

Appendix B

Summary of Public Comments Received on the Draft CCP/EA and Their Disposition

The draft CCP/EA was released for 45 days of public review and comment in June 1999. Over 170 people attended the three public meetings held in July at the following location: Middle Township Building in Cape May County; Galloway Township Library in Atlantic County; and Stafford Township Municipal Building in Ocean County. We also received over 1,600 individual comment letters. There were a great many duplicate comments received, since many people sent copies to both the Forsythe Refuge headquarters in Oceanville, New Jersey and our Regional Office in Hadley, Massachusetts. A summary of the public comments received and the disposition of the concerns expressed in those comments for the Cape May Refuge follows.

Comment: Many commenters requested that both Forsythe and Cape May Refuges provide more environmental education opportunities and improve public access by providing additional interpretive trails. They also requested that additional user-friendly maps and signs be placed throughout the Refuges.

Response: We agree. In Alternative B, our Proposed Action in the Revised Draft CCP/EA, we have substantially expanded our environmental education offerings and increased the amount of interpretation that we would provide, including additional interpretative trails and signage.

Comment: Many commenters requested that at-large or Refuge-wide hunting be allowed at both Forsythe and Cape May Refuges in all areas deemed appropriate. They were concerned about the diminishing number of areas around the Refuges that provided hunting opportunities for the public. In particular, several people requested that upland game hunting opportunities be provided. They referenced the National Wildlife Refuge System Improvement Act of 1997, which includes hunting as one of six wildlife-dependent priority public uses of the Refuge System that should be given priority consideration over other uses of the refuges. A few people commented that hunting was not an appropriate use on a National Wildlife Refuge.

Response: In response to the concerns of these commenters, we added a third alternative, Alternative C, in the Revised Draft CCP/EA. This Alternative would provide opportunities for Refuge-wide hunting at both Refuges. At Forsythe we would expand deer hunting opportunities by including the State fall and winter bow and regular six-day firearms seasons, and open most of the Refuge to both upland game and migratory game bird hunting. At Cape May we would provide opportunities for upland game and migratory game bird hunting Refuge-wide. The entire Refuge is already open for deer hunting. Additional opportunities for hunting would also be provided on newly acquired lands at both Refuges.

Alternative B, our Proposed Action in the revised Draft CCP/EA, while not providing Refuge-wide hunting, would significantly increase hunting opportunities at both Refuges. At Forsythe we would expand the area currently opened to permit deer hunting and initiate a universally accessible permit deer hunt, initiate upland game hunting in the Oak Island Unit of the Brigantine Division, and expand the area open to migratory game bird hunting. At Cape May we would open about 45% of the Refuge to upland game hunting and expand the current migratory game bird hunting area into that same 45% of the Refuge. The entire Refuge is already open for deer hunting. Additional opportunities for hunting would also be provided on newly acquired lands at both Refuges.

While hunting must be given priority consideration over other public uses, it does not take priority over the other five wildlife-dependent priority public uses (fishing, wildlife observation and photography, environmental education and interpretation) identified in the Improvement Act. We believe that Alternative B, our Proposed Action in the Revised Draft CCP/EA, would help us best achieve Refuge purposes, vision and goals; fulfill the Refuge System mission; maintain and, where appropriate, restore the biological integrity, diversity and environmental health of both Refuges and the System; address the key issues and mandates; and is consistent with the principles of sound fish and wildlife management.

Comment: The State of New Jersey, Division of Fish and Wildlife, requested that additional acreage within both Forsythe and Cape May Refuges be opened up to provide opportunities for hunting. They believed the Service's safety concerns could be addressed by requiring that all hunters be in compliance with State fish and game regulations.

