Corps of Engineers, and Environmental Protection Agency Comments and Response

In most cases, the states, Corps of Engineers, and Environmental Protection Agency provided written comments on the May 1, 2005 Draft EIS/CCP and on the December 5, 2005 Supplement (Alternative E). Both comment letters are included and responded to in turn. Illinois did not submit comments on the Supplement. One tribe submitted comments during the first comment period, none for the second.

Service Response to Iowa Tribe of Oklahoma, May 12, 2005 comments. (Letter Page 423)

1. The historical preservation of the Iowa Tribe of Oklahoma is very important and the Iowa people have an historic presence in counties adjacent to the Refuge. They wish to be kept informed of any artifact discoveries.

Response: We appreciate the Iowa Tribe of Oklahoma's interest in the Refuge CCP and will keep them apprised of any cultural resource issues and discoveries. As noted in Chapters 2, 3, and 4 of the Final EIS/CCP, cultural resource management is an area of overriding importance and compliance that will be addressed on a project-by-project basis when actions outlined in the plan are implemented.

Service Response to Minnesota Department of Natural Resources, August 31, 2005 comments. (Letter Page 424)

1. Alternative D provides the diversity of uses and experiences sought by the public.

Response: Comment is noted.

2. Consider eliminating or restricting jet skis, airboats, hovercraft, and other motorized mechanisms that negatively impact fish and wildlife in critical habitats.

Response: The Electric Motor Areas described in the alternatives limit all watercraft to electric motor or human power propulsion only. Slow, No Wake Areas in Alternative E do limit types of watercraft seasonally (airboats and hovercraft) due to their inherent noise generation. Alternative E was developed after extensive input on this topic at public meetings and in written comments.

3. Exemptions needed in Closed Areas and Electric Motor Areas for federal and state agencies doing research, monitoring, and law enforcement.

Response: Special area regulations are general public use regulations and were never intended to cover states or other agencies from continuing to carry out their responsibilities for fish and wildlife management and enforcement. We have added language to clarify this intent in Chapter 2, section 2.4.1 (Elements Common to All Alternatives). We continue to recognize, however, that public perceptions are important and good judgment is needed when working in areas or with equipment the general public is restricted from using.

4. Law enforcement concerns stemming from new regulations: inquiries, response, jurisdiction for enforcement, costs, etc.

Response: We have added a strategy in Alternative E, Objective 5.5 (General Public Use Regulations) to prepare a step-down law enforcement plan in cooperation with the states and the Corps of Engineers. This plan will be started in 2006 and will address the issues and concerns raised.

5. Supports reconfiguration of Waterfowl Hunting Closed Area locations, size, etc.

Response: We appreciate the support for this important aspect of the CCP.

6. Delay the no fishing, no motor provision until later in October to accommodate fall fishing.

Response: In Alternative E, we have delayed the effective date for voluntary avoidance or the no motor restriction in Waterfowl Hunting Closed Areas to October 15 versus October 1 in other alternatives to address this concern.

7. Consider Voluntary Avoidance Areas versus use or entry restrictions.

Response: In Alternative E, the preferred alternative, we have incorporated the use of voluntary avoidance guidelines in all Waterfowl Hunting Closed Areas versus more restrictive regulations of other alternatives. Alternative E also establishes a threshold of disturbance and the intent of the Refuge to move toward more restrictive regulations should the voluntary approach fail to limit disturbance to waterfowl using the areas for rest and feeding.

8. Extend period of no entry for motorized craft in closed areas to late December to benefit late migrants.

Response: We do not concur with the need to extend guidelines or regulations for entry into Waterfowl Hunting Closed Areas later into the winter season. Most waterfowl hunting ends before or by mid-December which removes a major disturbance and in effect provides waterfowl additional areas to rest and feed outside of closed areas. Also, the number of waterfowl using the refuge is highly variable at this time of year given the timing of yearly freeze-up.

9. Support Electric Motor Areas, but disappointed that larger contiguous areas not selected.

Response: Electric Motor Areas in Alternative D were based on trying to balance the variety of existing uses now occurring on the Refuge to avoid undue disruption to the public. Based on substantial public comment, further changes were made in Alternative E to address public concerns. We believe Alternative E provides areas to meet the needs of the greatest diversity of Refuge users throughout the length of the Refuge.

10. Concerns about the proposed boat launch fee at Refuge-administered ramps.

Response: The fee proposal was dropped in Alternative E, the preferred alternative.

Service Response to Wisconsin Department of Natural Resources, August 29, 2005 comments. (Letter Page 429)

1. Emphasized that Wisconsin reserves the right to provide free and open navigation to residents of the state and the right to regulate fishing in all waters of the state.

Response: We recognized and quote the state's 1925 approval language in Final EIS/CCP (Chapter 1) and concur to a point that does not interfere with federal trust responsibilities and meeting the purposes of the Refuge; however, proposals in Alternative E do not limit navigation or use, only the means of navigation and use on the connected waters (more in closed area comments). We concur with state's lead in fish management and regulation and have edited objectives, strategies, and other text in the Final EIS/CCP to stress a cooperative approach.

2. Believe the plan should be broadened to include the larger ecosystem, including fisheries and state-listed species and species of concern.

Response: We concur and have included the strongest fishery management emphasis in any Refuge plan to date. Virtually all recent EMP projects in Wisconsin have either focused on improving fish habitat or included a fish habitat component (Long Lake, Stoddard, Lake Onalaska, Ambrough Slough, Sunfish Lake, Mud Lake, and Spring Lake). The Service believes that waterfowl management and fishery management can be complementary with careful planning. Alternative E objectives and strategies dealing with monitoring and threatened and endangered species have been changed to include state-listed species and state species of concern, along with reference to recently completed state Comprehensive Wildlife Conservation Plans.

3. Complete a Law Enforcement step-down plan to improve understanding, expectations, and cooperation of Refuge and state officers

Response: Concur and have added in Alternative E, Objective 5.5 (General Public Use Regulations) a strategy for preparing a step-down LE plan in cooperation with the states and Corps of Engineers.

4. Support concept of Electric Motor Areas if the Refuge works with public to delineate the areas. Consider commercial fishing needs, seasons of closure, and boundary changes.

Response: Although we do not concur with delaying decision and believe the public has had ample opportunity for input, we have made major changes in Alternative E reflecting both state and public comment. In short, we have dropped 11 of 15 proposed new Electric Motor Areas, 8 of which are proposed to become seasonal Slow, No Wake Areas (March 16-October 31).

Commercial fishing should not be measurably affected by the proposals in Alternative E since Electric Motor and Slow, No Wake Areas are in backwater versus areas not often used for commercial fishing.

5. Concern about amount of Closed Areas in Wisconsin; unfair loss of recreational opportunity, especially in Pools 4 and 10 (Big Lake and Wisconsin River Delta proposals). Need for deer management in Goose Island area a concern with Closed Area expansion/restrictions proposed.

Response: We understand the concern with amount of closed areas in Wisconsin but try to be neutral to state lines when addressing resource issues. In truth, the best habitat on many parts of the upper Refuge is in Wisconsin. We share the concern with recreational impacts and are opening the Nelson-Trevino area in Pool 4 to balance the loss in the Big Lake area, and in Alternative E also open an additional 788 acres of existing closed area to hunting (Buffalo or Beef Slough). We have also modified the proposed Wisconsin River Delta closed area in Alternative E so that it is open to hunting and fishing through October 31, and dropped the north Goose Island special hunt area from any designation (remains open). We support and will continue to work with state and local officials to accommodate deer hunting in the existing Goose Island closed area. We share the habitat and public safety concerns from the expanded deer population in this area.

6. Closed areas must remain open to fishing during waterfowl season, and would like to help craft a phased approach using alternatives such as voluntary avoidance, slow-no-wake, electric motor with travel lanes, and no motor areas.

Response: In Alternative E, the preferred alternative, we have made major changes to the closed area entry and use regulations proposed in Alternative D and have dropped the “no fishing, no motors” provision in favor of Voluntary Avoidance on all areas and no use of motors on small closed areas. These restrictions also have been moved forward to October 15 versus October 1 to accommodate early fall fishing.

We are also proposing in Alternative E a disturbance threshold policy to guide future entry and use restrictions. This policy is included in Objective 4.2, Waterfowl hunting closed areas and sanctuaries.

7. Concern with lack of support for doing fish habitat improvement projects in Waterfowl Hunting Closed Areas.

Response: Unintended conflicts often arise when trying to meet different objectives for fish and waterfowl in the same area. Fall fishing has been shown to be a major disturbance to waterfowl in some closed areas. Certain fish habitat improvements which attract and hold fish can increase angler use and waterfowl disturbance, and on small closed areas especially, have the potential to negate any waterfowl migration benefits. Careful consideration of these dynamics is needed when planning habitat projects.

Alternative E includes this issue in the closed area objective, and also proposes a new policy for project planning to deal with Refuge and state concerns with fish habitat projects.

8. Address commercial fishing needs and research, monitoring, and law enforcement needs in Closed Areas and any Electric Motor Areas.

Response: New regulations were always intended to be public use regulations, not regulations governing bona fide agency work. Language has been added to section 4.2.1 (Elements Common to All Alternatives) to articulate this intent. Commercial fishing in closed areas is covered under the voluntary avoidance guidelines, which does not preclude commercial

fishing. Commercial fishing intrusions into closed areas will not be counted as a disturbance under the disturbance threshold guidelines. We hope, however, that commercial anglers can adapt practices and time activities to lessen disturbance to staging waterfowl. We will continue to work with the state and commercial anglers in a cooperative manner to this end. Electric Motor Areas and Slow, No Wake Areas should not have a major impact on commercial fishing due to their locations.

9. We may not move forward with complementary state regulations for 25 shotshell limit, 100 yard spacing, beach use, camping, etc.

Response: The proposed shotshell limit and hunting party spacing regulations have been dropped in Alternative E, the preferred alternative. State officers do not actively enforce Refuge-specific non-hunting/fishing recreational use regulations now, and we understand that matching state regulations may not always be possible.

10. Use the beach planning process to consider any beach designations, and needed restrictions or regulations for beach use.

Response: Concur with beach plan process, and have made several changes in Alternative E to proposed beach-related regulations in Alternative D, including areas open to camping, human waste, and alcohol use. The beach section of the plan was revised in Alternative E, but we realize there may still be differences of opinion regarding dredge material placement site management (bath tubs). Since the Refuge ends up with the responsibility for enforcement, we believe we should manage these sites in a way that safeguards the public and lessens enforcement workload.

11. Supports public suggestions for regulation banning glass containers on the Refuge.

Response: Concur and have added a new regulation to Alternative E, the preferred alternative, Objective 5.1.

12. Economic recreational benefits cited in the Draft EIS seem very low compared to previous economic studies done on the Upper Mississippi River System.

Response: We do not disagree, but felt it wise to use Refuge visitation figures we enter in report to ensure consistency, and visits are what drive the economics. Our economist used the same economic models as previous Corps of Engineers studies, but since visits are counted differently and the Refuge is a subset of the river as a whole, the economic benefits are lower. However, in the Final EIS in Chapter 3, end of section 3.4.2, we discuss this difference and also present the higher economic gain figures.

Service Response to Iowa Department of Natural Resources, August 22, 2005 comments. (Letter Page 434)

(Note: due to the comprehensive nature of Iowa's comments, responses were only made to items of concern or suggestions)

1. Ensure that public is not overly regulated and new regulations are needed and targeted to provide the expected results.

Response: We have made several major changes in Alternative E, the preferred alternative, which has reduced many regulatory-type actions and to ensure the remaining new regulations are needed and targeted.

2. Iowa reminds the Service that management authority for fisheries and mussel resources in Iowa waters remains with the state.

Response: We do not disagree, but recognize that the Refuge shares some of this authority on a national wildlife refuge. However, language in several objectives dealing with fisheries, mussels, and recreational fishing has been augmented in Alternative E to recognize the state's lead and primary role in managing these resources and related recreation.

3. Suggest no hunting March 15 – September 1 in no hunting zones (trails, facilities) versus closed to hunting.

Response: We believe that some areas warrant a separation of hunting and other recreational uses based on location and circumstances and overriding concern for visitor safety. However, we have made several major changes in Alternative E by dropping some suggested no hunting areas around trails, or greatly reducing the acreage affected by closure. Alternative E depicts 11 administrative no hunting zones covering 3,845 acres compared to the existing 8 zones covering 3,555 acres.

4. Support Closed Area modifications/additions, with specific suggestions on boundaries for Guttenberg Ponds, Kenough Slough, and Pleasant Creek.

Response: We concur with these modifications and have made adjustments in Alternative E, the preferred alternative.

5. Do not support 25 shotshell daily possession limit and minimum 100 yard spacing requirement for waterfowl hunters on the Refuge.

Response: These proposals have been dropped in Alternative E, the preferred alternative.

6. Concur with phase out the use of permanent blinds on the Refuge for waterfowl hunting given the need for consistency on the Refuge and the various issues surrounding permanent blinds.

Response: The permanent blind issue is difficult given the number of hunters affected and the traditional ties to this method of waterfowl hunting. We appreciate Iowa's support.

7. Work with states on fishing tournaments to avoid duplication.

Response: We concur and have modified language in Alternative E to strengthen coordination with the states and to ensure a simplified process.

8. Make every effort to keep recreational fish float operations.

Response: We have made a change in Alternative E to solicit new fish float proposals for any existing floats that may be closed by owners or phased out due to non-compliance with permit stipulations.

9. Recommend that the Service enforce the .08 blood alcohol level for drivers of motor vehicles but use existing intoxication laws for persons on beaches on the Refuge.

Response: We concur. Alternative E drops the .08 blood alcohol level for persons on the Refuge in favor of using the existing Refuge regulation that ties behavior to alcohol use. We will continue to enforce applicable state alcohol regulations for boat or other vehicle operators.

10. Electric Motor Areas: suggest making these no wake areas instead.

Response: We have made major changes in Alternative E reflecting both state and public comment. In short, we have dropped 11 of 15 proposed new Electric Motor Areas, 8 of which are

proposed to become seasonal Slow, No Wake Areas (March 16-October 31). We continue to believe that there is a need for a few Electric Motor Areas to provide an alternative experience for hunters, anglers, trappers, and people who enjoy quiet wildlife observation.

11. The Service is cautioned that Iowa is the agency of authority for Slow, No Wake Zones.

Response: All alternatives have recognized the current process for establishment of no wake zones. We will work through local and state levels of government as appropriate for establishing the areas proposed.

12. Recommend that the Service make a canoe landing at each proposed canoe trail and offered suggestions for several.

Response: We do not disagree, although realities of railroad tracks and lands, private land, and slope of terrain often limit access points to the Refuge and the river. The specific suggestions will be considered during more detailed planning and implementation of the canoe trails and Refuge accesses.

Service Response to Illinois Department of Natural Resources, August 26, 2005 comments. (Letter Page 440)

1. Continue to allow the use of permanent waterfowl hunting blinds on the Savanna District.

Response: We appreciate Illinois' concern with the planned phase out of permanent blinds for waterfowl hunting on the Savanna District of the Refuge. This is a difficult issue due to the number of hunters involved and the strong traditions that have developed. However, we believe our concerns with private, exclusive or proprietary use of public lands and waters, continued problems with confrontations and debris, and inconsistency with the other three districts of the Refuge warrant a phase out of the blinds. We have made one change in Alternative E to help ease the transition. The pool-by-pool sequence of phase out will be Pool 12, 14, and 13. This will not only ease our administrative and enforcement burden, but give the greatest number of blind hunters (Pool 13, 250 blinds) more time to adjust to alternative hunting methods.

2. Continue the 200-yard spacing requirement between waterfowl hunting parties.

Response: We concur and Alternative E reflects no-change in 200-yard spacing for Illinois portion of Refuge

3. Work collaboratively with the state on fishing tournament permitting.

Response: We concur and have made modifications to Alternative E, Objective 4.9 to strengthen the collaborative approach to addressing fishing tournaments on the Refuge.

Service Response to U.S. Army Corps of Engineers September 6, 2005 comments. (Letter Page 441)

(Note: due to the comprehensive nature of the Corps of Engineers' comments, responses were only made to major items of concern. A number of relatively minor editorial comments or corrections are not paraphrased but have been incorporated in the Final EIS/CCP)

1. Alternative D is best approach of alternatives presented; reasonable and balanced approach.

Response: We appreciate the Corps cooperation and support during this planning effort as well as on the multitude of mutual activities on the Upper Mississippi River System.

2. Refuge needs Corps of Engineers' concurrence to implement changes affecting Corps-acquired lands; believe concurrence can be obtained on most of the proposals in Alternative D.

Response: It is our hope that concurrence will come through the Corps of Engineers comments in support of the Final EIS/CCP, or through the many step-down plans that will be prepared in collaboration with the Corps of Engineers (e.g. law enforcement, pool beach plans). We have added wording to many objectives and strategies in Alternative E to emphasize collaboration and cooperation, and inherent in these principles is concurrence.

3. Public use must be addressed in cooperative manner through existing forums.

Response: We agree and have modified objectives and strategies in Alternative E to reflect this cooperative approach in the implementation of objectives dealing with public use. We have also added a separate section in Chapter 2, section 2.4.1 (Elements Common to All Alternatives) that addresses cooperation and coordination with the Corps of Engineers and the states.

4. Some objectives are very optimistic (e.g. pool drawdowns, boundary survey).

Response: We have modified the objectives considerably in Alternative E, the preferred alternative, to address these comments. Objective 1.1 (boundary integrity/surveying) was changed to focus on problem areas versus the entire boundary, and Objective 2.2 (water level management) was changed to reflect ecological need, engineering feasibility, and available funding that may influence completing pool drawdowns.

5. Provide prioritized implementation strategy in the plan due to fiscal concerns.

Response: Appendix L (Implementation Plan) addresses a strategy for implementing various objectives. Since funding sources are varied and subject to year-to-year change, establishing a strict priority is not always practical or in-line with the way the Service receives funding. Also, many actions must receive simultaneous attention. However, we agree that prioritization, even by category of projects, is useful and does help communicate the work the Refuge believes is most important. Changes have been made in Appendix L to reflect this.

6. Address cultural resources earlier in the document; more emphasis.

Response: We believe that cultural resources are addressed in the appropriate way in Chapters 2, 3, and 4 of the Final EIS/CCP. Several edits have been made based on comments specific to cultural resources. Regardless of cultural resource placement in the Final EIS/CCP, it remains one area of overriding importance, and compliance with laws and regulations will be addressed on a project-by-project basis when actions outlined in the plan are implemented.

7. Identify acquisition authority for bluffland acquisition

Response: Authority for bluffland acquisition, either in fee or easement, stems from the Record of Decision signed by the Regional Director for the 1987 Refuge Master Plan. That plan identified the bluffland areas and they have carried forward to the Final EIS/CCP. This plan does not alter the approved refuge boundary established by that earlier authority. Many agencies need legislative authority for acquisition, but in the Service, that authority still rests with the agency, although major expansion now require Director's approval and new National Environmental Policy Act compliance documentation.

8. Use "placement site" and "material" versus "disposal site" and "spoil."

Response: Concur: We have made changes throughout the final document.

