

## Chapter 2. Planning Process

### The Comprehensive Conservation Planning Process

The effort to prepare a Comprehensive Conservation Plan (CCP) for Forsythe Refuge began in the summer of 1996. It was part of a joint effort including both Forsythe and Cape May National Wildlife Refuges, collectively known as the Jersey Coast Refuges. The Service's action followed President Clinton's signing of Executive Order 12996, on the Management and General Public Use of the National Wildlife Refuge System. In recognition of the Order's four guiding principles, the Service focused its planning efforts on:

- Conserving and enhancing the quality and diversity of fish and wildlife habitat within the Refuges;
- Providing opportunities for compatible wildlife-dependent recreational activities involving hunting, fishing, wildlife-observation and photography, environmental education and interpretation;
- Establishing partnerships with other Federal agencies, State agencies, tribes, organizations, industry and the general public;
- Increasing opportunities for public involvement in the planning of refuge land protection and management activities.

This effort continued and was enhanced following passage of the Refuge Improvement Act in 1997. The Act states that the Service shall:

- Propose a CCP for each refuge or related complex of refuges;
- Publish a notice of opportunity for public comment in the Federal Register on each proposed CCP;
- Issue a final CCP for each refuge consistent with the provisions of this Act and, to the extent practicable, consistent with fish and wildlife conservation plans of the State in which the refuge is located;
- Not less frequently than 15 years after the date of issuance of a CCP, and every 15 years thereafter, revise the CCP as may be necessary.

Initially, we focused on collecting information on natural resources and public use. In addition, we developed a vision statement and preliminary goals for the Jersey Coast Refuges, as well as the preliminary issues to be addressed in this planning effort. A mailing list of organizations and individuals was also compiled to insure that we were contacting a wide array of interested publics.

In November and December 1996 we held a series of 11 public scoping meetings in:

- Ocean County--the Townships of Brick, Dover, Lacey, Stafford, and the Boroughs of Long Beach and Tuckerton;
- Atlantic County--the Township of Galloway;
- Cape May County--the Townships of Upper, Dennis, Middle, and Lower.

We announced the location, dates, and times for these meetings in local newspapers and through special mailings. We also briefed local members of Congress on the upcoming meetings. More than 280 people attended the meetings, which were held to let people know what the Service was doing to manage the Jersey Coast Refuges, and to elicit their input on topics of interest to them.

We also distributed an "Issues Workbook" to help collect the public's ideas, concerns, and suggestions on important issues associated with managing the Jersey Coast Refuges. We distributed the workbook to everyone on our mailing list, those who attended the public meetings, and anyone who subsequently requested one. Nearly 1,000 copies were distributed. Through the workbook, we asked for public input on the issues and possible action options, the things people valued most about the New Jersey coast, their vision for the future, and the Service's role in helping to conserve, protect, and enhance fish and wildlife and their habitats. More than 150 copies of the workbook were completed and returned.

In February 1997 we distributed a "Planning Update" which summarized the responses received in the "Issues Workbook". Responses from the workbooks and meetings were influential in helping us formulate the issues related to resource protection and public use.

In April 1997 we also held an Alternatives Workshop. Twenty-five individuals, representing local and State conservation agencies and organizations, participated in the daylong workshop. The participants reviewed and discussed the issues and concerns identified in the "Issues Workbook" and were asked to answer three questions:

- 1) What should be done?
- 2) Where should it be done?
- 3) Who should help the Service do it?

Input obtained from the public meetings, workbooks and workshop was used to identify a reasonable range of alternatives and prepare a Draft Comprehensive Conservation Plan and Environmental Assessment (CCP/EA) in compliance with the National Environmental policy Act of 1969 (NEPA). This Draft CCP/EA was released for 45 days of public review and comment in May 1999. Over 200 people attended the three public meetings held in July 1999 at the following locations: Middle Township Municipal 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 can be found in Appendix B. This summary also notes where we have changed the draft CCP/EA or why we did not make such changes.

On July 2, 2000 a Revised Draft CCP/EA for the Jersey Coast Refuges was released for 30 days of public review and comment. A formal public hearing was held July 19, at the Absegami High School in Galloway Township, Atlantic County, New Jersey. Some 80 people were in attendance. The majority of the speakers, including a legislative staff member representing Congressman Jim Saxton, were opposed to the proposed year-round beach closure to motor vehicles at the Holgate Unit of Forsythe Refuge. Most also spoke in opposition to the proposed seasonal beach closure at the Two Mile Beach Unit of Cape May National Wildlife Refuge.