Response: Alternative B, our Proposed Action in the Revised Draft CCP/EA, would significantly increase hunting opportunities at both Refuges. At Forsythe we would expand the area currently opened to permit deer hunting and initiate a universally accessible permit deer hunt, initiate upland game hunting in the Oak Island Unit of the Brigantine Division, and expand the area open to migratory game bird hunting. At Cape May we would open about 45% of the Refuge to upland game hunting and expand the current migratory game bird hunting area into that same 45% of the Refuge. The entire Refuge is already open for deer hunting. Additional opportunities for hunting would also be provided on newly acquired lands at both Refuges.

Comment: Other commenters requested additional trapping opportunities at both Forsythe and Cape May Refuges. They identified trapping as a necessary and important wildlife management tool.

Response: We agree that trapping is an important wildlife management tool. It is often used on refuges to control predators and to manage populations of small mammals that impact refuge habitats and facilities such as dikes. Alternative B, our Proposed Action in the Revised Draft CCP/EA, includes additional opportunities for trapping at both Forsythe and Cape May Refuges. At Forsythe we would expand the areas open to trapping and at Cape May we would open about 25% of the Refuge to trapping of muskrat, raccoon and fox.

Comment: Many commenters supported our land protection proposals and wanted us to continue to acquire additional properties located near or around both Forsythe and Cape May Refuges. They supported our efforts to both increase habitat protection and provide additional public use opportunities.

Response: Under Alternative B, our Proposed Action in the Revised Draft CCP/EA, we would acquire 12,300 acres of privately owned lands within our currently approved acquisition boundaries at Forsythe Refuge, and 7,600 acres of privately owned lands within our currently approved acquisition boundaries at Cape May Refuge. We also have identified 17,000 acres of focus areas at Forsythe Refuge, 11,500 acres of which we are proposing to acquire, and 4,900 acres of focus areas at Cape May Refuge, 3,600 acres of which we are proposing to acquire. These lands are located outside our current approved Refuge acquisition boundaries and represent lands with habitats that are important to a number of federal trust species. They also encompass watersheds that are important to protect from future development to ensure that we have adequate water quantity and quality for Refuge wetlands and provide habitat corridors for the movement of wildlife between various state, local and federal conservation lands.

Comment: Several commenters thought that the proposed two-year beach closure during the nesting season at the new Two Mile Beach Unit was unnecessary. They were concerned that the closure threatened their long-standing use of the beach, including being able to walk the beach to reach Cape May Inlet. Several suggested that fencing could be placed above the mean high tide line as a protective measure and that the proposed beach closure should only be enforced if birds actually began to nest at the site.

Response: In light of our mandates as a Federal Land Management Agency, we believe it is important that the beach be available for undisturbed breeding, nesting, feeding, preening, and loafing by an assortment of migratory birds. Under the provisions of the National Wildlife Refuge System Improvement Act of 1997, compatible wildlife-dependent recreational use and all other compatible uses are secondary to the "... conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitat..." We do not believe that placing fencing above the mean high tide line will adequately protect these birds, as the adults and young do much of their feeding at the wrack, or daily high tide line. Nor do we believe that closing the beach only if birds actually began to nest at the site is adequate.

Under Alternative B, our Proposed Action in the Revised Draft CCP/EA, we would allow pedestrian access to the beach from about October 1 through March 31 each year. No vehicles would be allowed on the beach at any time. We would also allow pedestrian access to other parts of the Two Mile Beach Unit all year.

Comment: Several commenters expressed a desire to see the existing buildings at the new Two Mile Beach Unit used for a variety of purposes such as housing for researchers or as a fishing clubhouse. Others commented that we should demolish all the existing buildings and then restore the land to native vegetation.

Response: Under Alternative B, our Proposed Action in the Revised Draft CCP/EA, we would maintain two existing buildings for Refuge office, storage and maintenance purposes, and one for use as a visitor center with displays, exhibits, and regular programs. We would remove all other buildings on the site, all of which are located within the one hundred year floodplain, in compliance with the directives of Executive Order 11988, Floodplain Management. This will allow us to restore the heart of the upland habitat at the Two Mile Beach Unit, in compliance with our mandate under the National Wildlife Refuge System Improvement Act of 1997, which calls for the "... conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitat..."

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