9. Want to see their comments/suggestions reflected in Final EIS/CCP.

Response: Concur and disposition of comments described in this chapter.

10. Support Closed Area management as long as navigational servitude for main channel commercial and recreational boat traffic protected. Establish travel corridor on Pool 8 Closed Area (Limited Development Area).

Response: We concur and existing and proposed Waterfowl Hunting Closed Areas are designed to take main channel navigational servitude into account. In Alternative E, we have added a travel corridor in the Wisconsin Islands Closed Area (limited development area). Chapter 4, Section 4.2.7 (Environmental Consequences of the Draft and Final CCP/EIS) does state that "Under all alternatives there is no impact to commercial navigation. All proposed actions have been tempered by the requirement in establishment legislation that Refuge management not interfere with the navigation operations carried out by the Corps of Engineers."

11. Support permanent blind phase out.

Response: We appreciate the support for dealing with this difficult issue in Pools 12, 13, and 14 of the refuge.

12. The Corps of Engineers requests to be part of fishing tournament management process.

Response: Concur and have added language in Alternative E, Objective 4.9 that includes the Corps of Engineers in both the objective and the strategies for implementation.

13. Closing beaches on Corps-acquired land would require District Engineer approval; address problems through interagency partnership effort involving public.

Response: We have made several changes in Alternative E, Objective 5.1 to highlight a partnership approach in addressing beach-related policies and maintenance. Any closures for health and safety or bona fide wildlife issues would be coordinated with the Corps of Engineers, states, and the public. The only exception is if a true emergency, but this would likely be rare and not a permanent change without coordination and Corps of Engineers agreement on Corps-acquired areas.

14. Dredged material placement overrides recreational considerations on placement sites; placement sites should not be referred to as recreational beaches; a fee for beach use may have liability consequences.

Response: We concur and abide by the designations in the Land Use Allocation Plans and agree that placement sites are first and foremost Corps of Engineers project areas and not recreational beaches. However, there is no doubt that the public uses them for recreation. No recreational use fee is proposed in Alternative E, and if any fee is contemplated in the future, it would only be done in coordination with the Corps of Engineers, the states, and the public.

15. Electric Motor Areas and No Wake Zones; establish collaboratively.

Response: We do not disagree and the purpose of the interagency planning team and the extensive public involvement has helped shape the number, size, and location of proposed Slow, No Wake Areas and Electric Motor Areas. We recognize, however, that there will likely never be total agreement on either the concept or the locations, but input has been substantial as reflected in major changes made in Alternative E, the preferred alternative. Slow, No Wake Zones (linear areas) identified will be established through the normal local unit of government process that has been used in the past.

16. Drawdown objective overly optimistic, some not feasible, some not proven environmentally. Standard timeframe not workable.

Response: Concur and have changed the language in Objective 2.2 to reflect the uncertain and dynamic nature of pool wide drawdowns, and the need to base decisions on ecological need and engineering feasibility.

17. Clarify Guiding Principles for Habitat Projects so as not to preclude active management strategies (e.g. moist soil units, control structures)

Response: We have modified the strategies in Alternative E, Objective 3.2 to clarify that active management strategies are not precluded.

18. Restricting watercraft from entry in Waterfowl Hunting Closed Areas would require concurrence from District Engineer. Implement through a partnership program with Corps of Engineers and states.

Response: Alternative E, the preferred alternative, does not preclude entry in any Waterfowl Hunting Closed Area that straddles the main channel of the river. We have also included travel corridors where needed so the public can access the main channel. For Waterfowl Hunting Closed Areas, if compliance levels with voluntary avoidance require further restrictions, we will work with the Corps of Engineers and the states to affect that change. This intent has been articulated in Alternative E, Objective 4.2.

Service Response to U.S. Environmental Protection Agency, August 30, 2005 comments. (Letter Page 460)

1. The Draft EIS is rated “LO” indicating a lack of objection and EPA did not identify the need for additional information or issues to be considered. It was suggested that an explanation be added on how the CCP will be integrated with the Corps of Engineers’ Navigation and Ecosystem Sustainability Program (NESP).

Response: We have added reference to NESP in Chapter 1, Section 1.4.3.3 in the Final EIS/CCP. Reference to NESP is also made in several objective strategies dealing with habitat improvements, and is also discussed in Appendix L, the implementation plan for the CCP which emerges. We remain committed to a strong partnership with the Corps of Engineers, other agencies, and the states in dovetailing the provisions of the environmental side of NESP with the habitat restoration and enhancement projects identified in the Final EIS/CCP.

Service Response to Minnesota Department of Natural Resources, January 20, 2006 comments. (Letter Page 462)

1. Encourage monitoring of Waterfowl Hunting Closed Areas for disturbance and if necessary implement further restrictions.

Response: Concur and will be doing monitoring to gauge how well voluntary avoidance is working. Objective 4.2 in Alternative E discusses monitoring, the threshold established for disturbance, and actions to follow should further restrictions be necessary.

2. Concerned about enforcement impacts and the law enforcement step-down plan timetable and contents.

Response: We replied to Minnesota in separate letter in February outlining the process for state involvement, the timetable for completion (end of CY 06), and the topics and issues to be covered in the plan. This letter was also given to the Wisconsin DNR after receiving their

comments with a similar concern. A strategy calling for completion of the law enforcement step-down has been added to Alternative E, Objective 5.5.

Service Response to Wisconsin Department of Natural Resources, March 6, 2006 comments. (Letter Page 464)

1. Desire that all habitat improvement projects provide for the needs of the entire ecosystem, both fish and wildlife. They would like to meet and establish criteria for making decisions on project features.

Response: We believe this comment refers to fish habitat improvements as part of habitat projects in Waterfowl Hunting Closed Areas. In Alternative E, the preferred alternative, Objective 4.2 Waterfowl Hunting Closed Areas, fish habitat improvements in closed areas is addressed due to unintended conflicts that may arise when trying to meet fish and waterfowl objectives in the same area. Improved fish habitat can attract more anglers and increase disturbance, especially under a "voluntary avoidance" approach. However, the Refuge is most willing to sit down and discuss this issue more fully and explore setting criteria for consistent project decision-making. A strategy to this effect has been added to Alternative E, Objective 4.2.

2. The State reiterated the need for access to restricted areas (closed areas, slow no wake, electric motor areas) for survey, monitoring, and enforcement work.

Response: Special area regulations are general public use regulations and were never intended to cover states or other agencies from continuing to carry out their responsibilities for fish and wildlife management and enforcement. We have added a paragraph stating this intent in Chapter 2, Section 2.4.1 (Elements Common to All Alternatives) in the Final EIS/CCP. We continue to recognize, as does the state, that public perceptions are important and good judgment is needed when working in areas or with equipment the general public is restricted from using.

3. The state is concerned about subsequent state regulations matching proposed refuge regulations so that state officers can enforce. An example is the Waterfowl Hunting Closed Area boundaries. The state asks that we continue to work with them to ensure consistency.

Response: We recognize the difficulties that different rules or regulations would present, both for the citizens of Wisconsin and state conservation officers. Indeed, we prefer similar regulations so that state conservation officers can continue to assist in enforcing Refuge regulations related to hunting and other fish and wildlife-related recreation. We will continue to work with the state, but are prepared to implement needed regulatory changes regardless of the outcome of the state rule making process. To do otherwise would be abdicating our responsibilities to manage the Refuge in accordance with its establishing legislation, the Refuge Improvement Act, and Refuge System policies and regulations.

4. The State is concerned about the timing of the law enforcement step-down plan preparation and urges completion before new regulations or new refuge officers are added.

Response: We concur with the importance of the plan and have provided the state with a copy of the letter sent earlier to the Minnesota DNR that outlines the process for state involvement, the timetable for completion (end of CY 06), and the topics and issues to be covered in the plan.

5. The State recommends the major disturbance threshold for waterfowl in closed areas be set at 1,000 birds only and not "or 50 percent of the birds present," and recommends an average of 20 disturbances per week versus the one major disturbance per day based on a season-long average that is in Alternate E.

Response: We do not concur. The rationale section of Objective 4.2 articulates our basis for the thresholds, namely human disturbance monitoring and research done on the Refuge over several years. We believe these thresholds are reasonable and defensible for application in other closed areas. We have added additional science-based information on closed areas and disturbance in Appendix Q and believe it will prove a useful reference for current and future managers.

6. Recommend that fire be used as a management tool on islands.

Response: We do not disagree, and will continue to use fire on islands where it is appropriate and in keeping with basic ecological processes for a site. Several islands were burned in spring, 2006. As stated in our guiding principles for habitat management (Objective 3.2), natural succession may be the best natural process on some islands given the realities of the physical environment and the needs of all species. This approach is also in-line with the Service's policy on biological integrity, diversity, and environmental health, but does not preclude the use of fire where most appropriate and feasible.

7. Recommend that canoe trails be located within Slow, No Wake Areas whenever possible.

Response: Since canoe trails are linear and entail no other restriction for other user groups or subgroups, there was considerably more latitude in where to site them based on a variety of factors such as habitat type, proximity to landings and communities, and river and backwater flow patterns. Thus, there was no need to locate canoe trails within other "area" designations. Some canoe trails do, however, fall within or adjacent to Slow, No Wake Areas.

Service Response to Iowa Department of Natural Resources, February 10, 2006 comments. (Letter Page 468)

1. Iowa affirmed its jurisdiction over fisheries, navigation, and licensing requirements, and was concerned about the Service's permitting of fishing tournaments and commercial fishing, mussel, and turtle harvest. They agree with the terms "one-stop shopping" and "dovetail with" in Alternative E.

Response: We concur that Iowa retains jurisdiction over these areas, but acknowledge that the Service also shares jurisdiction and responsibilities on national wildlife refuges. Several objectives dealing with fisheries, mussels, and tournaments in Alternative E clearly recognize the states' lead in fishery resources, and also outlines our intent to use agreements or other mechanisms to meet our regulatory mandates. We will not be stepping-out alone in those areas that have traditionally been managed by the states and will continue to stress a collaborative approach in carrying out our respective responsibilities.

2. Encourage the Service to develop step-down plans in timely manner in coordination with the states and with public involvement.

Response: Concur

3. The Service should include reference to the Comprehensive State Wildlife Plans, and the Refuge should be a major partner in implementing.

Response: Concur. The state wildlife plans were completed after the Draft EIS/CCP was assembled and released in May, 2005. The Final EIS/CCP has a section describing these important state wildlife plans in Chapter 1, Section 1.4.3.3, and reference to the plans has been added in appropriate objectives in Alternative E. We believe the state plans will add strength to the CCP, and vice versa.

4. In regard to refuge access, Iowa would like to see improved access for multiple recreational uses, better parking areas for some proposed facilities like trails and canoe landings, and increased shore-line fishing access. They also believe all canoe landings should be available during ice-over conditions for access by ATVs to ice fishing areas.

Response: Detailed planning for any proposed public use facilities/accesses will consider and try to accommodate the need for parking. We agree that increased shoreline-angling access is important and have identified several areas. However, difficulty in securing railroad rights-of-way remains a limiting factor along the entire Refuge. We generally allow ATV and snowmobile access directly to the ice from Refuge parking and boat landings, and will examine some of the more primitive canoe landings which may present a conflict with current regulations.

5. In Objective 3.1, suggest adding a strategy for maintenance of habitat projects.

Response: Concur that this is important. In Alternative E, we did add this need in the Operations and Maintenance section, Objective 6.3. We have also added a line-item to the Implementation Plan (Appendix L) for maintenance of habitat projects.

6. Recommends that the Goetz Island No Hunting Zone (Pool 11) be removed.

Response: Due to its location adjacent to the City of Guttenberg, a no hunting zone in conjunction with the proposed Goetz Island Hiking Trail is warranted. However, we reduced this no hunting zone from 242 acres to 32 acres in Alternative E of the Final EIS/CCP. We believe this change will continue to address safety concerns while keeping most of the area open to hunting.

7. Suggests integrating future Environmental Management Program (EMP) projects with various public use objectives. For example, the proposed Turkey River Project could be a real showcase since tour route, trail, viewing platform, and shoreline fishing could also be done.

Response: We concur that public use objectives in the plan would dovetail nicely with many proposed EMP projects, and may be a cost-effective way to achieve both resource and public use objectives. This suggestion will be incorporated during detailed planning for all projects in coordination with the Corps of Engineers and the states.

8. Requests that the Electric Motor Area proposed for the Guttenberg Ponds Area in Pool 11 be deleted since access is normally limited anyway for motorboats due to obstructions.

Response: After a closer examination of the size of the area and inlet/outlet barriers to consistent access, we have deleted this 93-acre area (specifically Big Pond) from Alternative E, the preferred alternative, in the Final EIS/CCP.

Service Response to Corps of Engineers, March 7, 2006 comments. (Letter Page 471)

1. The Corps of Engineers believes the Service did an excellent job in addressing their previous comments on the Draft EIS/CCP and concur with Draft Alternative E with the understanding that interagency partnership activities will continue.

Response: We appreciate the Corps of Engineers' concurrence, involvement in the planning process, and ongoing efforts to benefit both navigation and the environment on the Mississippi River and the Refuge. The Service will continue the partnership activities, and the collaborative approach has been strengthened in edits to the Final EIS/CCP.

2. The Corps of Engineers looks forward to participating with the Refuge on many of the step-down implementation plans outlined in the CCP, ongoing Corps of Engineers/Service plans, and in coordinating cultural resource plans and needs.

Response: We also look forward to the continued partnership for step-down plans and other ongoing planning and implementation efforts.

Service Response to U.S. Environmental Protection Agency, March 1, 2006 comments. (Letter Page 473)

1. The Supplement to the Draft EIS is rated “LO” indicating a lack of objection and EPA did not identify the need for additional information or issues to be considered. It was again suggested that an explanation be added on how the CCP will be integrated with the Corps of Engineers’ Navigation and Ecosystem Sustainability Program (NESP).

Response: As noted in an earlier response, we have added reference to NESP in Chapter 1, Section 1.4.3.3 in the Final EIS/CCP. Reference to NESP is also made in several objective strategies dealing with habitat improvements, and is also discussed in Appendix L, the implementation plan for the CCP which emerges. We remain committed to a strong partnership with the Corps of Engineers, other agencies, and the states in dovetailing the provisions of the environmental side of NESP with the habitat restoration and enhancement projects identified in the Final EIS/CCP.

7.5 Elected Official Comments and Response

Service Response to Congressman Green Comments of August 8, 2005 (Letter Page 475)

1. Constituents are against the proposed restrictions to recreation in the Draft EIS/CCP.

Response: During the 31 public information meetings and public workshops held during the 120-comment period in 2005, we heard from thousands of citizens. Based on this input, we prepared a Supplement to the Draft EIS/CCP, Alternative E, to take into account citizen and agency concerns and suggestions.

2. The Service should select Alternative A as its new preferred alternative.

Response: We do not believe that Alternative A (no action or current direction) adequately addresses the large number of issues and needs identified in Chapter 1 of the Draft and Final EIS/CCP, including compliance with the Refuge Improvement Act and Refuge System policies and regulations. However, Alternative E addresses many of the concerns and ideas expressed by citizens and agencies, and we believe represents a balanced approach to management of the Refuge.

Service Response to Wisconsin Legislature (eight signatories) August 29, 2005 comments (Letter Page 477)

1. We oppose Alternative D because it usurps state authority on sovereign waters and unnecessarily eliminates recreational opportunities and economic activity.

Response: We have made many changes to Alternative D in response to comments by developing a new preferred alternative, Alternative E. We recognize and quote the state’s 1925 Refuge approval language in the Draft and Final EIS/CCP (Chapter 1), but the Service continues to have responsibility and authority for federal trust species and in meeting the purposes of the Refuge. However, we have developed our plan to ensure that we do not “usurp”

any state authority. Proposals in Alternative E do not limit navigation or use, only the means of navigation and use in an effort to meet the needs of fish and wildlife and the needs of the public who enjoy recreation in a variety of ways. Also, no current recreational use is being eliminated, although there are restrictions on some areas at certain times of the year to meet the needs of wildlife and people. Our analysis of economic impacts in Chapter 4 of the Final EIS/CCP shows a continued gain in economic outputs under Alternatives C through E.

2. We have attached a memo from the Wisconsin Legislative Council which raises issues and concerns about Wisconsin sovereignty and jurisdiction over waters of the Refuge.

Response: We defer to comments from the Wisconsin Attorney General, and our response, later in this section.

3. The title to fish resides with Wisconsin and Refuge tournament fishing regulations would be redundant.

Response: We concur with state's lead in fish management and regulation and have edited objectives, strategies and other text in the Final EIS/CCP to clarify this point and stress a cooperative approach. We do believe, however, that the Refuge has shared responsibility and jurisdiction for fishing tournaments on the Refuge. Alternative E outlines an approach that would dove-tail with state regulations and avoid redundancy.

4. We believe increasing Waterfowl Hunting Closed Areas will not improve fish and wildlife populations overall, and that shell possession limits, hunter spacing, and managed hunts are not wildlife conservation tools, just ways to manage people.

Response: We do not concur that closed area changes will not improve waterfowl well-being based on research and monitoring done on the Refuge and elsewhere. For the Final EIS/CCP we have updated waterfowl information in Chapter 3, and have also added Appendix Q which discusses in detail the science and rationale for closed area changes. The shell limit and hunter spacing proposals have been dropped in Alternative E, and we will continue to work with local waterfowlers and the state to address issues relating to the waterfowl hunting firing line (Gibbs Lake area) north of the Lake Onalaska Closed Area. A special hunt area in Pool 8 (Goose Island) has been deleted in Alternative E, the preferred alternative.

Service Response to Senator Coleman March 9, 2006 Comment Letter (Page 484)

1. Concerned with loss of hunting access and opportunities for Minnesota hunters, especially with the changes proposed in Pool 4, Big Lake closed area proposal. The senator suggests providing replacement hunting opportunities of comparable quality.

Response: Alternative E opens an additional 3,138 acres to hunting in Pool 4, although not all comparable. Included in these acres of additional hunting area is 638 acres in Buffalo Slough near Big Lake to help any hunters displaced. Also, implementation of these changes are delayed until 2009 in Alternative E to allow three-year monitoring of waterfowl use in Nelson-Trevino and surrounding areas to ensure all information is fully considered before making the change. This will also ease the transition for hunters accustomed to hunting in the Big Lake area and allow them time to explore other alternative hunting areas.

2. Does not favor restricting specific types of watercraft or propulsion type.

Response: In response to public comment, many of the proposed Electric Motor Areas were dropped in Alternative E in favor of seasonal Slow, No Wake Areas. However, airboats and hovercraft present special problems due to inherent noise and limited ability to maintain slow,

no wake speeds in many backwater situations. Restricting specific types of watercraft or vehicles like ATVs and snowmobiles is an accepted management tool to protect resources and to maintain or enhance visitors' experiences. For example, Minnesota and Wisconsin prohibit airboats on virtually all state wildlife management areas.