During the comment period we received over 1,700 written comments. Of these, 1,159 opposed and 543 supported the proposed beach closures. Many of the latter comments also urged that we petition the State

Tidelands Council to close the State owned intertidal area (i.e., the lands below the mean high tide line) on the Holgate Peninsula to motorized vehicle use. Following the 30-day public review period, we compiled and responded to the comments received. A summary of the public comments received and the disposition of the concerns expressed in those comments can be found in Appendix C.

This CCP, reflecting the Service's Proposed Action for Forsythe Refuge found in the Revised Draft CCP/EA, is supported by a Finding of No Significant Impact (FONSI), which may be found in Appendix D. With the signing of this FONSI by our Regional Director in September 2002, implementation of the CCP can begin. This CCP will be monitored annually and revised when necessary.

Figure 1 describes the steps of the Service's CCP process and how it is integrated with the NEPA process.

## **Planning Issues**

Together with the Refuge Vision Statement (page 3), Refuge goals (beginning on page 35), the following key issues for Forsythe Refuge, and the range of options on how to resolve them, formed the basis for the preparation of the Draft CCP/EA.

### **Managing habitats and wildlife populations**

This issue was identified as being very important by the public at our scoping meetings, in the workbook and at the workshop. A number of different management activities were suggested, including: habitat manipulation and restoration (e.g., burning, water level control, planting, mowing), wildlife population management, baseline surveys of wildlife species and ecological communities, population and habitat monitoring, and research. Other activities suggested include working with partners on cooperative efforts for habitat restoration and management on private lands.

Some members of the public requested increased opportunities for furbearer trapping at Forsythe Refuge. They noted that trapping is a necessary and important wildlife management tool. Other people objected to trapping.

Trapping is often used on National Wildlife Refuges to protect endangered and threatened species from predators, to protect refuge infrastructure, and to maintain furbearer populations at levels consistent with refuge objectives.

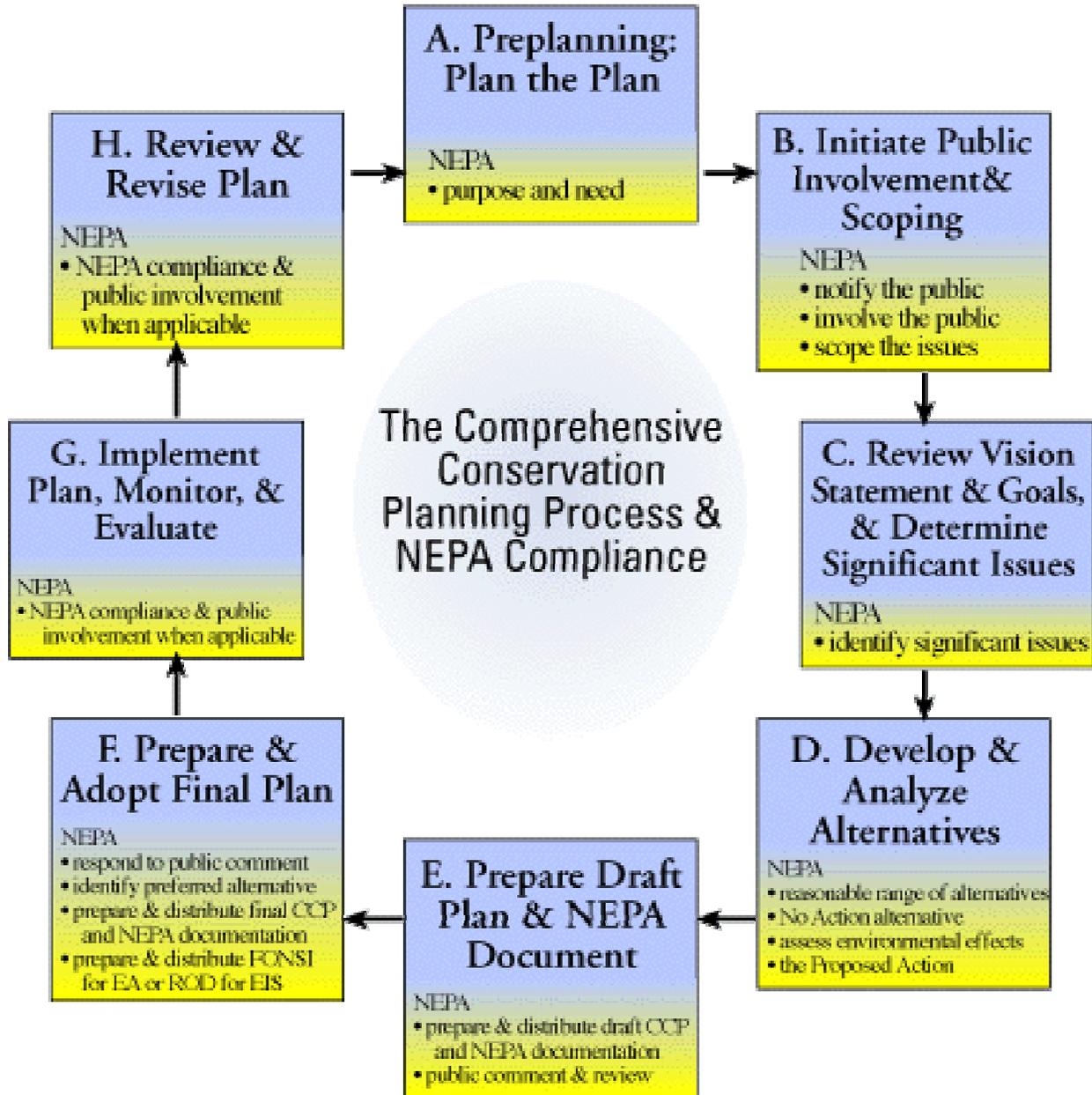
The protection and management of wildlife populations and habitats is the fundamental mission of the Refuge System and Forsythe Refuge. Special emphasis is placed on federal trust resources, including: endangered species, migratory birds, interjurisdictional fish, marine mammals, and wetlands.