Service Response to Congressman Kind March 13, 2006 Comment Letter (Page 485)

1. Strengthen efforts to reduce sedimentation, enhance habitat restoration, and combat invasives.

Response: We share the concern on these issues. We believe the action alternatives address these issues in a realistic and measurable way by a more aggressive implementation of Pool Management Plans (a 50-year vision for habitat for each pool done collaboratively by the Service, Corps of Engineers, and states), by marked expansion of the Partners for Fish and Wildlife Program in watersheds leading into the refuge, by calling for a 10% reduction in invasive plants by 2010, and by working with others on invasive animal issues. About 78% (\$170 million) of the projected funding needs for the life of the plan are devoted to habitat improvement and land acquisition, both of which directly improve the quality and quantity of fish and wildlife habitat.

2. Preserve and build upon the strong partnerships that have been developed.

Response: Virtually every objective in the Final EIS/CCP has partnerships and coordination as a strategy. A new "Friends of Pool 9" group has started due to the EIS/CCP public involvement process. We are prepared to continue working relationships with long-term partners and new partners, regardless of disagreements on certain parts of the CCP. However, doing the right thing for the refuge, resource, and the public as a whole may mean the loss of support by a few. Any loss of support is usually off-set by new partners who emerge.

3. Work with Wisconsin agencies in developing regulations and future management decisions.

Response: We have strived to reach consensus with the State of Wisconsin through our counterpart, the Wisconsin Department of Natural Resources, and believe we have done so since overall, they support Alternative E. Coordination will continue on any outstanding issues and through future implementation. This also holds true for the Corps of Engineers, who have endorsed Alternative E. We will continue to work with state and local authorities and strive for harmony and acceptance, tempered by our responsibilities to manage the Refuge in accordance with its establishing legislation, the Refuge Improvement Act, and Refuge System policies and regulations.

4. Maintain access for all users per the Refuge Improvement Act of 1997.

Response: We concur and we believe Alternative E provides and enhances all the priority public uses outlined in the Refuge Improvement Act while ensuring that they, and other uses, are compatible with the purpose of the Refuge and the mission of the Refuge System. We believe we are coordinating with state law with our proposed actions and will continue to do so. All users have access and ability to navigate, only the means of navigation is affected and often only seasonally. All priority public uses are allowed in Electric Motor Areas and Slow, No Wake Areas.

5. Strongly encourages the Service to adopt voluntary compliance methods in place of mandatory Slow, No Wake Areas, Electric Motor Areas, and waterfowl closed areas in Wisconsin, and monitor the impact.

Response: We gave this comment serious thought and consideration, and have adopted a voluntary compliance approach for all Waterfowl Hunting Closed Areas in Alternative E. However, for Electric Motor Areas and Slow, No Wake Areas, we do not believe the approach is in the best interest of the resource or the public and have not included it in Alternative E of the Final EIS/CCP. There are several reasons for not taking the suggested action:

- # Education, self-regulation, and law enforcement are all vital parts of the compliance equation. Education and self-regulation works for the majority of people. However, a voluntary approach removes enforcement and will eventually erode the level of compliance. A voluntary approach actually punishes the majority of law-abiding citizens by preventing us from taking action against the minority who choose to not abide by voluntary guidelines.*
- # There is little in the literature to confirm the soundness of this approach. Most voluntary compliance literature is in the context of voluntary compliance with existing regulations, not pure voluntary guidelines.*
- # Perhaps the best example in the literature is our existing voluntary avoidance area within the Lake Onalaska Waterfowl Hunting Closed Area, Pool 7. It has been successful in keeping the level of intrusions steady over time, but intrusions still occur and disturb waterfowl during fall staging. In contrast, one of the objectives of slow, no wake and Electric Motor Areas is to limit disturbance to wildlife in the spring and early summer since this is the sensitive nesting and young-rearing period for many species. Disturbance at this time can directly impact recruitment by causing nest abandonment, nest flooding by boat wakes, physical trauma to young which are slower or flightless, and scattering of broods or family groups. On the human side, just one improper intrusion into these areas may ruin the experience for a visitor and dampen his or her desire for future use of the area. Waterfowl Hunting Closed Areas also entail a very different set of circumstances. They are closed by regulation to hunting and trapping which limits use levels, and the voluntary avoidance provision is only in effect for a two to three month period that does not coincide with peak watercraft use.*
- # We currently have one mandatory Electric Motor Area in Wisconsin and it is working well. Airboats are not allowed in virtually all State wildlife management areas (Minnesota and Wisconsin). Some states prohibit any gas-powered motors in management areas.*
- # A voluntary approach in Wisconsin would lead to inconsistent Refuge regulations and confusion with the public who often cross state lines on any given pool.*
- # Setting a threshold which would trigger a mandatory or regulatory approach is problematic. All options examined have serious drawbacks due to variability of sites in terms of size, resources, access, and public use levels and patterns; lack of science on appropriate thresholds; measurement and "violation" definition problems; reliability and consistency of violation reporting by the public; and the additional monitoring burden placed on the Service.*

Service Response to Congressman Green March 6, 2006 Comment Letter (Page 488)

1. Concerned with social and economic impact of Alternative E to communities.

Response: Social and economic impacts have been reviewed and analyzed in Chapter 4, Environmental Consequences, of the Final EIS/CCP. We do not believe the plan would negatively impact visitation, the main driver of economics. The Division of Economics in Washington prepared our economic analysis using standard economic models and found a positive economic impact for Alternatives C through E. We believe that Alternative E, in its attempt to strike that reasonable balance of uses, will help ensure that the Refuge remains a

destination of choice for both wildlife and people. This integrated approach may prove more sustainable and have positive, long-term natural resource, social, and economic impacts both on the Refuge and in surrounding communities.

2. Service should adopt Alternative A (no action or current direction).

Response: We do not believe that Alternative A adequately addresses the large number of issues and needs identified in Chapter 1 of the Draft and Final EIS/CCP, including compliance with the Refuge Improvement Act and Refuge System policies and regulations. However, Alternative E addresses many of the concerns and ideas expressed by citizens and agencies, and we believe represents a balanced approach to management of the Refuge.

**Service Response to the Wisconsin Legislature (eight signatories) March 1, 2006 Comment Letter.
(Page 489)**

1. We are still generally opposed to Alternative E because it usurps state authority on sovereign waters and unnecessarily eliminates treasured wildlife and non-wildlife based recreational opportunities and economic activity.

Response: As noted in a previous comment and response, we recognize and quote the state's 1925 Refuge approval language in the Draft and Final EIS/CCP (Chapter 1), but the Service continues to have responsibility and authority for federal trust species and in meeting the purposes of the Refuge. However, we have developed our plan to ensure that we do not "usurp" any state authority. Proposals in Alternative E do not limit navigation or use, only the means of navigation and use in an effort to meet the needs of fish and wildlife and the needs of the public who enjoy recreation in a variety of ways. Also, no current recreational use is being eliminated, although there are restrictions on some areas at certain times of the year to meet the needs of wildlife and people. Our analysis of economic impacts in Chapter 4 of the Final EIS/CCP shows a continued gain in economic outputs under Alternatives C through E.

2. We have attached a January 13, 2006 memo from the Wisconsin Legislative Council which raises issues and concerns about Wisconsin sovereignty and jurisdiction over waters of the Refuge.

Response: We defer to comments from the Wisconsin Attorney General, and our response, later in this section.

3. Nearly every constituent and group we have heard from is opposed to new restrictions and supportive of maintaining the current recreational opportunities.

Response: It is not unusual or unexpected to find opposition to change. We have made a concerted effort to keep citizens informed and to consider their comments and suggestions in crafting the Final EIS/CCP. Alternative E in the Final EIS/CCP contains 17 major changes in response to public and agency input during nine public meetings and through written comments received. Written comments on the Supplement to the EIS reflect a more balanced perspective than elected officials may receive, with 165 persons in favor of Alternative A (139 of these were in one petition) and 143 persons in favor of Alternative B, D or E. We continue to believe that Alternative E, the preferred alternative, is a balanced approach that meets the greatest needs of both wildlife and people on the Refuge.

4. Our constituents have not expressed a demand for non-motorized canoe areas and we are concerned about additional search and rescue efforts needed if gasoline motors are prohibited in certain areas. We are concerned about loss of access for activities like hunting and trapping and effects on disabled persons.

Response: We heard from a number of people and organizations during scoping, public meetings, and through written comments who favored the establishment of Electric Motor Areas. In response to public comment, we made substantial changes to the number of Electric Motor Areas, going from 17 total areas in Alternative D to 5 total areas in Alternative E which equals less than 1% of the Refuge. Hunting, fishing, and trapping remain open in these areas, and we do not believe the number and size of areas presents an undue burden on disabled persons due to the abundant adjacent areas of the Refuge for other motorized craft. Also, the relatively small number and size of Electric Motor Areas should not increase incidents of lost or stranded persons requiring search and rescue efforts.

5. The choice of closed areas remains controversial; we suggest a pool-by-pool approach over time.

Response: We recognize that changes to the system of closed areas in effect since 1958 causes concern to some hunters. Just as waterfowl management must take a holistic, landscape approach for effective conservation, we believe that a Refuge-wide approach to closed areas is in the best interest of both waterfowl and the hunting public. We have incorporated many changes from earlier alternatives in Alternative E, the preferred alternative, due to public input at public meetings and workshops. Since these meetings were attended by persons interested in one or two local pools, we believe that in effect we have developed the preferred closed area system with pool-by-pool input.

6. It is critical that the maximum amount of acres be open to deer hunting for recreation and minimizing disease and environmental impacts.

Response: We do not disagree, although it is necessary to limit all hunting in Waterfowl Hunting Closed Areas during the waterfowl season to meet objectives for these areas, and to establish small scattered no hunting zones to deal with public safety concerns. We are currently working with state and local officials for a deer hunt in the Goose Island area, Pool 8, Wisconsin to help reduce the deer herd. We remain committed to following Wisconsin DNR's lead in deer management.

7. Concern about the economic impact that Alternative E will have, especially in regard to hunting, fishing, and trapping.

Response: As noted in an earlier comment and response, social and economic impacts have been reviewed and analyzed in Chapter 4, Environmental Consequences of the Final EIS/CCP. We do not believe the plan would negatively impact visitation, the main driver of economics. The Division of Economics in Washington prepared our economic analysis using standard economic models and found a positive economic impact for Alternatives C through E. We believe that Alternative E, in its attempt to strike that reasonable balance of uses, will help ensure that the Refuge remains a destination of choice for both wildlife and people. This integrated approach may prove more sustainable and have positive, long-term natural resource, social, and economic impacts both on the Refuge and in surrounding communities.

8. Concern that proposed pet restrictions will eliminate people's ability to swim their dogs.

Response: We have changed Objective 5.4, Dog Use Policy, in Alternative E in the Final EIS/CCP to address this concern while still protecting wildlife and other persons on the Refuge.

9. Concern that not enough emphasis is placed on invasive species management.

Response: We share the concern with the impacts that invasive species can have on habitat and native fish and wildlife populations. Alternatives D through E of the Final EIS/CCP calls for a 10% reduction in invasive plants by 2010 which we believe is a realistic objective depending on

funding levels. Controlling invasive animals represents an incredible basin-wide challenge beyond the confines and capabilities of the Refuge, and this is recognized in the rationale section of the invasives animal objective (2.4) in the plan. We will continue to work with the states and other agency partners in addressing invasive animals.

10. Concern that there is not enough access to shoreline and disabled fishing; work with Corps of Engineers to improve access at locks and dams.

Response: We share the concern for shoreline and disabled fishing, although the realities of railroad tracks and lands, private land, and slope of terrain often limit access points to the Refuge and the river for shoreline fishing and especially disabled anglers. In Alternative E, we have called for the addition of five additional accessible fishing piers, four new walk-in accesses, and improvement to five parking areas which often provide additional shoreline fishing opportunities. In addition, Alternative E retains four fishing float concessions which provide fishing opportunities for those without boats or who are disabled.

11. Concern with loss of public support and associated benefits by going forward with proposals.

Response: As noted in an earlier comment and response, virtually every objective in Final EIS/CCP has partnerships and coordination as a strategy. A new "Friends of Pool 9" group has started due to the CCP public involvement process. We are prepared to continue working relationships with long-term partners and new partners, regardless of disagreements on certain parts of the CCP. However, doing the right thing for the Refuge, resource, and the public as a whole may mean the loss of support by a few. Any loss of support is usually off-set by new partners who emerge.

Service Response to the Wisconsin Attorney General March, 6, 2006 Comment Letter (Page 493)

1. The plan adopted by the Fish and Wildlife Service must assiduously abide by the reservation of all rights by the State of Wisconsin and must not intrude into areas of regulation that were reserved for the State.

Response: Neither the Wisconsin Department of Natural Resources nor the Wisconsin Attorney General's comments on Alternative E have said that the Service has intruded or impinged on state authority. The Attorney General's comments do not say that the Service has crossed a line that would constitute intrusion into state authority. We continue to recognize and respect the various state and Corps of Engineers authorities, tempered by the Service's own authorities for carrying out its federal trust species responsibilities, and managing a national wildlife refuge in accordance with its legislative purpose, the Refuge Improvement Act of 1997, and Refuge System regulations and policies.

2. Suggested that regulation of fishing, boating, hunting and other state regulated activities be done in the closest consultation with the state.

Response: We agree and have been in close consultation with the state since the beginning of the planning process. The states are all represented on the Interagency Planning Team, and we have had several meetings with the State of Wisconsin to discuss and find solutions to issues. The Wisconsin Department of Natural Resources, in their comments on Alternative E, supported Alternative E with the understanding that we would continue to work on outstanding issues of concern (see Wisconsin Department of Natural Resources comments and response).

3. Any restrictions on navigation that may be imposed under Alternative E must be reasonable restrictions that are balanced with other public rights that are protected under the Public Trust Doctrine in the Wisconsin Constitution.

Response: Neither the Attorney General's comments nor the Wisconsin Department of Natural Resources have asserted or said that Alternative E would contravene Wisconsin's Public Trust Doctrine. The Attorney General's comments indicate that the Public Trust Doctrine embodies exactly the type of program we have been trying to develop. We are seeking to balance competing uses, acknowledging that no one public right is absolute. In the case of Slow, No Wake and Electric Motor Areas, they constitute less than 5 percent of the total Refuge and less than 8 percent of the water area of the Refuge. Slow, No Wake Areas are also seasonal, so there are no restrictions for four-and-a-half months of the year. These areas are also open to hunting, fishing, wildlife observation, and other currently allowed uses. We believe our proposal is in keeping with the Attorney General's urging that "any such restrictions are reasonable and are not imposed to the exclusion of other key factors that affect the conservation of resources in the Refuge."

4. The CCP has an undue focus on controlling human uses to the exclusion of dealing with resource conservation and protection such as pollution, sedimentation, invasive species, and habitat loss.

Response: As noted in an earlier comment and response, managing public use on a national wildlife refuge is an inseparable part of overall administration and resource management. The Refuge Improvement Act requires that CCPs address wildlife-dependent public use and visitor service facilities. As the most visited refuge in the Refuge System with an estimated 3.7 million annual visits, it is to be expected that public use-related issues would need addressing.

However, we believe the plan does address resource issues in a realistic and measurable way by a more aggressive implementation of Pool Management Plans (a 50-year vision for habitat for each pool done collaboratively by the Service, Corps and states), by marked expansion of the Partners for Fish and Wildlife Program in watersheds leading into the Refuge, by calling for a 10% reduction in invasive plants by 2010, and by working with others on invasive animal issues. About 78% (\$170 million) of the projected funding needs for the life of the plan are devoted to habitat improvement and land acquisition, both of which directly improve the quality and quantity of fish and wildlife habitat. Chapter 2, Table 4, outlines more than 360 habitat-related actions that are Refuge priorities and a part of all alternatives.

7.6 Petitions Received and Response

7.6.1 First Comment Period Petitions

Petition 1 – 180 signatures (Cordova, Illinois area citizens)

“In response to the proposed changes for the Upper Mississippi River National Wildlife and Fish Refuge, the undersigned people are requesting consideration for the families who use the river as a place of recreation. Most people are responsible in their use of watercraft in all areas of the river: Recreational boating is a source of income in the area as well as a means of having quality family time in a safe environment. We agree that migratory paths of various wildlife deserve consideration, but we believe that the national waterways belong to all the people. We ask that places such as Steamboat Slough remain available for recreational use.”

Response: We have made several changes in Alternative E, the preferred alternative, to address concerns regarding general recreation on the Refuge. All current types of recreation will continue, although there are time and place restrictions on a portion of the Refuge. In Pool 14, which includes Steamboat Slough, there is one seasonal Slow, No Wake Area in the backwaters north of Princeton State Wildlife Area. Due to its size and shallow-water, it should not measurably affect recreation in the Cordova/Princeton area, and the area remains open to fishing, hunting, wildlife observation, camping, and other uses. There is a canoe trail identified through Steamboat Slough, but this designation does not preclude other types of watercraft or any other current use.

Petition 2 – 77 signatures (some Wisconsin citizens, most unknown)

“Don’t change anything, leave nature deal with the changes.”

Response: We do not believe that no action or current direction would address the myriad of issues and needs identified in Chapter 1 of the Final EIS/CCP. However, as noted elsewhere in this comment and response chapter, many changes were made for the preferred alternative in response to public concerns.

Petition 3 – 12 signatures (Bellevue, Iowa area citizens)

“We the undersigned, believe the Mississippi River is a public waterway to be used BY THE PEOPLE. We believe the National Fish and Wildlife Service SHOULD NOT CONTROL this waterway by restricting boats with gas motors off the channel, require fees for boat ramps, or charge and/or close all beaches.”

Response: We believe that establishing Electric Motor Areas and Slow, No Wake Areas as identified in Alternative E, the preferred alternative, is a reasonable approach to meeting the needs of fish and wildlife on a national wildlife refuge, and for addressing the various needs and conflicts that come with high visitation rates. These areas encompass approximately 8 percent of the water acres on the Refuge, with the remaining 92 percent unrestricted during peak visitation periods. The fee for use of Refuge-administered boat ramps was dropped in Alternative E. There is no proposal at this time for any recreation fee, and no proposal to close all beaches. Beach closures or restrictions will only be used to address chronic public use problems or safeguard wildlife or habitat values.

Petition 4 - 2,939 signatures (La Crosse, Wisconsin area citizens)

"The undersigned Citizens petition the U.S. Fish and Wildlife Service (FWS) as follows:

1. The FWS has recommended Alternative Plan D to the proposed Comprehensive Conservation Plan. We are opposed to Alternative Plan D and recommend that it be denied.
2. We favor Alternative Plan A (current plan now in force) to the FWS Comprehensive Conservation Plan and recommend that Alternative Plan A be adopted with the opportunity for modifications, with public support on a pool by pool basis.”

Response: We do not believe that Alternative A (no action or current direction) adequately addresses the large number of issues and needs identified in Chapter 1 of the Draft and Final EIS/CCP, including compliance with the Refuge Improvement Act and Refuge System policies and regulations. However, Alternative E, the preferred alternative, addresses many of the concerns and ideas expressed by citizens and agencies, and we believe represents a balanced approach to management of the Refuge. We believe the extensive public involvement effort, with

31 public meetings and workshops in communities up and down the Refuge, resulted in extensive pool-by-pool analysis and comment by the public. Most of the more than 3,700 persons attending the meetings provided input on the one or two pools they live near and use.

Petition 5 - 74 signatures (Green Sanctuary Committee, Woodstock, Illinois)

“The Fish and Wildlife Service’s primary mission is to protect fish and wildlife and their habitats contained within the national wildlife refuge system. As such, activities must be prohibited that inflict significant damage to wildlife and their habitat and disrupt the natural state of quiet and equilibrium.

Fish and wildlife do not thrive in noisy, polluted areas with jetskis churning the waters and degrading the shorelines. People (like us) who appreciate nature and visit the Refuge for solitude and revitalization also do not thrive under these conditions.

Therefore, we support the “enhanced alternative B” and its call for elimination of personal watercraft throughout the Upper Mississippi National Wildlife Refuge. In addition, we believe off-road vehicles such as ATVs as well as marine outboard two-stroke motors must be prohibited for the protection of the refuge.

The “enhanced alternative B” was crafted by concerned citizens and best protects refuge resources such as air and water quality, wildlife and solitude. We deplore any degradation of the refuge. We urge FWS to adopt this alternative.”

Response: We do not believe that Alternative B is the preferred alternative for this particular refuge due to the mix of ownerships and jurisdictions, level and importance of recreation, and the size and length of the Refuge. We believe that Alternative E strikes a reasonable and sustainable balance between the needs of fish and wildlife and the needs of people in accordance with the Refuge Improvement Act and Refuge System policies and regulations. Off-road vehicles will continue to be prohibited except on navigable waters during ice-over conditions. We have addressed watercraft use conflicts by establishing 13 Electric Motor Areas and Slow, No Wake Areas, and strengthened the protection of migrating birds through changes to the system of Waterfowl Hunting Closed Areas and Sanctuaries encompassing 43,764 acres.

7.6.2 Second Comment Period Petitions

Petition 1 - 25 signatures (La Crosse, Wisconsin area citizens)

“Dear Mr. Hultman,

We are writing to ask you to reconsider the State of Wisconsin’s authority over navigation on the Upper Mississippi River and the consequences of your planning effort.

We believe that your Comprehensive Conservation Plan for the Upper Mississippi River Wildlife and Fish Refuge has unfortunately been put on the fast track for approval. We have attended several meetings with your agency and with other concerned river conservationists and various groups.

We remain concerned that your effort to expand the authority of your agency and usurp the power of the State of Wisconsin regarding navigation is ongoing and has not been addressed.

We believe that it is paramount that you withdraw from your plan any and all restrictions on navigation OR put on hold until those issues can be settled with the State of Wisconsin.

As the days and weeks pass we draw dangerously close to your deadline of March 6, 2006. We remain concerned that once this plan is signed the only avenue open to us would be a costly lawsuit that will further divide this once supportive river community. We have long been supporters of the work your agency and other agencies.

Our support for your work has eroded over the course of your planning process and successful river habitat programs like the Environmental Management Program and Navigation and Ecosystem Sustainability Program are in jeopardy of losing their public support. Please resolve these constitutional issues FIRST so we can all proceed with planning for this great river resource we all love.”

Response: As noted in earlier comments and responses, the Service believes that it has the authority for the actions described in Alternative E, the preferred alternative in the Final EIS/CCP. Neither the Wisconsin Department of Natural Resources nor the Wisconsin Attorney General's comments on Alternative E have said that the Service has intruded or impinged on state authority. The Attorney General's comments do not say that the Service has crossed a line that would constitute intrusion into state authority. We continue to recognize and respect the various state and Corps of Engineers authorities, tempered by the Service's own authorities for carrying out its federal trust species responsibilities, and managing a national wildlife refuge in accordance with its legislative purpose, the Refuge Improvement Act of 1997, and Refuge System regulations and policies.

Petition 2 - 139 signatures (Quad City Bass Club)

“We the undersigned respectfully ask that Alt A. become the final decision on the draft CCP and EIS for the Upper Mississippi River National Wildlife and Fish Refuge. The refuge has not shown sound biological data to support Alt E. and would waste federal tax dollars on signs, buildings and staff. They have admitted to not addressing sedimentation and habitat problems in the past. Deferred to the state to manage the fishery. They have chosen to take the easy task of restricting public access to the refuge and create controversy between refuge users. WE SUPPORT ALT. A NO CHANGE.”

Response: As noted in earlier comment and response, we do not believe that Alternative A (no action or current direction) adequately addresses the large number of issues and needs identified in Chapter 1 of the Draft and Final EIS/CCP, including compliance with the Refuge Improvement Act and Refuge System policies and regulations. However, Alternative E, the preferred alternative, addresses many of the concerns and ideas expressed by citizens and agencies, and we believe represents a balanced approach to management of the Refuge. Alternative E does address sedimentation and habitat issues in a meaningful and realistic way, and we have always recognized the state's lead in fishery management, although we believe the Refuge plays a role. If tackling some of the public use issues and challenges is the easy path, this was certainly not reflected in the scores of public meetings attended by thousands of citizens.

Petition 3 - 131 signatures (Fountain City, Wisconsin area citizens)

“To Don Hultman Refuge Manager, US Fish and Wildlife Service Upper Mississippi River Wildlife and Fish Refuge. RE: Your Comprehensive Conservation Plan for the Upper Mississippi River Refuge, Alternative E. We oppose the proposed Slow No Wake Zone along Merrick State Park.”

Response: We believe this Slow, No Wake Zone, Pool 5a, is warranted based on concerns expressed by visitors using the adjacent Merrick State Park. However, this and all other Slow, No Wake Zones will go through the local unit of government approval process, as is normal and customary for designating Slow, No Wake Zones on the river. Thus, this area is a proposal by the Refuge, not a final decision.

7.7 Form Letter or Form E-mail Comments and Response

7.7.1 First Comment Period

Form letter 1 (post cards) - 295 individuals (Sierra Club-Midwest)

Comment: Support protecting the Mississippi River for future generations of people, fish and wildlife. The final Conservation Plan must allow people and nature to co-exist. Support Alternative D to ensure adequate water quality and habitat for fish, wildlife and quality recreational opportunities for future generations.

Response: Comments are noted. Alternative E, the preferred alternative, is a modification of Alternative D. Many of the features or actions in Alternative D are also found in Alternative E. However, changes were made based on public input at public meetings and workshops, and in response to written comments. We believe that Alternative E continues to meet the spirit of these comments.

Form letter 2 – 20 individuals (based on alert from National Rifle Association)

Comment: Limiting the number of shotshells for waterfowl hunting is unnecessary and would unfairly target youth and beginning hunters. Closure of areas to hunting should not be done unless biologically necessary. Electric Motor Areas would make hunter access to these areas very difficult, and concerned about permit-only hunts and fees. Some of the letters specifically preferred Alternative A.

Response: The daily possession limit of 25 shotshells for waterfowl hunting in Alternatives B and D was deleted in Alternative E, the preferred alternative. The modifications to the existing system of Waterfowl Hunting Closed Areas as described in Alternative E is based on decades of surveys and recent energetics studies. Even with the changes, the percentage of the Refuge open to hunting in Alternative E is 78% compared to the current 80%, and the gap is actually narrower since some areas are only closed for part of the season. As noted in earlier responses, major changes were also made to the number of Electric Motor Areas, and Alternative E contains five areas totaling 1,852 acres versus 16 areas totaling 14,498 acres in Alternative D. Also, the proposed managed hunt in Pool 7 was dropped in favor of working with area waterfowlers and the state in addressing issues of crowding and firing line behavior. We do not believe that Alternative A (no action or current direction) adequately addresses the large number of issues and needs identified in Chapter 1 of the Draft and Final EIS/CCP, including compliance with the Refuge Improvement Act and Refuge System policies and regulations.

Form letter 3 – 120 individuals (unknown “sponsor,” letters from throughout U.S.)

Comment: Understand the need for flexibility in refuge management, but opposed to any restrictions regarding motorized watercraft, and specifically the Electric Motor Areas in Alternative D. As a taxpayer and boat owner who pays federal tax on the boat and fuel, any reduction in access is unacceptable.

Response: In response to these and other comments, we have made many changes as reflected in Alternative E, the preferred alternative. When compared to the other alternatives, these changes include a major reduction of Electric Motor Areas in favor of seasonal Slow, No Wake Areas, dropping of a boat ramp fee, modifying beach-related use regulations, dropping shot shell limits and spacing for waterfowl hunters, and changing boundaries and entry regulations for Waterfowl Hunting Closed Areas. The number of canoe trails was reduced by two trails in Alternative E compared to Alternative D. However, canoe trails remain open to all watercraft type (unless within an otherwise restricted-use area) so should not affect traditional and customary uses.

Form letter 4 – 1,850 (Blue Water Network based in San Francisco, California)

Comment: The Service's primary mission is to protect wildlife and its habitat and activities that damage wildlife and habitat and that disrupt traditional activities like hunting and fishing must be prohibited. Support an enhanced Alternative B for the Refuge, and believe that ATVs, two-stroke outboards, personal watercraft and snowmobiles should be prohibited.

Response: As noted in earlier response, we do not believe that Alternative B is the preferred alternative for this particular refuge due to the mix of ownerships and jurisdictions, level and importance of recreation, and the size and length of the Refuge. We believe that Alternative E strikes a reasonable and sustainable balance between the needs of fish and wildlife and the needs of people in accordance with the Refuge Improvement Act and Refuge System policies and regulations. Off-road vehicles will continue to be prohibited except on navigable waters during ice-over conditions. We have addressed watercraft use conflicts by establishing 13 Electric Motor Areas and Slow, No Wake Areas, and strengthened the protection of migrating birds through changes to the system of Waterfowl Hunting Closed Areas and Sanctuaries encompassing 43,764 acres.

Form letter 5 – 20 individuals (Prairie du Chien, Wisconsin area citizens)

Comment: Strongly disagree with the contents of the Draft EIS/CCP and concerned about closing areas of the Refuge that have been used for generations. The river has been and should be a multi-purpose resource for the benefit of fish, wildlife, and people. Changes which diminish hunting, fishing, boating, and camping will not gain consensus. Favor Alternative A, no action, and this will allow more time to enact a plan that will gain public support.

Response: By law, national wildlife refuges are to be managed first and foremost for fish and wildlife in accordance with their purposes. However, we concur that this Refuge can be managed effectively to benefit fish, wildlife, and people, and we believe the goals and objectives in Alternative E, the preferred alternative, strongly support this. Alternative E reflects many changes based on extensive public input at meetings, workshops, and through written comments. All types of traditional recreation currently enjoyed on the Refuge will continue, although there are reasonable time and place restrictions on a portion of the Refuge to meet the needs of wildlife and the needs of a large and diverse public. We believe this balanced approach is in the best long-term interest of the resource, area communities and economy, and the public at large. Alternative A, no action or current direction, does not meet the multitude of needs outlined in Chapter 1.

7.7.2 Second Comment Period

Form Letter 1 – 193 individuals (permanent blind owners/users, Pools 12-14 area)

Comment: Hunters, anglers and trappers pay the largest portion of funds for conservation and Alternative E has a negative effect on them. The plan spends most of its funds on creating canoe, hiking, and bike trails and does little for wildlife. Specifically, want to keep permanent blinds for the following reasons:

- # Hunter safety – having hunters running around for place to hunt in dark is dangerous
- # Habitat – permanent blinds provide nesting sites for waterfowl and habitat for other birds and fish
- # Tradition – this is way we have always hunted in the Savanna District and there is no reason to change it.

Response: We recognize that hunters and anglers have been and continue to be major financial supporters for conservation in this country. However, operation and maintenance funds for national wildlife refuges do not come from the sale of licenses or Duck Stamps, but from general tax revenues. The Refuge Improvement Act requires that each refuge facilitate compatible hunting, fishing, wildlife observation, photography, interpretation, and environmental education. The facilities in the plan are designed to support these various wildlife-dependent uses. Fish and wildlife management remains a major component of all alternatives in the Final EIS/CCP. Habitat enhancement and land acquisition account for 78 percent of the estimated cost of implementing Alternative E, the preferred alternative, over the next 15 years.

As noted in an earlier response to Illinois Department of Natural Resources comments, phasing out permanent hunting blinds is a difficult issue due to the number of hunters involved and the strong traditions that have developed. However, we believe our concerns with private, exclusive or proprietary use of public lands and waters, continued problems with confrontations and debris, and inconsistency with the other three districts of the Refuge warrant a phase out of the blinds. We also acknowledge that permanent blinds do provide nesting sites for Canada Geese and Mallards, and micro-habitat for other fish and wildlife. However, we believe the concerns outweigh these benefits, and habitat for Canada Geese and Mallards remains abundant without the blinds. We have made one change in Alternative E to help ease the transition. The pool-by-pool sequence of phase out will be Pool 12, 14, and 13. This will not only ease our administrative and enforcement burden, but give the greatest number of blind hunters (Pool 13, 250 blinds) more time to adjust to alternative hunting methods.

7.8 Public Comment by Topic or CCP Objective

(Note: number in parenthesis denotes number of similar comments received)

1.1 Refuge Boundary

Comment: Support plan to identify, survey and post areas where encroachment most likely (9).

Response: Comments are noted.

1.2. Acquisition within Approved Boundary

Comment: Support land acquisition (16) and believe the ecological health and viability of the Refuge depend upon it (4).

Response: We concur with these comments and completing land acquisition within the authorized Refuge boundary is an important objective in Alternatives B through E.

Comment: Want money ear-marked for land acquisition to be used for fish stocking and eradication of choking weeds (3).

Response: Funding appropriated by Congress for land acquisition must be used for land acquisition. The funding source for land acquisition for the Refuge is the Land and Water Conservation Fund, funding for which comes mainly from off-shore oil and gas leasing fees paid to the United States.

1.3 Bluffland Protection

Comment: Support efforts to aggressively acquire blufflands to protect upland habitat and terraces as an important corridor for migration of non-waterfowl. (19)

Response: Concur as reflected in Alternatives B through E.

1.4 Research Natural Areas and Special Designations

Comment: Support management of Natural Areas and efforts to achieve special designations (RAMSAR Wetland of International Importance and Important Bird Area). Study degraded habitat in these areas to learn how to replicate them (9).

Response: Concur as reflected in Alternatives B, D, and E.

Comment: Create a Research Natural Area for oak savannas at the Lost Mound Unit, Savanna District (NW Illinois Prairie Enthusiasts).

Response: We concur with the ecological importance and significance of the oak savanna and prairie at the Lost Mound Unit, Savanna District of the Refuge. However, we do not believe that natural area designation is appropriate given the level of disturbance, and in some cases contamination, that has occurred at the Lost Mound Unit (former Savanna Army Depot). We are committed, however, to conserving and enhancing the oak savanna habitat at Lost Mound through prescribed burning, invasive plant removal, and other methods.

Comment: Natural areas need to be re-identified. For example, Goose Island (Pool 8) is designated as a natural area in the Land Use Allocation Plan, but is programmed to be converted to forest.

Response: The Goose Island area of the Refuge was never formally adopted as a federal Research Natural Area by the Service and there is no intent to pursue such designation. Thus, habitat management of the area will be guided by what is best for the resource in cooperation with the Corps of Engineers, Wisconsin, and local units of government which all have a role in the Goose Island area.

2.1 Water Quality (chemistry and sediments)

Comment: A majority of individuals/organizations citing water quality as a concern (81) listed it as their top priority.

Response: We concur that water quality is a critical aspect of the environmental health of the Refuge which is one reason it was treated as a separate objective in the Draft and Final EIS/CCP. We also recognize in the text that water quality is an issue beyond the scope of the Refuge, but have identified strategies to address that we believe are realistic and can help address water quality impacts originating off-refuge.

Comment: Support efforts to standardize water quality criteria and address sedimentation and siltation especially in backwaters (71).

Response: Concur and objectives and strategies in the Final EIS/CCP reflect this.

Comment: Private citizen concerned that islands the Service has helped build in Lake Onalaska are cutting off water flow and increasing sedimentation along shoreline.

Response: Like all habitat projects, we have worked with the Corps of Engineers, Wisconsin Department of Natural Resources, and local units of government and associations in designing island projects. The design work includes a look at flows and sediment transport, among other variables. This analysis does not indicate that islands constructed in Lake Onalaska are the cause for any substantial increase in sedimentation.

Comment: General concern that limiting speed and certain types of boats will not reduce sedimentation or improve water quality (5).

Response: We do not disagree, although motor type and how it is used can affect water quality and sediment in the immediate area of operation. However, our proposals for Slow, No Wake Areas, no wake zones, and Electric Motor Areas are not intended to address sedimentation and water quality issues. They are intended to address fish and wildlife disturbance, public safety, or conflicts within or between different user groups.

Comment: Concern that dumping raw sewage, nutrient loads, agricultural and storm water run-off are all affecting water quality (3).

Response: We concur that these actions can measurably affect water quality. However, most of these actions occur off-refuge and come under the jurisdiction of state or federal agencies who deal with water and nutrient discharges. We generally report potential violations of pollution control regulations to the appropriate state agency, and will continue to do so. The Final EIS/CCP does include strategies to address water quality by working with landowners in watersheds (Objective 2.1).

Comment: The Refuge should focus on watershed agreements and impact of point and non-point water quality sources.

Response: We concur although have limited ability to address the myriad of watershed and basin wide land use issues that affect the quality of water entering the Refuge. We have identified in the plan strategies to address a watershed-based approach that we believe is realistic and can help address water quality impacts originating off-refuge.

2.2 Water Level Management

Comment: Support water level controls to mimic natural water level fluctuations to benefit habitat (25).

Response: Comments are noted and water level management remains an important feature in the Final EIS/CCP.

Comment: Concerned that the water level in Pools 9 and 10 is kept too high all year causing a lack of vegetation and thus habitat (3).

Response: This concern was also raised at public meetings and workshops in communities near Pools 9 and 10. Water level management of all pools remains under the control of the Corps of Engineers. We have brought this issue up with the Corps of Engineers and will continue to discuss it with them.

2.3 and 2.4 Invasive Plants and Invasive Animals

Comment: Invasives should become top priority after water quality. Want greater partnership with state agencies to fight invasives (79).

Response: We concur that addressing invasive plants and animals is a high priority, thus the plan treats them as separate objectives. Controlling invasive species is a difficult challenge since they often originate off-refuge and control methods are either costly or have yet to be developed. Invasive animal species in particular do not lend themselves to direct control in a large river system and effective measures are often dependent on political and management actions beyond the boundary of the Refuge. However, we have strengthened strategies in these objectives in Alternative E (which include working with the states and others), and have also ranked invasive species control high in the Implementation Plan, Appendix L.

Comment: Want active controls to fight invasives like purple loosestrife. Recommend using volunteers to physically eradicate invasives on islands and help educate public (3).

Response: See response above. We concur with the use of volunteers and role of education and these are included in the strategies in the plan.

Comment: Want active coordination and improved public awareness campaign to control Asian carp and zebra mussel spread (5).

Response: See responses above.

3.1 Environmental Pool Plans

Comment: Develop diverse partnership providing a balanced approach to habitat and water quality restoration and management (2).