### **Controlling invasive and overabundant species**

Dealing with this issue is not only a national initiative for the Service, but was also deemed very important by the public at our scoping meetings, in the workbook and at the workshop. The methods used to control these species are also of great concern.

Forsythe Refuge has significant problems involving invasive species, which impact native species directly, displacing or killing individuals, destroying habitats, and disrupting ecological communities. Invasive species requiring control are mostly exotics not native to the New Jersey landscape (e.g., Japanese

Figure 1. The Comprehensive Conservation Planning Process and NEPA Compliance.



honeysuckle, European bittersweet, autumn olive).

Wildlife species may be deemed overabundant for various management objectives. Overabundant species (e.g., white-tailed deer), may degrade habitat quality or the overall integrity of an ecological community, or, in the case of species like raccoon, displace or prey upon other species that are actively being restored. Other species (e.g., mosquitos), because of their numbers, may pose a human health risk, (**Mosquito control**, page 18). Overabundant snow geese and resident Canada geese are a management concern for the Refuge and for some landowners. Current goose control activities are discussed under this issue, but more aggressive techniques for goose control will be covered in separate documents (**Control of resident Canada geese**, page 18 and **Control of white geese**, page 19). Deer and furbearer control activities are discussed under **Increased opportunities for hunting**, page 15 and **Managing habitats and wildlife populations**, page 13.

### **The effects of pesticides on fish, wildlife and plants**

The public identified the presence of pesticides and chemicals in the environment as an important issue at our scoping meetings, in the workbook and at the workshop. Chemicals and pesticides from activities taking place on the Refuge or from off-refuge sources may impact fish, wildlife and plants found on Forsythe Refuge. Such chemicals may be transported to the Refuge by wind, water or other mechanisms, or picked up off-refuge by fish and wildlife during their migrations. Many people encouraged us to minimize our use of chemicals and pesticides on the Refuge.

The principle use of pesticides on the Refuge is to control mosquitos and invasive species. For example, during 1999, more than 1,000 pounds of pesticide were used to control mosquitos. Integrated Pest Management (IPM) provides an overall strategy to reduce pesticide use and promote other techniques to control problem species. For mosquitos, this includes Open Marsh Water Management (OMWM) (modifying mosquito breeding habitat to favor mosquito-eating fish). Another technique for suppressing phragmites, an invasive species, would be tidal inundation, instead of using herbicides.

### **Increasing opportunities for hunting**

Many people identified hunting on the Refuge as an important issue during the public scoping meetings, in the workbook and at the workshop. Some voiced concern over the Service's policy of restricting access to lands at the Refuge that were historically available for hunting. Others felt that hunting should not be permitted on the Refuge, often citing safety concerns and impacts on wildlife.

Hunting has long been a traditional activity in coastal New Jersey. Local residents have hunted much of the land within the current and proposed boundaries of the Refuge in the past.

At Forsythe Refuge, deer hunting is allowed in designated areas by permit only. Upland game hunting is not allowed. Migratory game bird hunting is allowed in designated areas. Some people called for additional deer hunting opportunities during the six-day firearm season. Some people called for upland game hunting opportunities on the Refuge. Others called for additional opportunities to hunt migratory game birds on the Refuge, or did not agree with the Refuge's policy of restricting hunting to only 40% of its lands.

Because hunting is one of the six priority general public uses of the Refuge System, it "...shall receive priority consideration in refuge planning and management." (National Wildlife Refuge System Improvement Act). Refuge hunt programs must consider public safety, disturbance and other harm to wildlife, harm to habitat, and conflicts between different user groups.

## **Increasing opportunities for fishing**

Many people identified fishing on the Refuge as an important issue during the public scoping meetings, in the workbook and at the workshop.