Response: We concur as reflected in the many strategies in the Final EIS/CCP which emphasize partnerships. We have also added a new section in Chapter 2, Section 2.4.2 (Elements Common to All Alternatives), that emphasizes coordination and collaboration with the states and Corps of Engineers on all aspects of the plan.

Comment: Overall support pool drawdowns and recognize benefits (10).

Response: Concur; see comments and response under 2.2, Water Level Management.

3.2 Guiding Principles for All Habitat Management Programs

Comment: Adopt and use guiding principles (5) and employ management practices which restore/mimic natural ecosystem processes promoting diverse habitat with minimum maintenance and cost (2).

Response: We concur and Alternative E in the Final EIS/CCP reflects these comments.

3.3 Monitoring Fish and Wildlife Populations

Comment: Monitoring is a critical step to assess status and trends of wildlife populations. Increase efforts and coordinate with states and other agencies, providing periodic reports to public (18).

Response: Comments are noted and we believe the Final EIS/CCP affirms these comments.

Comment: Increase monitoring to include Red-shoulder hawks, warblers, Pileated Woodpeckers, neo-tropicals and migrant shore birds (2).

Response: Although we generally concur with this comment, the range of species monitored is often limited by staffing, funding, or number of qualified volunteers. The plan calls for updating the Refuge wildlife inventory plan, and it is at this time that the range of species that will be monitored will be selected

3.4 Threatened and Endangered Species

Comment: Fully protect the habitats for threatened and endangered species, increase inventory, monitoring, and recovery. Encourage public education at every opportunity (4).

Response: We concur and Alternative E in the Final EIS/CCP reflects increased emphasis on threatened and endangered species.

Comment: Identify other federally listed species in adjoining areas (like Indiana bats) and coordinate monitoring activities.

Response: Since the Refuge CCP is specific to the Refuge, it would not be appropriate to stray to far afield with actions and initiatives, especially given the restraints of staffing and funding. We did examine records for Indiana bat occurrences and found these records show the bats are some distance from the Refuge. We will continue to provide assistance to our counterparts in the Service's Ecological Services and Fisheries programs, as well as the states and non-governmental organizations, for off-refuge threatened and endangered species monitoring as appropriate.

Comment: Protect federally-listed monkshood flower and Pleistocene snail.

Response: We concur. The Driftless Area National Wildlife Refuge is managed as part of the Refuge Complex and its purpose is to protect these two species. A CCP for this refuge was recently completed and calls for a marked expansion of habitat protection for these species, with the eventual goal of having enough secure habitat, and secure populations, to de-list the species.

3.5 Furbearer Trapping

Comments:

- # Address liberal beaver trapping ruining habitat for duck marsh and rat houses. Want Minnesota to sanction otter trapping and dates to coincide for beaver/otters. (3)
- # Wants muskrat season to end December 31 to allow population to recover from loss of habitat and prevent over-harvesting. 75% of rats taken in first 2 weeks especially in Pool 5A.
- # 30-day season long enough to allow muskrat population to build back up (too low). (3)
- # Want airboat use authorized during winter to retain safety when trapping. (3)

- # Give each trapper 5-10 more tags specifically for dry land trapping to control predators (raccoon/possum).
- # Increase trap tag allotment to pre-1970 issue of 40 tags and adjust trap hours to mirror states.
- # Allow raccoons caught incidental to spring beaver trapping as legal game.
- # Ban all hunting and trapping on Refuge (3)
- # Leg hold and Conibear traps pose serious threats to non-target wildlife including T&E species. Mitigate hazard and seek incidental take permits as necessary.
- # Anyone who makes profit out of activities on refuge should be required to have a Special Use Permit and be charged accordingly. (3)
- # Fully analyze trapping programs or suspend trapping until program is fully analyzed, reviewed, and brought into compliance with Refuge policies. Plan relies heavily on state data not independently confirmed by the Service. Beaver and red fox populations are declining but trapping limits are unchanged.

Response: All alternatives in the Final EIS/CCP call for an update of the Refuge Trapping Plan by June, 2007. There will be a separate environmental assessment completed as part of that planning process, as well as public involvement as outlined in Alternative E. Thus, it is premature to respond to most of the specific comments received on trapping. The comments above, along with new input, will be considered as a new trapping plan is prepared.

3.6 Fishery and Mussel Management

Comment: Largest and most widely used U.S. river refuge needs a full time fishery biologist (3).

Response: We concur and a fishery biologist position is included in the preferred alternative of the Final EIS/CCP.

Comment: The Refuge needs to take an active and advisory role in fishery and mussel management, especially in concert with the states through the technical section of the Upper Mississippi River Conservation Committee.

Response: We concur as reflected in the preferred alternative.

Comment: Would like 15-inch limit on walleye and saugers. Bag or creel limit should be lowered from 6 to 4, and would like more restrictions on fish harvesting and selective walleye harvesting.

Response: We believe, as reflected in the Final EIS/CCP, that the states have the lead for management of sport and other fisheries, including regulations determining size and take limits. Thus, we generally defer to the states for any take regulations that are applied on the Refuge.

Comment: Ensure stocking program supports/supplements fishery efforts since fishing directly impacts economic growth.

Response: The Refuge does not actively participate in any stocking programs since we believe this is a responsibility carried out at the discretion of the states based on their survey information and objectives. The Genoa National Fish Hatchery, Genoa, Wisconsin, does do some fish rearing and stocking in coordination with the states.

3.7 Commercial Fishing and Clamming

Comment: The Refuge should issue permits for commercial fishing and clamming.

Response: We believe Alternative E in the Final EIS/CCP outlines a sensible approach for dove-tailing any Refuge permit requirements with the current permitting processes of the states who retain the lead for commercial fishing and mussel harvest.

Comment: Insure the Service coordinates with states to avoid jurisdictional issues on commercial use.

Response: Concur and this is reflected in the Final EIS/CCP.

Comment: Final decision on Waterfowl Hunting Closed Area entry regulations and electric motor only areas must take into account commercial fishing and biological monitoring.

Response: We have made several changes in Alternative E that address concerns for both commercial fishing and entry by other agencies engaged in monitoring activities.

The large Waterfowl Hunting Closed Areas also used by commercial anglers are now voluntary avoidance versus no fishing, no motors. Small Waterfowl Hunting Closed Area are voluntary avoidance and no motors, but these areas are generally not of interest to commercial anglers. We will continue to work with commercial anglers on ways to limit timing and methods of harvest in closed areas in the fall to minimize disturbance to resting and feeding waterfowl. Electric Motor Areas have been scaled back to just five areas and should not affect commercial fishing. Bona fide biological monitoring and other resource and law enforcement work is exempt from public use restrictions in certain areas. This was clarified in the Final EIS/CCP in Chapter 2, Section 2.4.1.

Comment: Closure of lower half of Pool 5 would make commercial fishing impossible.

Response: See response above. The Weaver Bottoms Closed Area in Pool 5 is a voluntary avoidance area from October 15 to the end of the state duck season in Alternative E, the preferred alternative.

Comment: Commercial anglers need to have unrestricted access above Lock and Dam 9.

Response: See response above. The Harper's Slough Closed Area above Lock and Dam 9 is a voluntary avoidance area from October 15 to the end of the state duck season in Alternative E, the preferred alternative.

Comment: The Refuge should ban all commercial fishing and clamming as an incompatible refuge use (2).

Response: Do not concur: Commercial fishing can be a valuable management tool in keeping fish populations in balance with habitat, especially in regard to introduced species such as common carp, and more recently, Asian carp. Clamming or mussel harvest is closely regulated by the states so that harvest does not harm populations or species. Wisconsin recently closed the mussel harvest based on population data. The Refuge will continue to work with the states in managing commercial fishing and clamming to ensure it remains a compatible use.

Comment: Commercial anglers could be impacted by closures during duck season (2), and commercial fishing in Lansing, New Albin, and Harpers Ferry is a livelihood for many.

Response: We do not disagree and made changes to Alternative E due to comments received from commercial anglers and the states. See other comments and responses in this section.

Comment: Create travel corridors for commercial anglers to check nets and lines during waterfowl season (2).

Response: Travel corridors for general access around the core of Waterfowl Hunting Closed Areas have been incorporated in various alternatives, including Alternative E, the preferred alternative. The need for travel corridors specifically for commercial anglers is no longer an issue since in Alternative E, entry into large closed areas is at the discretion of the operator under the voluntary avoidance guidelines adapted. However, this idea has merit to help limit disturbance to waterfowl and will be pursued in coordination with commercial anglers and the states.

3.8 Turtle Management

Comment: Support turtle ecology study and management of turtles (5).

Response: Comments are noted and reflect the direction in Alternatives B, D, and E in the Final EIS/CCP.

Comment: There is no proof that turtle harvest is beneficial to Refuge as required by Refuge System regulations dealing with commercial uses on refuges.

Response: We do not disagree, although there is also no proof that turtle harvest as prescribed by state regulations, which the Refuge adopts, are posing any harm to turtle populations. However, we recognize the need for better information and Alternatives B, D, and E call for both increased turtle monitoring to understand population dynamics and human impacts, and for a turtle management strategy which would address the question of whether harvest contributes to achieving Refuge purposes or Refuge System mission as required in 50 CFR 29.1. This issue is also complicated by the mix of ownerships and jurisdictions on the river floodplain. As called for in the Final EIS/CCP, we will continue to work on this and other commercial uses of natural resources to ensure compliance with Refuge System policy and regulations.

Comment: The lack of information is not reason to dismiss the alternative component of fish and turtle sanctuaries.

Response: We do not concur. As noted in Chapter 2, Section 2.3, there is a lack of scientific information and no concurrence among resource managers and biologists that additional fish sanctuaries, or new turtle sanctuaries, are warranted. We believe that other actions in Alternative E of the Final EIS/CCP, namely Electric Motor Areas and Slow, No Wake Areas, provide additional protection and some measure of "sanctuary" for aquatic species during the critical breeding and young-rearing season.

Comment: Research is required to provide scientific basis for turtle management decisions and restrictions.

Response: Concur; and this is reflected in Alternative B, D, and E of the Final EIS/CCP under Objective 3.8.

3.9 Forest Management

Comments:

- # Refuge forest needs to be evaluated, inventoried, and managed to improve the type and make up of the forest (13).
- # Hire a forester who understands fire and flood driven ecosystems, and recognize the need for large patches and older forest with high canopy closure (3).
- # Concerned about impact of dying silver maples and bird species loss as forest trees die, disappear, and are replaced by less desirable hardwoods.
- # Supports balanced forest management that provides adequate habitat for cavity-nesting game and non-game species.
- # Allow retention of 70% closed canopy for forest birds like Red-shouldered Hawks and warblers (2).
- # Harvest some trees to promote healthy/diverse forest. Some could be taken down and replaced with wetland/upland plantings and allowed to re-forest naturally.
- # Recommend using dredged material to add topographic diversity restoring elevations and soil moisture to support floodplain forest habitats.

Response: We concur with most of these comments and they are addressed in Alternative B, D, and E in the Final EIS/CCP. Specific comments and suggestions on forest composition and structure will be addressed in the Forest Management step-down plan to be completed by 2010. The first priority is to complete a forest inventory by 2008 which will form the basis of more detailed planning. In addition, the Corps of Engineers, which has responsibility for forest management on about half of the lands that are part of the Refuge, is actively working on a forest management strategy as part of the pre-planning for the Navigation and Environmental Sustainability Program. This strategy, and potential increase in funding, could accelerate forest management actions.

Comment: Concern about disturbing mature woodland forest near the proposed Kain Switch Hiking Trail, Pool 9, south of New Albin, Iowa.

Response: This hiking trail has been scaled-back considerably in Alternative E (2.9 miles versus 4.3 miles) and will run close to the road versus into the heart of this unique forest area. Also, the trail is meant to be natural or primitive in nature and designed and constructed in a way that causes little or no impact to the existing forest.

3.10 Grassland Management

Comment: Support grassland management, including restoration and protection of native prairie and savannas for diverse species which rely on grasslands and forest (8).

Response: Concur and reflected in the Final EIS/CCP.

Comment: Add grass to dikes and establish grassland habitat for ground nesting birds on constructed islands.

Response: We agree that establishing grass on dikes, islands, and other areas may be the best management strategy depending on site. However, as stated in our guiding principles for habitat management (Objective 3.2), natural succession may be the best course on some areas given the realities of the physical environment and the needs of all species. This approach is also in-line with the Service's policy on biological integrity, diversity, and environmental

health, but does not preclude the planting of grass on dikes and islands to benefit ground nesting birds where most appropriate, feasible, and sustainable.

4.1 General Hunting

Comment: Wants to keep minimum of 80 percent of Refuge open to hunting and recommends adjusting current areas open to hunting that may provide better sanctuaries.

Response: In Alternative E we have made several adjustments to Waterfowl Hunting Closed Areas and No Hunting Zones, and added explanatory information about the acreage and percentage of the Refuge open to hunting. The percentage of the Refuge open to hunting is substantial compared to most national wildlife refuges, and the percentage of 78 percent in Alternative E is a minimum. The actual percentage is expected to rise as land acquisition is completed and these additions are opened to hunting.

Comment: Concerned about loss to overall hunting area (44).

Response: We have tried to minimize any reduction in areas open to hunting while still meeting the needs of waterfowl and other wildlife which depend on the Refuge for either all or a portion of their annual life cycle. Hunting remains a priority public use in keeping with the Refuge Improvement Act. We made several changes in Alternative E to address this comment and concern. The acres of Waterfowl Hunting Closed Areas/Sanctuaries declined by 780 acres in Alternative E compared to current conditions or Alternative A. We reduced the areas affected by a restriction on open water hunting substantially from Alternative D to Alternative E, along with the acres in administrative no hunting zones. The phase-out of permanent hunting blinds and the exception for leaving decoys out overnight in Pools 12-14 in Alternative E should open up additional areas of the Refuge to the general public for hunting by drastically reducing instances of proprietary use.

Comment: Oppose all hunting on the Refuge (11).

Response: We understand some citizens concern with hunting on national wildlife refuges. However, hunting on refuges remains an important form of outdoor recreation for millions of citizens and a use which is to be facilitated when compatible with the purpose of the refuge and the mission of the Refuge System (Refuge Improvement Act). We have taken care in Alternative E, the preferred alternative, to ensure the right balance between the needs of wildlife and people in keeping with the Refuge Improvement Act and Service policy and regulation.

Comment: Want airboat restrictions during hunting, either by area or seasonally (10).

Response: Alternative E in the Final EIS/CCP contains both Electric Motor Areas and Slow, No Wake Areas that would restrict speed, airboats, and hovercraft during all or some of the hunting season. We believe the changes made in Alternative E compared to other alternatives provide a reasonable accommodation for persons desiring a different hunting experience.

Comment: Wants continued deer hunting opportunities to continue in the Reno Bottoms area, Pool 9 (2).

Response: Reno Bottoms remains open to deer hunting in Alternative E, the preferred alternative. Seasonal restrictions on speed, airboats, and hovercraft in a portion of Reno Bottoms designated a Slow, No Wake Area will cause some inconvenience to bow hunters, but the restrictions end October 31 before the general deer gun season opens.

Comment: Against deer hunting changes in Sabula, Iowa area.

Response: In Alternative E, the preferred alternative, there are no changes to existing Waterfowl Hunting Closed Areas or Sanctuaries that would affect current deer hunting opportunities in the Sabula area..

Comment: Concerned about loss of deer bow hunting opportunities from proposed changes to Waterfowl Hunting Closed Areas and No Hunting Zones (5).

Response: We have made substantial changes to Waterfowl Hunting Closed Areas and No Hunting Zones in Alternative E, the preferred alternative. The total acreage open and suitable for bow hunting changes little from current conditions, but we recognize that any change creates an inconvenience if an area formerly open is closed.

Comment: Concerned about proposed closing of John Deere Marsh hunting area, Pool 11 (3).

Response: We have made several modifications to the John Deere Marsh Area in Alternative E, the preferred alternative. This alternative establishes a 107-acre walk-in hunting area while still maintaining a closed area on either side to meet the needs of waterfowl (dabbler ducks) in this stretch of Pool 11. We believe Alternative E addresses the concerns for loss of hunting opportunity in this area.

Comment: Address disabled hunting opportunities and access (3).

Response: Disabled access via walking or wheelchair remains a challenge given the terrain and obstacles such as railroad tracks and rights-of-way. However, we make every effort to design and construct accessible ramps and docks to help disabled persons getting into and out of watercraft used for duck hunting, the main type of hunting on the Refuge. It is Service policy to accommodate the needs of the disabled for recreational activities whenever possible, and we will continue to explore ways to do this in both facilities and programs.

Comment: Suggest not putting new wildlife viewing facilities in existing hunting areas since it creates conflicts (4).

Response: Most wildlife viewing platforms are generally on the edges of areas where hunting occurs, and thus there are generally no direct conflicts between viewers and hunters. Many of the existing or proposed wildlife observation decks (Alternative E) do overlook areas closed to hunting, mainly because waterfowl tend to congregate in these areas during fall migration. In all cases, we consider hunting when choosing locations for viewing facilities, realizing that many hunting areas also provide excellent spring migration viewing opportunities when hunting seasons are generally closed.

4.2 Waterfowl Hunting Closed Areas and Sanctuaries

Comment: Concerned about and generally opposed to changes of Waterfowl Hunting Closed Areas in Pool 4 near Wabasha, Minnesota and Nelson, Wisconsin (Big Lake/Nelson-Trevino) hunting area (46).

Response: We have made several changes to the closed areas in Pool 4 in Alternative E, the preferred alternative, to try and accommodate hunter's concerns. Alternative E opens an additional 3,098 acres to hunting in Pool 4, although not all comparable. However, we have also made a change in Alternative E that opens an additional 678 acres (Buffalo Slough) near the Big Lake area to help any hunters displaced. Also, implementation of these changes are delayed until 2009 in Alternative E to allow three-year monitoring of waterfowl use in Nelson-

Trevino and surrounding areas to ensure all information is fully considered before making the change. This will also ease the transition for hunters accustomed to hunting in the Big Lake area and allow them time to explore other alternative hunting areas.

Comment: Boat access is severely limited in the Nelson-Trevino area compared to the Big Lake area, so the swap is not equal just because of access issues.

Response: We agree that access to these two areas is markedly different and will affect hunting access and thus the hunting experience. We have tried to mitigate these effects by changes in Alternative E as outlined in the previous comment and response. The new Big Lake Closed Area in Alternative E may also increase the quality of hunting in adjacent areas (e.g. downstream of Hwy. 25 causeway, Robinson Lake, and Buffalo Slough) since more waterfowl will stay in the area, possibly further off-setting the access issue.

Comment: One person raised several specific issues and questions concerning the dynamics of waterfowl food and closed areas, the basis for setting a threshold of disturbance in Alternative E, and the overall effects of disturbance on waterfowl.

Response: A detailed response to these issues is provided in Appendix Q (Waterfowl Hunting Closed Areas, History, Description, Background and Rationale for Alternative E), Attachment 1.

Comment: Prefer voluntary avoidance areas to mandatory regulations which limit access to Waterfowl Hunting Closed Areas (19).

Response: Alternative E, the preferred alternative, uses voluntary avoidance for all closed areas, a major change from other alternatives based on comments received from the public and some states. However, small closed areas (less than 1,000 acres) also have a no motor regulation from October 15 to the end of the respective state duck season since waterfowl in these smaller areas are more vulnerable to disturbance from watercraft.

Comment: Only support current voluntary avoidance or restricted access areas (Lake Onalaska Voluntary Avoidance Area and Mertes Slough Electric Motor Area) (4).

Response: Comment is noted.

Comment: Recommend possible trial period on new closed or voluntary avoidance areas, then monitor to insure they are meeting biological goals (4).

Response: We do not support a trial period for closed areas since trial periods tend to alter human behavior given their known end point. However, we do support monitoring of closed areas and the new voluntary avoidance provisions in Alternative E. Monitoring is a part of the closed area objective in Alternative E, the preferred alternative. We also support overall monitoring of closed area effectiveness and making future changes on a more timely basis should the data suggest a change is needed (adaptive management).

Comment: Many oppose all new closed areas outlined in the various alternatives (27), while a few support some new closed areas (6).

Response: We understand that changes to the system of Waterfowl Hunting Closed Areas of the Refuge are generally met with resistance since the changes affect long-standing patterns of public use. However, the issue and need for change is thoroughly documented in the Final EIS/CCP, and in particular Appendix Q which was added as part of the Supplement to the Draft

EIS/CCP and is part of the final document. We believe that changes to a system that has remained virtually unchanged since 1958 are needed based on habitat conditions, monitoring data, disturbance studies, and energetics information.

Comment: Concerned about the proposed addition to, and the special hunt designation of, the Goose Island No Hunting Zone, Pool 8 (10).

Response: The Goose Island No Hunting Zone expansion to the north (235 acres) has been dropped in Alternative E in response to public comment. The area will remain open to hunting and no special hunting program is established in Alternative E. The expansion of the no hunting zone to the south remains in Alternative E since it is deemed important to make the existing area more effective as a rest area for waterfowl and to address firing line concerns.

Comment: Suggests rotating closed areas in conjunction with drawdowns allowing wildlife to thrive without shutting down anyone's favorite hunting or fishing area for too long.

Response: Waterfowl develop patterns of use over time, and changing closed areas on a frequent basis can diminish their effectiveness. Likewise, the public is generally not agreeable to frequent changes in areas open or closed to hunting or other uses since it disrupts patterns, opportunities, and year-to-year planning.

Comment: Hunting areas should only be limited as a last resort based on biological data (4).

Response: We concur to a point and have tried to limit the number of acres closed to hunting to that which is needed biologically. However, it must always be kept in mind that one of the main purposes of the Refuge when established by Congress in 1924 was to serve as a "refuge and breeding place for migratory birds" and this at times must take precedent over recreational uses.

Comment: Would rather have smaller bag limit than closing areas completely (2).

Response: Daily harvest and possession limits are an important part of overall waterfowl conservation, but they do not replace the need to provide food and rest for waterfowl during migration. The Refuge also does not set harvest limits. This is done nationally by the Service, flyway councils, and the states.

Comment: Most boaters don't comply with regular boat regulations let alone voluntary regulations. Assuming voluntary avoidance will work over long-term is plain silly (3).

Response: We have established a threshold of disturbance in Alternative E in conjunction with voluntary avoidance and indicate that more restrictions will be pursued if the threshold is exceeded. We believe that voluntary avoidance, as suggested at several meetings and in written comments, may prove successful given our experience with the Lake Onalaska Voluntary Avoidance Area.

Comment: Open closed areas to low impact managed hunts, increase voluntary avoidance areas, and increase number of closed areas, but reduce their size to spread-out bird populations.

Response: Many of these suggestions are incorporated in Alternative E of the Final EIS/CCP. However, we do not see the merit in opening closed areas to low-impact managed hunts since it would still introduce disturbance to waterfowl and would add an administrative and management workload.

Comment: Closed areas should be closed to all activities not just hunting.

Response: We do not disagree, but have opted with a voluntary avoidance approach in Alternative E, the preferred alternative, to limit entry and disturbance to waterfowl.

Comment: What about a probationary deer hunting period allowed in waterfowl closed areas after migration?

Response: Although peak migration can occur at different times during the hunting season depending on weather, birds continue to move through the Refuge until full ice-up. Even then, ice conditions can abate and birds will use these areas. Due to these variabilities from year-to-year and often week-to-week in the fall, opening the areas based on migration patterns would be difficult.

Comment: Concerned about watercraft use regulation changes in Reno Bottoms and its negative effect on waterfowl hunting (5).

Response: We understand these concerns, recognizing that other hunters see a restriction in boat speed and types of watercraft as a benefit to their hunting experience.. We have made several changes to the Reno Bottoms area in Alternative E of the Final EIS/CCP to help accommodate concerns. These changes include making the area a seasonal Slow, No Wake Area with no restrictions on speed or watercraft type after October 31, and deleting from any designation Pickerel Slough and land and water to the east of it (866 acres).

Comment: Concerned about closing Gerndt Lake (also called Garnet Lake locally) and Wisconsin River Delta in Pool 10 just south of Prairie du Chien, Wisconsin (4).

Response: We have made several changes for Alternative E of the Final EIS/CCP that we believe help address some of the concerns. The Wisconsin River Delta area is a Special Hunt Area in the preferred alternative, meaning it will be closed to all hunting and trapping from November 1 to the end of the state duck hunting season. This change will help alleviate concerns with the loss of duck hunting and fall fishing in this area since it will be open to all uses before November 1.

Comment: Closing open water hunting on Potosi Pool (Pool 9, Grant County, Wisconsin) is good especially if Canvasbacks are increasing there.

Response: Comment is noted.

Comment: Don't close Albin Lake to hunting there are already closed areas in Genoa, New Albin, and South Lansing.

Response: There are no changes to closed areas in this area of Pool 9 in Alternative E, the preferred alternative.

Comment: Concerned about opening previously closed area near Pleasant Creek, Pool 13 south of Bellevue, Iowa (2).

Response: We examined this concern closely and talked to adjacent landowners concerned with the reduction in the closed area. We do not believe this change will negatively impact hunting on adjacent land. There is no strong biological reason for keeping this nearly 600 acres of seasonally dry bottomland in the Pleasant Creek Closed Area, and opening it is in line with goals to facilitate hunting on the Refuge.

Comment: Concerned about closed areas near Ferryville and impact on economy (2).

Response: There are no changes proposed for this area in Alternative E, the preferred alternative. Alternatives B and D proposed “no open water hunting” in these areas, neither of these alternatives are preferred in the Final EIS/CCP.

Comment: Concerned about economic impact if hunting changes are made in Pool 13.

Response: No changes to current closed areas or sanctuaries in Pool 13 are identified in Alternative E, the preferred alternative. Permanent waterfowl hunting blinds are being phased out in Alternative E, but we do not believe this will measurably impact the level of hunting activity or have a negative economic impact. The opposite may occur as areas “reserved” by permanent blinds would now be open to all and provide more opportunity for more waterfowl hunters.

4.3 Waterfowl Hunting Regulation Changes

Comment: There were specific comments on proposals in Alternative D to impose a 100-yard minimum spacing between waterfowl hunting parties (6 for, 1 against) and a 25 shotshell daily possession limit for waterfowl hunters (9 for, 11 against).

Response: Based on input at public meetings and workshops, these provisions were dropped in Alternative E, the preferred alternative in the Final EIS/CCP. The existing 200-yard spacing requirement in the Savanna District, Pools 12-14, Illinois side, remains in Alternative E since hunters in those areas overwhelming favored keeping this requirement.

Comment: Desire that open water waterfowl hunting continue where allowed by Wisconsin regulations (Grant County portion of Refuge) (5).

Response: We believe that a portion of Pool 11, Grant County, Wisconsin, provides a critical feeding and staging area for Canvasback and Lesser Scaup. We have made modifications in Alternative E to protect the area that is most important, which will still allow open water hunting in adjacent areas. A proposal in the draft of Alternative E released in December that would prohibit open water hunting in all Minnesota and Wisconsin waters within the Refuge was dropped. Current state law already prohibits this type of hunting, with the exception of Grant County, Wisconsin.

Comment: Favor banning duck hunting guides who preclude individual hunters from some areas, or support special use permit proposal, and support better enforcement (6).

Response: We believe that hunting guides can provide a valuable service to some segments of the hunting community. However, we concur that better oversight, permitting, and subsequent law enforcement is needed, as reflected in Alternative E, the preferred alternative.

Comment: Ban mechanical decoys and/or limit number of decoys per hunter (4).

Response: We believe that these kinds of issues/suggestions are better handled on a national or state basis rather than with a Refuge-specific regulation.

Comment: Ban the exception in Refuge regulations which allows waterfowl decoys to be left out overnight in Pools 12-14 (Savanna District) (3).

Response: We concur and have added this provision in Alternative E, Objective 4.5, in the Final EIS/CCP.

Comment: Want mandatory course required before getting duck stamp to include duck identification, estimating distance, ethics and safety (4).

Response: We defer to the states for hunter education requirements, and believe that all of these topics are taught in hunter education and safety courses. We will, however, continue to stress these topics in our education and outreach efforts identified in the strategies for several hunting-related objectives in Alternative E, the preferred alternative.

4.4 Firing Line – Pool 7, Lake Onalaska (Gibbs Lake area)

Comments: There were several concerns and suggestions received in comments on this objective. They are listed below, followed by a single response.

- # Recognized that there is a problem that needs to be addressed (9)
- # Concerned that any changes or a managed hunt will make things worse by concentrating hunters nearby within what is already a very limited hunting area (7)
- # Adjust boundaries (either North or South) of Lake Onalaska hunting area to remedy firing line problems and review periodically to gauge success (3).
- # Address firing line problem by placing stakes where hunters must hunt within a certain distance, and enforce (2).
- # Solve Gibbs Lake problem by closing hunting at 12 noon each day, thus giving waterfowl more feeding and resting time.

Response: There was considerable concern expressed at public meetings and workshops about proposals in Alternatives B through D in the Draft EIS/CCP. Since this is a relatively local issue and no clear consensus emerged from public input, Alternative E of the Final EIS/CCP calls for more public and state involvement to help draft a plan for this area. The comments and ideas above will be considered, along with additional input received, when drafting the plan. Also, the deadline for completing the plan was moved to October 1, 2006 versus July 1, 2006 in the draft of Alternative E.

4.5 Permanent Hunting Blinds on Savanna District

Comments: There were more than 200 written comments received on the issue of permanent waterfowl hunting blinds in the Savanna District, Pools 12-14. Approximately 200 comments wanted to see the use of permanent blinds continue, and 193 of these comments came in form letters signed by current blind owners/users (see Section 7.7). There were 10 written comments favoring the elimination of permanent blinds.

Response: As noted in our earlier response to Illinois DNR comments, we appreciate the concern with the planned phase out of permanent blinds for waterfowl hunting on the Savanna District of the Refuge. This is a difficult issue due to the number of hunters involved and the strong traditions that have developed. However, we believe our concerns with private, exclusive or proprietary use of public lands and waters, continued problems with confrontations and debris, and inconsistency with the other three districts of the Refuge warrant a phase out of the blinds. We have made one change in Alternative E in the Final EIS/CCP to help ease the transition. The pool-by-pool sequence of phase out will be Pool 12, 14, and 13. This will not only ease our administrative and enforcement burden, but give the greatest number of blind hunters (Pool 13, 250 blinds) more time to adjust to alternative hunting methods.

4.6 Potter's Marsh Managed Hunt, Savanna District

Comment: Would like to see changes in the management and administration of the Potter's Marsh Managed Hunt (4).

Response: The preferred alternative, Alternative E, outlines several changes to improve and economize the administration and management of the Potter's Marsh Managed Hunt while preserving a quality waterfowl hunting opportunity and experience.

Comment: Would like to see Potter's Marsh area closed to fishing during the duck hunting season (2).

Response: Although we understand that conflicts between these two uses can at times occur, we do not believe the level of fishing during the prime duck hunting hours warrants a closure to fishing.

4.7 Blanding's Landing Managed Hunt Program

Comment: Keep the permanent blinds in this area but eliminate the drawing and go to a first-come, first-secured system (3).

Response: Although we concur with opening the area on a first-come, first-secured basis, the use of permanent blinds still represents problems as noted in the Final EIS/CCP. Thus, Alternative E, the preferred alternative, opens the area but eliminates the use of permanent blinds per the schedule in Objective 4.5.

Comment: Opening-up Blanding's Landing would be a good thing and provide more hunting opportunities.

Response: Comment is noted.

4.8 General Fishing

Comment: Restrictions on fishing would violate Wisconsin constitutional rights for open navigation and use of Wisconsin waters (10).

Response: As noted in earlier comments and responses to the state, we recognized and quote the state's 1925 approval language in Final EIS/CCP (Chapter 1) and concur to a point that does not interfere with federal trust responsibilities and meeting the purposes of the Refuge. However, provisions in Alternatives B and D that would have limited entry or fishing in Waterfowl Hunting Closed Areas were dropped in Alternative E, the preferred alternative, in favor of voluntary avoidance and/or no motor restrictions. None of the provisions in Alternative E preclude navigation or use, including fishing, only the means of navigation and use.

Comment: Expand fishing access (including shoreline fishing) for physically limited, youngsters and non-boat owners (5).

Response: We share the concern for shoreline and disabled fishing, although the realities of railroad tracks and rights-of-way, private land, and slope of terrain often limit access points to the Refuge and the river for shoreline fishing and especially disabled anglers. In Alternative E, the preferred alternative in the Final EIS/CCP, we have called for the addition of five additional accessible fishing piers, three new walk-in accesses, and improvement to five

parking areas which often provide additional shoreline fishing opportunities. In addition, Alternative E retains four fishing float concessions which provide fishing opportunities for those without boats and the disabled.

Comment: Provide parking lots where fishing opportunities are expanded (3).

Response: We concur that parking is often an issue. Detailed planning for any proposed public use facilities/accesses will consider and try to accommodate the need for parking.

Comment: Support a fishing platform at Winneshiek Slough Landing.

Response: Comment is noted. Alternative E, the preferred alternative, includes an accessible fishing platform at this location.

Comment: Eliminate state fishing license reciprocity (2).

Response: We acknowledge that people are for and against this provision which allows persons with one license to fish two states on the Mississippi River. By policy and practice we defer to the states for game and fish licensing requirements on the Refuge.

Comment: Address fishing opportunities that have been diminished by excessive sand, siltation and sedimentation (3).

Response: We share these concerns for the effect that sedimentation has on fish habitat and fishing opportunities. All alternatives in the Final EIS/CCP identify cooperative projects with the states and Corps of Engineers to address this issue. For example, there are 60 projects identified to increase water depth, 28 projects to divert flows to decrease sedimentation, and 13 fish passage projects identified in the plan.

Comment: Balance the needs of fall anglers with the needs of waterfowl and waterfowl hunters (5).

Response: In Alternative E, the preferred alternative, we have made changes to public entry guidelines to accommodate early fall fishing by moving the effective date to October 15 versus October 1 in other alternatives.

Comment: Protect fish spawn areas from human disturbance in spring (2).

Response: We believe that the Electric Motor Areas and Slow, No Wake Areas in Alternative E, the preferred alternative, help address disturbance to many backwater fish spawning areas by slowing or limiting the type of watercraft in the spring.

Comment: Address conflicts between anglers and jet-ski, airboat, and hovercraft users (3).

Response: Similar to the comment and response above, we believe that the series of Electric Motor Areas and Slow, No Wake Areas scattered throughout the Refuge in Alternative E will help address conflicts between and within user groups, including anglers.

4.9 Fishing Tournaments

Comment: Refuge must coordinate and regulate fishing tournaments with the states and the Corps of Engineers (8).

Response: Concur and the objective and strategies in Alternative E affirm this.

Comments:

- # Concern with loss of income, impact to communities if tournaments banned/reduced.
- # Tournament anglers care deeply about the resource.
- # Against another layer of permitting (3).
- # Impacts to fish not proven; there is low mortality post release from tournaments.
- # Concern about singling out tournament anglers to benefit other users (2).
- # Negative portrayal of bass anglers is wrong.
- # Concerned about closed area and sanctuary impact to tournaments.
- # Concern that fishing tournaments are “out of hand” and create conflicts with other Refuge users (7).
- # Concerned about noise and excessive speed (safety) during fishing tournaments (4).
- # Tournaments tie up parking, boat ramps, and entire fishing areas for days.
- # Ban all fishing tournaments as crass commercial exploitation of public resource (4)
- # Eliminate out of state fishing tournaments.
- # Fishing tournaments should be managed from a fish stock perspective in conjunction with states.
- # Wants bass fishing tournament participants to buy commercial fishing license (3).
- # Concern about lost of income/economic impacts if bass tournaments are restricted or reduced.
- # Limit bass anglers to only keeping 2 fish versus 6 fish.
- # Use Geographic Positioning System coordinates to guide tournament anglers from sensitive areas
- # Don't allow any fishing tournaments during fall waterfowl hunting.

Response: Alternative E, the preferred alternative in the Final EIS/CCP, calls for working with the states and the Corps of Engineers to develop a plan by 2008 to more effectively manage fishing tournaments on the Refuge, for the benefit of both tournament participants and the general public who share the Refuge. There is no proposal to eliminate fishing tournaments. The strategies in Objective 4.9 give more details on how this step-down planning would proceed and what would be entailed, including additional public involvement and review. Thus, it is premature to respond to most of the specific comments received on fishing tournaments. The comments summarized above, along with new input, will be considered as planning for tournament fishing management proceeds.

4.10 Wildlife Observation and Photography

Observation Areas

Comment: Increased Refuge visitation demands more non-consumptive platforms (5).

Response: We concur and Alternative E, the preferred alternative, reflects this. Wildlife observation is also one of the priority public uses identified in the Refuge Improvement Act and is to be facilitated.

Comment: Great River Bird Trail designation has already spawned three annual bird festivals and continues to draw visitors to area.

Response: Comment is noted.

Comment: Observation facilities are not needed. The flood retention basin in Dubuque, Heritage Pond, and several ponds near the highway in Guttenberg are excellent locations to view wildlife or take photographs. Even marinas are better than recommended observation tower locations.

Response: Comment is noted.

Comment: Don't place observation decks or platforms where they will conflict with established traditional hunting areas (6).

Response: As noted in a previous comment and response, most wildlife viewing platforms are generally on the edges of areas where hunting occurs, and thus there are generally no direct conflicts between viewers and hunters. Many of the existing or proposed wildlife observation decks (Alternative E) overlook areas closed to hunting, mainly because waterfowl tends to congregate in these areas during fall migration. In all cases, we consider hunting when choosing locations for viewing facilities, realizing that many hunting areas also provide excellent spring migration viewing opportunities when hunting seasons are generally closed.

Comment: Oppose observation tower near Goose Island due to limited parking and safety concerns, especially during summer (4). Can it be moved to Shady Maple area instead? Want handicapped access at Goose Island tower.

Response: The observation platform at Goose Island has been dropped in Alternative E, the preferred alternative.

Comment: Oppose spending money on observation decks when there are already many scenic bluffs or state park areas to view wildlife (3).

Response: Although we agree that these areas provide excellent viewing areas, many areas on the Refuge provide unique viewing opportunities due to the concentrations of waterfowl and other waterbirds.

Comment: Trempealeau National Wildlife Refuge already has many features to view wildlife, don't spend money on something already available.

Response: The Upper Miss Refuge is 261 miles long and many residents and visitors are too far away to take advantage of Trempealeau's opportunities. Also, there are viewing opportunities on this refuge due to unique habitat and large concentrations of some species that are not available at Trempealeau refuge.

Comment: Adding new trails and towers doesn't protect or restore habitat, only destroys it through filling wetlands and construction (5).

Response: Although these facilities do not directly protect or restore habitat, they do foster contact and connection with wildlife and wild places which leads to greater understanding and appreciation. This in the end can result in more support for overall conservation programs, including the protection and restoration of habitat. Our site selection, design, and construction of facilities always try to avoid or minimize any impacts to wetlands or other sensitive habitat.

Comment: Would observation tower near Browns Marsh only be accessible via bike trail? We believe a one mile access route is too far for many to walk and suggest an alternative location in the Clearwater Resort area near Lake Onalaska.

Response: The state bike trail running along Brown Marsh receives many thousands of users each year and this overlook is designed to take advantage of this opportunity. Thus, we believe access to this particular overlook is appropriate. Other sites on Lake Onalaska were considered during development of the plan.

Hiking Trails

Comment: Support the additional hiking trails called for in the plan (24).

Response: Comments are noted.

Comment: Would like hiking trails and surrounding areas to be multiple-use (e.g. hunting and fishing), not exclusive-use (2).

Response: We generally concur that hiking trails can be open to a variety of uses, including hunting. However, we believe that some areas warrant a separation of hunting and other recreational uses based on location and circumstances and overriding concern for visitor safety. However, we have made several major changes in Alternative E, the preferred alternative, by dropping some suggested no hunting areas around trails.

Comment: Recommend more trails near flood plain forest at Rush Creek in Vernon County, Root River bottoms at Mill Stone Landing in Houston County, Wisconsin River Bottoms in Crawford County, and the bottoms east of Fish Farm Mounds along Highway 82 dike near Lansing. These areas have better parking and don't require coordination with railroad.

Response: We considered these suggested areas in developing Alternative E but believe they are not suitable at this time given terrain, periodic flooding concerns, feasibility given floodplain location, and other factors. There was also a concern of including too many trails given the 15-year horizon of the plan.

Comment: Oppose the Kain Switch trail (6), the John Deere Trail (1), and the trail near Barton's (2).

Response: In response to these and other comments, several changes were made to hiking trails in Alternative E, the preferred alternative, including dropping some trails, making them shorter, or deleting associated no-hunting zones.

Canoe Trails

Comment: Many written comments specifically expressed support for canoe trails (72).

Response: Comments are noted.

Comment: Canoe trail markers are an unnecessary cost and need maintenance after spring floods, and canoes can go anywhere they want now. Provide pool maps for canoeists, so other users don't have to see more signs.

Response: For persons unfamiliar with backwater areas of the Refuge, the combination of maps and signs is an important service. We try to use the least amount of trail markers necessary, and place them above the normal high-water mark whenever possible to reduce maintenance.

Comment: The boating report states that small boat/canoe use is declining but the Service is increasing canoe trails by 425 percent.

Response: The most recent boating study on Pools 4-9 in 2003 by the Minnesota Department of Natural Resources cited a decline in fishing boats and a trend toward runabouts or larger "cruise" vessels. There was no trend indicated for non-motorized craft, although they did represent 2 percent of boats in the study. The use of a percentage for the increase of canoe trails is somewhat misleading. In Alternative E, the preferred alternative in the Final EIS/CCP, the number of canoe trails increases from the current 4 to 19. A total of 19 canoe trails on a water-based refuge 261 miles in length does not seem excessive, especially since they involve little cost and maintenance other than trail markers.

Comment: Want proposed canoe access at Conway Lake (Pool 9) to include parking area (2).

Response: Parking associated with this access in Alternative E will be explored during detailed site planning. We will be seeking cooperation from the railroad on this particular access, which could affect parking and other features.

Comment: Canoe trails around Wyalusing State Park great example of activities that increase canoe use and appreciation of watershed resource.

Response: Comment noted; this is an existing canoe trail system.

Comment: Consider having a canoe launch at the mouth of Crooked Creek, Pool 13.

Response: A boat ramp is identified in Alternative E, the preferred alternative, at this location. This ramp would double as a canoe launch.

Comment: An alternative canoe trail could be made in Shingle Creek area of Black River Bottoms by removing downed timber below power lines near Lytles Landing.

Response: This idea has merit, but a canoe trail at this area was not included in Alternative E, the preferred alternative, due to other options in the area (existing Long Lake Canoe Trail).

Comment: Address speeding motor boats along Long Lake canoe trail. Canoe trails great concept, but if you don't exclude motor use there what's the point?

Response: Canoe trails were never intended to exclude other uses, including other types of watercraft, but to provide a canoeing option for people less familiar with the river; or who prefer a marked route or trail. We realize that conflicts may occur; but these are addressed through the Electric Motor Areas and Slow, No Wake Areas proposed in Alternative E of the Final EIS/CCP.

Comment: Provide boat landings or launch areas at proposed canoe trails (3).

Response: We do not disagree, although realities of railroad tracks and lands, private land, and slope of terrain often limit access points to the Refuge and the river. We will continue to look for ways to enhance access during more detailed planning and implementation of the canoe trails.

Comment: Oppose exclusive use canoe trail in Ambrose area, is there a real or perceived need here (2)?

Response: All canoe trails, unless within an Electric Motor Area or Slow, No Wake Area, are open to all other types of watercraft and are not canoe-only areas.

Comment: Opposed to Conway Lake canoe trail in Pool 9 north of Lansing, Iowa (3).

Response: Alternative C in the Draft EIS/CCP identified a 12-mile canoe trail that went through the Conway Lake area. However, this trail was dropped in Alternative D and Alternative E, the preferred alternative.

Comment: Opposes canoe trail on Pool 4 “where current is too strong;” has towed many canoeists back up river.

Response: The Nelson Dike Canoe Trail is the only canoe trail in Alternative E, the preferred alternative. This trail is located in a predominantly backwater area some distance from the main channel of the river and currents are not expected to present a serious problem for canoeists or kayakers.

Bike Trails

Comments:

- # For bike trails (10)
- # Against bike trails (4)
- # Don't close these areas to hunting and use exclusively for bikes
- # Bike Trails disrupt wildlife, waste money and don't reflect wild nature of Refuge (3)
- # Concerned duck stamp money is being used for these trails

Response: Comments for and against bike trails are noted and are indicative of the divergent view points on certain public uses and facilities. Of the three new bike trails in Alternative E, the preferred alternative, the first is on an existing paved road currently closed to hunting, the second is in an existing closed or no hunting area, and no determination has been made in regards to hunting on the third. It remains our policy to keep trails open to hunting unless there is a bona fide safety or conflict concern due to location. Some existing trails through areas open to hunting include a buffer only so the surrounding area remains open. Like all public use, there is some disturbance to wildlife on bike trails, but this is considered minor given timing and levels of use, and the low noise associated with biking. Biking and bike trails continue to grow in popularity, and are an excellent way to view wildlife, one of the priority public uses of the Refuge System. No duck stamp funds are used for bike trails or any other public use facilities or programs since these funds must be used for land acquisition.

Auto Tour Routes

Comments: For auto tour routes (5) and against auto tour routes (5), especially if they impinge on hunting areas.

Response: Comments noted. Any auto tour routes should not impinge on areas currently open to hunting since they are located on existing roads.

Comments: Recommend widening Red Oak Road to accommodate 2-lane traffic and promote as scenic byway (2). Against Red Oak Road as scenic byway since substantial number of ducks and geese use the adjacent shoreline as a resting area. The ducks and geese seem more affected by pedestrian than vehicular traffic.

Response: The proposed Red Oak Wildlife Drive/Bike Loop would be a cooperative venture with Allamakee County and the railroad since it is mostly off-Refuge and would follow existing roads. Any decisions on width of road or other amenities would be done during future detailed planning. Since this drive would follow existing roads, disturbance to waterfowl from vehicles is not expected to increase. Bike traffic could increase disturbance to waterfowl, but it is not expected to be substantial since birds are already conditioned to vehicle traffic.

Comment: An auto tour route already exists at Trempealeau National Wildlife Refuge.

Response: The two new auto tour routes in Alternative E, the preferred alternative, are located adjacent to Pools 9 and 11 which are some distance from Trempealeau Refuge in Pool 6. Thus, they offer auto tour opportunities for persons who would not frequent Trempealeau Refuge. The other existing tour route is on the Lost Mound Unit, Pool 13 near the southern end of the Refuge.

Photography Blinds

Comments: For photography blinds and expanded photo opportunities (34), and against photography blinds (3).

Response: Comments are noted.

4.11 Interpretation and Environmental Education

General

Comment: Necessary, but don't divert funds from law enforcement or wildlife management.

Response: Funding for interpretation and environmental education is a separate line item in the Refuge System and Refuge budget. Funds for law enforcement and wildlife management are not diverted to these accounts, although it is recognized that staff on the Refuge wear many hats and often assist with all programs.

Comment: Would rather see money earmarked for this be used for habitat improvement.

Response: Interpretation and environmental education are two of the six priority uses that are to be facilitated on national wildlife refuges. Any funding received specifically for interpretation or environmental education are to be used to support those activities, so there is little to no latitude to earmark those funds for habitat improvement. However, habitat conservation and improvement remains a higher priority than these or other public uses.

Signs and Signage

Comments:

- # Maintain signs (2)
- # Signs detract from natural beauty (2)
- # Better signs at landings and beaches quickly address litter and human waste policies (4)
- # Use signs as reminders at landings outlining hunter ethics during hunting season (5)
- # "Closed unless open" in regards to beach-related uses would mean fewer signs

- # Need well designed signs reminding folks to “pack out” trash (leave no trace) campaign (3)
- # Put sign designs on web first to get public opinion on effectiveness before going “final”

Response: We realize that signs and signing must be approached with care to balance the public’s need for information with the impact signs can have on the scenic qualities of an area. This Refuge provides a particular signing challenge due to its size and length, high visitation, high number of access points, and floodplain nature. Many of these comments are suggestions which will be considered when designing and placing signs in accordance with Fish and Wildlife Service standards.

Visitor Contact Facilities/Visitor Center

Comment: Support building new offices with visitor contact facilities (7) and insure they are well located.

Response: Comment is noted.

Comment: Central visitor center great way to promote public education and awareness, should be priority on construction list (2).

Response: Due to the construction and maintenance costs of a central visitor center; it was not carried from Alternative C to Alternative E, the preferred alternative. Also, we believe that modest visitor contact areas in conjunction with the four district offices will better meet the needs of the public on such a long refuge touching scores of communities, and be a more efficient use of limited construction dollars.

Interpretive Events

Comments:

- # Fund an interpretive trailer that could be moved and used at various locations up and down river throughout year
- # All events should be geared to raise public awareness (3)
- # Supports Mississippi Flyway Birding Festival, great economic boost and public education opportunity (2)

Response: Comments are noted, and the trailer is a great idea, but due to other higher priority needs for facilities that more directly support visitors to the Refuge, it was not included in Alternative E, the preferred alternative.

Comment: If this is already the most visited Refuge in the country, do you need to keep promoting it?

Response: This is a fair question. We do not consider interpretive and environmental education programs as promotion, but a charge from Congress in the Refuge Improvement Act of 1997. There are, however, indirect benefits to increased public awareness of the Refuge. Citizens who know and understand the Refuge are more apt to care about it and the Mississippi River as a whole, which generally leads to fiscal and political support for improving habitat for fish and wildlife.

Environmental Education

Comments:

- # The more people understand natural resource management the more they will voluntarily support managing it (5)
- # Solicit more volunteers and conservation clubs to provide education during fall migration
- # Important endeavor but not at the expense of hiring needed biologists

Response: Comments noted and we concur.

Visitor Services Staffing

Comments:

- # Proactively regulate visitor activities to reduce conflicts with resource objectives
- # Important public outreach feature (5)
- # Needs aren't great enough to warrant increased staff levels

Response: Comments are noted.

4.12 Fish Floats

Comments: Support the continuation of fish floats for an alternative fishing opportunity (15), and would like to see them eliminated because they are eyesores and restrict open water fishing (2).

Response: As noted in the rationale section in Alternative E, Objective 4.12, Chapter 2 of the Final EIS, we believe that the four existing fish floats provide a valuable alternative fishing experience for persons without boats and/or river experience, and for disabled persons. Strategies in the objective are designed to improve float appearance, function, and safety.

Comment: Want fish floats to be clean, regulated, and licensed.

Response: Concur, and this is reflected in Alternative E, the preferred alternative.

4.13 Guiding Services

Comments:

- # Ban waterfowl hunting guides who attempt to restrict access to individual hunters
- # Increase guiding services using non-motorized boats
- # Guides monopolize entire areas reducing the opportunities for individual hunters (3).
- # Limit to certain designated areas assigned by permit issued by the Fish and Wildlife Service
- # Enforce guide requirement to have Coast Guard license and Refuge special use permit (5)

Response: These comments are noted and will be considered when writing guiding policy and when developing a consistent process for issuing permits as noted in Objective 4.13, Alternative E, the preferred alternative.

5.1 Beach Use and Maintenance Policy and Regulations

Comments:

- # Beaches offer important affordable recreational opportunities
- # Vital to local communities where users may not be able to afford other river uses
- # If areas need to be closed, allow them to stay open for families to swim, camp, picnic during summer since backwater is safer for these activities due to lack of current.
- # Backwater beaches without current are necessary for safety of beachcombers and swimmers
- # Allow marinas to dredge sand and place on beaches or near marinas to create beaches
- # Wants beach near Dubuque with walk-in or vehicle access
- # Coordination with other agencies, education, and law enforcement best ways to handle “party” beaches (3)
- # Beach use should be limited to designated sites that are most durable and support extensive human impact
- # For restrictions outlined in Alternatives C, B, or D (6)
- # Against any restrictions to current use and regulations (11)
- # For closing areas if biologically necessary (2)
- # Mark areas that are of wildlife concern such as turtle breeding grounds
- # Against closing or restricting use of beaches to benefit turtle breeding areas (2)
- # Want camping and over night mooring allowed (11)
- # Want restrictions to where camping and mooring would be allowed (1)
- # Human waste must be addressed for health reasons (16)
- # Recommend signs and informational campaigns on human waste policies (6), and recommend better monitoring and fines for non-compliance (2)
- # How do you prevent people who “pack it out” from dumping in water when they leave a beach?
- # Add portable toilets at boat landings (4)
- # No large ugly toilets on beaches, high cost to maintain and idiots will vandalize
- # Educate campers on “cat hole” human waste burial methods (3)
- # Only 1% of overall waste problem is from human waste
- # For the blood-level based (.08) alcohol consumption limitations (5), and against any new alcohol regulation (5)
- # Create some alcohol free beaches (3)
- # For some level of beach maintenance (11)
- # Implement an “adopt a beach or boat landing program” to address problems (4)
- # Initiate “leave no trace” education program to address litter and human waste (5)
- # Ban glass on beaches (7)
- # Close beaches for a week where litter is a problem

Response: These comments are indicative of the large amount of public comment also received at the 21 public meetings and workshops held after release of the Draft EIS/CCP in May, 2005. Based on these comments, and in consideration of the above written comments, many changes were made in the supplement to the EIS, Alternative E, the preferred alternative. These

changes include keeping current regulations defining where and when camping is allowed, dropping a new alcohol consumption regulation, modifying human waste regulations, and clarifying beach planning in cooperation with the states and Corps of Engineers. Some of the specific location or maintenance comments will be considered during the beach planning process. A ban on food and beverage glass containers was added in Alternative E, as well as a strategy for addressing beach clean-up and maintenance through an adopt-a-beach program. The policy for closing areas to protect wildlife resources and public health and safety was simplified and clarified. Adopting a "Leave No Trace" program was retained in Alternative E. Providing portable toilets at landings or on beach areas was not deemed a realistic option given the floodplain nature of the Refuge, cost, increased maintenance workload, and past experience with portable toilets.

5.2 Electric Motor Areas (includes Slow, No Wake Areas, Alternative E)

Comments: Support Electric Motor Area designation (55) and against Electric Motor Area designation (180, includes 112 form letter comments).

Response: Designating Electric Motor Areas generated considerable written comment as well as comments at all public meetings and workshops. Based on these comments, substantial changes were made for Alternative E, the preferred alternative. These changes included dropping four proposed areas completely, and converting eight Electric Motor Areas to seasonal Slow, No Wake Areas. Collectively, the remaining five Electric Motor Areas and eight Slow, No Wake Areas encompass 11,572 acres, or approximately 8 percent of the water area of the Refuge.

Comment: Make all proposed Electric Motor Areas slow no wake instead (10).

Response: See comment and response above.

Comment: Phase out airboats, hovercraft, and jet skis entirely by 2010 or 2015 (2).

Response: We do not believe prohibiting certain types of watercraft throughout the entire Refuge is reasonable or warranted given the size of the Refuge, mix of jurisdictions and authorities in many areas, and the desires expressed at the public meetings and workshops. We believe that Alternative E, the preferred alternative, represents a reasonable approach to limiting disturbance from certain types of watercraft through the use of time and space constraints.

Comment: Technology now allows people to access areas they were never meant to, Electric Motor Areas and Slow, No Wake Zones are necessary to manage for biological reasons (5).

Response: Comment is noted and we concur as reflected in Alternative E.

Comment: Canoeists can do their thing now but if you convert areas to Electric Motor Areas it prevents others from using traditional hunting/fishing areas (2).

Response: We made major changes in Alternative E, the preferred alternative to address the concerns of access for hunting and fishing. The number of Electric Motor Areas was reduced from 17 in Alternative D to 5 in Alternative E. Eight Electric Motor Areas were changed to seasonal Slow, No Wake Areas which should have minimal effect on hunting and fishing access since all motorized watercraft, except airboats and hovercraft, are allowed.

Comment: Where is scientific data supporting need for electric motor only or slow no wake zones?

Response: The wildlife science literature contains scores of papers documenting the effect of watercraft and associated speed and noise on wildlife. An excellent overview of the literature on the effects of recreation on wildlife is maintained by the Montana Chapter of the Wildlife Society and can be accessed via their website at www.montanatws.org. Studies on waterfowl disturbance on the Refuge are also well-documented and it is generally accepted in the wildlife management profession that motorized watercraft speed and noise disturbs wildlife. Limiting motor size, type, and speed, or banning combustion motors completely, are commonly used management practices on national wildlife refuges and state wildlife management areas. However, the purpose of the Electric Motor Areas and Slow, No Wake Areas is to also limit disturbance to persons engaged in hunting, fishing, wildlife observation and other activities in these areas, and to enhance the quality of the experience. Citizens' concerns for the loss of quiet and solitude on the Refuge, and concerns over conflicts between and within various user groups, was expressed at scoping meetings prior to drafting the EIS/CCP. We have also received concerns about certain watercraft from trappers in their annual reports. In the most recent recreational boating study on Pools 4 thru 9 (Minnesota DNR, 2004), respondents listed boat speed and wakes, personal watercraft, and careless operation by others as concerns. The study also showed that 56 percent of respondents were either neutral, mildly supportive, or strongly supportive of setting aside non-motorized areas on the Mississippi River.

Comments:

- # Don't restrict hunters to electric motors only in Black River Bottoms area, only makes access too difficult for hunters (8)
- # Hunted Black River Bottoms for 14 years and have never seen an electric motor or canoeist there due to strong current, so why set aside this area?
- # Strong current in Black River doesn't allow you to go at no wake speed
- # Trempealeau Refuge is only a few miles from proposed Black River Bottoms Electric Motor Area. Isn't this duplication at additional expense and displacement of other user groups?
- # Big Marsh/Mud Lake in Pool 7 is a good alternative to the Black River Bottoms area.

Response: In Alternative E, we have changed the designation of this area from an Electric Motor Area to a seasonal Slow, No Wake Area in response to comments and concerns. Boats with outboard motors or mud-type motors are permitted year-around which should lessen access and current concerns. We have also added language in Alternative E so that "slow, no wake" matches state regulations, which in Wisconsin, means a person can use a speed to maintain steerage. This provision should help address the concern of strong current. Although Trempealeau Refuge is approximately 15 miles distance and only allows boats powered by electric motors or hand, it does not contain the unique bottomland forest found on Upper Miss Refuge. The Black River Bottoms provides a unique experience to hunters, anglers, and wildlife observers and is closer to the major population center of La Crosse/Onalaska. We believe the Big Marsh/Mud Lake area in Pool 7 upstream of the Black River Bottoms may provide a good alternative. Thus, we have delayed implementation of the Black River Bottoms Slow, No Wake Area until 2008 to allow further exploration of the Big Marsh/Mud Lake proposal.

Comment: Opposes Electric Motor Area in Pool 8 between Blue and Lawrence lakes. Recommends reducing the size of the area around Blue Lake and shifting it south of Blue Lake, through Target Lake and end it at the area just north of Lawrence Lake.

Response: In Alternative E, the preferred alternative, we have changed the designation of this area from Electric Motor Area to a Slow, No Wake Area. This designation will dramatically change the accessibility since boats with outboard and shallow-drive motors will be allowed,

although airboats and hovercraft would be excluded. We also looked at various configurations suggested by the public, including the recommendation above. Based on this review, the boundary of this area remains virtually the same in Alternative E as the area presented in the supplement to the Draft EIS/CCP. We have added Appendix R to the Final EIS/CCP which gives more details on the resource and public use rationale for this and all other Electric Motor Areas and Slow, No Wake Areas.

Comment: Support the heron sanctuary designation on a part of the existing Mertes Slough Electric Motor Area, Pool 6 (6).

Response: We appreciate this comment, but have deleted the sanctuary designation in Alternative E, the preferred alternative. We felt that overlaying sanctuary status over an existing restricted area would be confusing, lead to additional signing and sign maintenance costs, and be of limited value since the level of disturbance is low under the electric motor only designation.

Comment: Consider smaller areas for Electric Motor Areas and make larger areas Slow No Wake (4).

Response: As noted in an earlier comment/response, we made substantial changes in Alternative E, the preferred alternative. These changes included dropping four proposed areas completely, and converting eight Electric Motor Areas to seasonal Slow, No Wake Areas. Collectively, the remaining five Electric Motor Areas and eight Slow, No Wake Areas encompass 11,572 acres, or approximately 8 percent of the water area of the Refuge. Electric Motor Areas are relatively small, averaging 370 acres and a total of 1,852 acres.

Comment: Consider seasonal Electric Motor Area restrictions versus year-around (9).

Response: We considered this and other comments about the season for Electric Motor Areas. However, we believe that setting aside these areas year-around also meets the needs of hunters, anglers, trappers, cross country skiers, and others who desire an area with more quiet and solitude. Wildlife also benefits by the reduced disturbance, regardless of the season.

Comment: Must have designated travel corridors through any Electric Motor Area or Slow, No Wake Area.

Response: We avoided most main travel corridors such as tributaries and deep sloughs when laying out the boundaries of the areas. Providing either a motorized or any-speed travel corridor through these areas would negate many of the reasons for establishing them.

Comment: Does not believe “giving” canoeists and kayakers both spillways in Reno Bottoms area in Pool 9 is fair (there are two spillways in Dam 8 at very upper end of Pool 9 that are popular fishing areas for some visitors).

Response: A portion of the Reno Bottoms area is now a Slow, No Wake Area in the preferred alternative and is open to motorized watercraft, except airboats and hovercraft, as well as canoeists and kayakers. We also modified the boundary in Alternative E to exclude 866 acres from any designation, which allows unrestricted means of access to the east spillway via Pickerel Slough or other avenues.

Comment: Concerned about safety in Electric Motor Areas due to sudden storms or bad weather (3).

Response: In emergency situations, we would expect the public to take whatever action is necessary for their health and safety, including “violating” any rule. There are also only five relatively small Electric Motor Areas designated in Alternative E, the preferred alternative.

Comment: Quiet non-motor zones should be provided for visitors and formal monitoring for future updates of the CCP. Expressly commend the Service for Electric Motor Areas since delicate backwaters are essential to health of fish and wildlife, and uphold these restrictions through interagency collaboration (2).

Response: Comments are noted and we believe are reflected in Alternative E, the preferred alternative.

Comment: Proposed Electric Motor Area for 9-Mile Island in Pool 12 should be Slow, No Wake Area instead.

Response: We concur and this designation change was made in Alternative E, the preferred alternative.

Comments: In regard to comments specifically mentioning area and seasonal restrictions on airboat and hovercraft use in the supplement to the Draft EIS/CCP (Draft Alternative E), 35 were for the restrictions and 7 were opposed.

Response: Comments are noted. Written comments are one form of input and we realize that many persons who currently use airboats or hovercraft throughout the Refuge do not support the restrictions in Alternative E, the preferred alternative. However, we believe Alternative E represents a balanced approach to meet the needs of all user groups, as well as the needs of wildlife in these backwater areas.

5.3 Slow No Wake Zones

Comments:

For additional Slow, No Wake Zones (10)

Against additional Slow, No Wake Zones (11)

Bass tournament anglers and 50% of boat owners already ignore Slow, No Wake Zones (3)

Recommend a speed limit instead of slow, no wake

If goal is to protect plants use a slow, no wake or channel marker to designate affected areas

Slow, no wake creates a problem in shallow areas since boats can't operate on plane (3)

Response: Comments are noted. Slow, No Wake Zones, designed to reduce boating speed along linear stretches, always reflect a mixture of support or disdain. Alternative E, the preferred alternative, identifies 11 additional Slow, No Wake Zones to address safety and human disturbance problems, or to address bank erosion. We believe this number is reasonable and addresses the most pressing problem areas. In Alternative E we have also adopted the respective state definition for “slow, no wake,” which in some states includes a speed limit. Adopting the respective state definition also reduces confusion and layering of regulations.

Comment: Would like Slow, No Wake Zone near northwest entry to Jack Oak Slough, Pool 11, near Eagles Roost Resort, Cassville, Wisconsin, for safety.

Response: This area was considered, but not included since it did not rank as a high priority area based on resource or safety concerns expressed by staff or the public.

Comment: Make Crooked Slough, Pool 13, and all associated backwaters slow, no wake.

Response: In Alternative E, we have identified a speed and distance restriction for Crooked Slough in-line with Iowa regulations. This restriction requires boats to slow down to less than 5 mph when approaching or passing other slow or stationary craft. We believe this will provide the needed safety regulation while not unduly restricting boat travel on this very long corridor.

Comment: Reduce proposed Slow, No Wake Zone in Minnesota Slough, Pool 9, to 200 yards of the Fish Lake curve area.

Response: Concur; and this change was made for Alternative E, the preferred alternative.

Comment: Opposes Slow, No Wake Zone for the Fountain City area since it's a main thoroughfare for boaters using campgrounds and two businesses (5).

Response: We believe this Slow, No Wake Zone is warranted based on concerns expressed by visitors using the adjacent Merrick State Park. However, this and all other Slow, No Wake Zones will go through the local unit of government approval process, as is normal and customary for designating Slow, No Wake Zones on the river. Thus, this area is a proposal by the Refuge, not a final decision.

5.4 Dog Use Policy

Comments:

- # Dogs need to be under voice or leash control to prevent human or wildlife disturbances (17)
- # Against all dog restrictions (3)
- # Support continued hunting with dogs (7)
- # Wants dog swimming allowed (5)
- # Owners need to be responsible for picking up dog waste

Response: We have made changes to this objective in Alternative E, the preferred alternative, to simplify the new regulation language. We believe this new regulation protects wildlife and other visitors, while allowing the water training of retrievers and other dogs which was a concern in some areas, particularly in and around La Crosse, Wisconsin. We also added language addressing dog waste.

5.5 General Public Use Regulations

Comment: No written comments on this objective were received from the public. See comments from the states earlier in this chapter in regard to a step-down law enforcement plan, which was added to the strategies in this objective in Alternative E of the Final EIS/CCP.

6.1 Office and Shop Facilities

Comment: All money should go to improving fish and wildlife on Refuge, not building offices (13).

Response: Offices and shops are a basic need of any operation. As noted in Chapter 4, Environmental Consequences, many of the Refuge offices and shops are inadequate in terms of public accessibility, information, and programs, and continue to have unresolved structural safety issues. Inadequate maintenance and storage capacity also negatively effects efficiency of field operations and condition of heavy equipment and vehicles. Also, costs of new buildings are off-set to some degree since the current annual lease payments for offices at Winona and La Crosse would be eliminated.

Comment: Support building new office and shop facilities (5).

Response: Comments are noted.

6.2 Public Access Facilities

Comments:

- # Against all new fees (64)
- # Approve boat launch fees if they are used for new landing facilities in same area (5)
- # Use money generated by fees to hire more law enforcement officers
- # Require everyone using Refuge to have annual for-fee permit or Federal Duck Stamp and use money for habitat restoration or protection (7).

Response: The boat ramp fee in Alternatives B, C, and D was dropped in Alternative E, the preferred alternative. Also, a general, annual recreation fee was strongly opposed by the majority of people at public meetings and workshops. However, the concept of a fee, but not an actual proposal, remains in Alternative E, in-line with recent laws governing recreational user fees on federal public lands. If fees are charged, they are specifically earmarked for the refuge where collected to enhance visitor facilities and programs, not for habitat or other work. Federal Duck Stamps do allow "free" entrance to national wildlife refuges which charge entrance fees, but the proceeds go into the nationwide Duck Stamp land acquisition fund. No Duck Stamp funds are used for land acquisition at the Upper Miss Refuge since the funding source is the Land and Water Conservation Fund.

Comment: Support new boat access proposal (7).

Response: Comments are noted.

Comment: Boat landings at Campion and St. Feriole are excellent examples of well thought-out, user friendly, and economically feasible boat landings.

Response: Comment is noted.

Comment: Boat landing at Big Slough near Lansing looks nice but not as practical as the old landing. Parking was reduced by 50% and curbs cause problems when maneuvering.

Response: We understand the concerns at this and other landings. These issues will be considered when rehabilitating or constructing new landings, and communicated to persons doing the design work. Also, we think it would be wise to get input from citizens using these areas before designs are finished and contracts awarded.

Comment: Can you use money from boat gas tax for improved boat landings?

Response: No, any federal excise tax on fuel goes to accounts other than refuges.

Comment: Support walk-in accesses (4).

Response: Comments are noted.

Comment: New canoe trails need launch and landings established, otherwise tough to use (4).

Response: We do not disagree, although access development is often hampered by roads, railroads, and physical terrain.

Comments: If a canoe access off Highway 26 (Pool 9, Iowa side) is a goal look at three existing parking areas between Conway Lake and Lansing, one is at extreme south end of Conway (3). Supports a canoe launch along existing road near Big Slough eliminating need for Conway Lake access. Not feasible to construct parking off Highway 26 down steep bank, across railroad tracks in floodplain.

Response: We will take these comments into consideration when doing more detailed planning for the Conway Lake canoe access, or other accesses along Highway 26. The railroad tracks and terrain present a considerable challenge along this and other stretches of the Refuge for any type of access.

Comment: Ensure access doesn't require canoe portage across highways (2).

Response: Concur; and we will avoid this situation in any accesses developed.

Comment: Supports signed and maintained portages on dikes between pools with steps or gravel path instead of trying to balance canoe going up and down steep rocks.

Response: We do not disagree, but the dikes or dams between pools are under the jurisdiction of the Corps of Engineers. It is unlikely that the Corps of Engineers would entertain any actual recreational development of the dams since their purpose is for water control and management.

Comment: Would like some canoe-only campgrounds.

Response: Since Electric Motor Areas are open to camping, they do serve to a degree as canoe-only camping areas. Given the ease of access to remote areas of the Refuge with canoe, many other areas offer the opportunity to get away from heavily-used beach areas along the main channel. However, we acknowledge that secluded, sandy areas in the backwaters are limited.

Comment: Support additional parking areas (8).

Response: Comments are noted.

6.3 Operation and Maintenance Needs

Comment: Concern for costs of maintaining infrastructure resulting from the Environmental Management Program.

Response: Concur and we have added more information on this need in Alternative E, the preferred alternative, and in the Appendix L, Implementation Plan, in the Final EIS/CCP.

6.4 Public Information and Awareness

Comments:

- # Need more information at public access points to garner public compliance (4)
- # Focus on information campaigns and public information sites (5)
- # Use marinas, boat landings, sporting good stores, and brochures for information programs
- # Kiosks very valuable where there are high number of visitors (2)

Response: We concur and believe the information and awareness efforts outlined in Alternative E of the Final EIS/CCP reflect these comments.

Comment: All the money earmarked for public information campaigns doesn't promote wildlife habitat (2). Spend money on fish and wildlife programs instead due to budget constraints (3).

Response: We believe the public has a need for basic information about the Refuge, its fish and wildlife, and the rules for public use. This is a basic function of managing public lands. As noted in earlier responses, there are indirect and positive benefits to increased public awareness of the Refuge. Citizens who know and understand the Refuge are more apt to care about it and the Mississippi River as a whole, which generally leads to fiscal and political support for improving habitat for fish and wildlife.

Comment: Recommend using newsletters to keep public apprised of changes and results of changes (5).

Response: Newsletters are costly from a production, printing, and mailing standpoint. We have learned through the process of producing the CCP that a website is a valuable tool, and will continue to use it, and the media, to provide information to the public on programs and actions of the CCP which emerges from the Final EIS.

Comment: Kiosks specifically needed at St. Feriole Slough, Villa Louis, and Campion landings near Prairie du Chien.

Response: These landings are managed by the City of Prairie du Chien and not within the Refuge. Although we place Refuge kiosks at many non-Refuge landings in cooperation with cities and towns, there are fiscal and maintenance constraints to placing at all of the 200-plus boat landings in Pools 4 through 14. However, we are currently partnering with the city to place kiosks at two of the landings.

6.5 Staffing Needs

Comment: Hire more Law Enforcement Officers, they're spread too thin (10).

Response: We concur; and added four additional full-time law enforcement officers to this objective in Alternative E, the preferred alternative.

Comment: Support hiring forester (8).

Response: Comments are noted.

7.9 General Comments and Response

This section contains comments and responses to input that did not logically fit in the objectives or categories in Section 7.8.

During both comment periods, a large number of persons or organizations specifically stated their preference for an alternative being considered. A summary of this preference is in Table 35. If a comment did not mention a specific alternative, even if in favor or opposed to certain aspects of an alternative, it is not included in the table.

Petitions and form letters obviously impact these numbers, and it is difficult to weigh the qualitative aspects of a comment in a petition or form letter compared to a written original comment from an individual or organization. For example, during the second comment period, one petition accounted for 139 of the 165 comments specifically wanting Alternative A, while the 112 comments specifically wanting Alternative E were individually written.

Table 35: Comments Stating an Alternative Preference¹

Alternative Preferred	First Comment Period (Draft EIS/ CCP)	Second Comment Period (Supplement or Alt. E)
	Number of Written Comments/ Signatures	Number of Written Comments/ Signatures
Alternative A: No Action	3,086	165
Alternative B: Wildlife	1,840	9
Alternative C: Public Use	1	0
Alternative D: Integrated	387	22
Alternative E: Modified Integrated	0	112

1. Includes number of signatures on petitions, and number of individual form letters/e-mails discussed in Sections 7.6 and 7.7

Also, comments for or against a particular alternative represent the opinions, perspectives, and values of those commenting. Without a random sampling of the general public, one cannot conclude that these numbers represent the views or desires of society as a whole, or of all people who use or benefit from the Refuge.

Comment: Concerns with the new walk down access and bank fishing area off of Highway 35 just south of Stoddard, Wisconsin. These concerns include adequate parking, pedestrian safety, and funding (Wisconsin Division of Transportation Systems Development, Southwest Region).

Response: We share these concerns. The access and bank fishing to this popular fishing area created by an Environmental Management Program project is only identified in Alternative E. We realize that many questions concerning design, funding, and maintenance will need to be answered if this project moves forward. As with all projects adjacent to roads and highways, we will work collaboratively with the state and other agencies before proceeding.

Comment: Alternative D, the preferred alternative, should be rejected because it bans appropriate and priority uses without justification. Concerned about compliance with the National Environmental Policy Act (National Marine Manufacturers Association and Personal Watercraft Industry Association).

Response: In response to public input, the Service issued a Supplement to the Draft EIS/CCP which presented a new alternative, Alternative E, as the preferred alternative. Major changes were made, especially in regards to Electric Motor Areas. Neither Alternative D nor Alternative E bans any priority use in these areas, only the means of use is affected. All areas, except Waterfowl Hunting Closed Areas, remain open to the priority public uses of hunting, fishing, wildlife observation, photography, interpretation, and environmental education. We believe the Final EIS/CCP contains extensive documentation of issues and justification for the actions presented, and complies with all requirements of the National Environmental Policy Act.

Comment: Alternative A should be designated the preferred alternative because it best accomplishes the Refuge's goals, accommodates the broadest mix of uses, and ensures fair and environmentally sound boating management (National Marine Manufacturers Association and Personal Watercraft Industry Association).

Response: We do not believe that Alternative A, no action or current direction, meets the multitude of needs outlined in Chapter 1 of the Final EIS/CCP, nor ensures compliance with the Refuge Improvement Act of 1997 and various Service policies and regulations governing national wildlife refuges. However, Alternative E, the preferred alternative, reflects many changes based on extensive public input at meetings, workshops, and through written comments. All types of traditional recreation currently enjoyed on the Refuge will continue, including boating by any means on at least 90 percent of the water area of the Refuge. We believe the time and place restrictions on a portion of the Refuge meet the needs of wildlife and the needs of a large and diverse public. We believe this balanced approach is in the best long-term interest of the resource, area communities and economy, and the public at large.