While extensive fishing does occur within Refuge boundaries, the Service does not have management or law enforcement authority over fishing from boats in tidal waters within those boundaries. Fishing opportunities on lands managed by the Refuge are limited. At Forsythe Refuge some opportunities are provided at several existing access sites. Refuge beaches below mean high tide are under the jurisdiction of the New Jersey Tidelands Council.

Because fishing is one of the six priority general public uses of the Refuge System, it "...shall receive priority consideration in refuge planning and management." (National Wildlife Refuge System Improvement Act). Refuge fishing programs must consider public safety, disturbance and other harm to wildlife, harm to habitat, and conflicts between user groups.

## **Increasing opportunities for wildlife observation and photography**

There was a great deal of interest expressed in expanding wildlife observation and photography opportunities on the Refuge at the public scoping meetings, in the workbook and at the workshop. This high interest is reflected in the fact that many visitors to the Refuge come to observe the wildlife we manage.

The fact that Forsythe Refuge is a world-renowned destination for bird watchers is reflected in our high number of visitors and the diversity of their hometowns. As hundreds of thousands of migratory birds use the Refuge each year, so tens of thousands of visitors come each month to observe them.

Because wildlife observation and photography are two of the six priority general public uses of the Refuge System, they "...shall receive priority consideration in refuge planning and management." (National Wildlife Refuge System Improvement Act). Refuge wildlife observation and photography programs must consider public safety, disturbance and other harm to wildlife, harm to habitat, and conflicts between different user groups.

## **Increasing opportunities for environmental education and interpretation**

There was more interest in expanding environmental education and interpretation opportunities at the Refuge than any of the other priority public uses. In fact, there was great interest in increasing our outreach efforts to local schools and communities as well. Quite often people expressed an interest in promoting more environmentally friendly recreational activities while expressing concern for minimizing impacts on the resources. Many encouraged us to place special emphasis in our education and interpretation efforts on: the impacts of public use on wildlife and how those impacts can be reduced; how the public can help wildlife both at the Refuge and in their own back yards; and the importance of refuges in conserving wildlife and their habitats.

Because environmental education and interpretation are two of the six priority general public uses of the Refuge System, they "...shall receive priority consideration in refuge planning and management." (National Wildlife Refuge System Improvement Act). Refuge environmental education and interpretation programs must consider public safety, disturbance and other harm to wildlife, harm to habitat, and conflicts between different user groups.

## **Protecting and managing wilderness resources**

In 1975 Congress designated 6,603 acres of the Forsythe Refuge as Wilderness. Undeveloped barrier beaches and dunes at Holgate and on Little Beach Island, and undisturbed salt marshes were included.

There are stringent requirements specified in the Wilderness Act and in Service policy for protecting and managing these areas. These include the highest requirements for clean air, using minimum tools for management, and letting natural processes prevail. The protection and management of Wilderness often includes such actions as monitoring the ecological communities, research, education and outreach, enforcement of Refuge regulations, reviewing the potential impacts of both on- and off-site activities on wilderness values, and the restoration of native species or natural communities. The single most contentious issue associated with the public review of both the Draft and Revised Draft CCP/EA was the use of motorized vehicles for surf fishing at Holgate, in violation of the provisions of the Wilderness Act.

## **Increasing opportunities for land protection**

During the public scoping meetings, in the workbooks and at the workshop, people expressed a great deal of support for the protection of additional fish and wildlife habitat, and suggested that this occur not only through an expanded land acquisition program at the Refuge, but also by working cooperatively with others to protect non-refuge lands as well. There is considerable interest in increasing land protection efforts at the Refuge, especially lands supporting federal trust species.

## **Increasing resource protection and visitor safety**

People identified resource protection and visitor safety as a concern during the public scoping meetings, in the workbook and at the workshop.

New Jersey is the most densely populated state in the nation. In addition, Ocean County was the fastest developing county in the United States during the 1970's and the 1980's. Development in Atlantic County has increased markedly since the birth of the Atlantic City casino industry in the 1980's. As a result, law enforcement incidents encountered on Forsythe Refuge are no longer limited to wildlife related violations. Officers now respond to incidents involving vandalism, assault, breaking and entering, speeding, possession of illegal drugs, and the cultivation of marijuana. The Refuge currently encompasses 43,000 acres, along 50 miles of the New Jersey Shore. Marking the expanding Refuge boundaries remains a constant logistical problem. Total annual public use surpasses 300,000 visitors. It is expected to increase rapidly as more of Atlantic City's 35 million annual visitors and the millions of Jersey Shore summer visitors discover Forsythe Refuge.

The current staffing level of two full-time Park Rangers is insufficient to adequately patrol and enforce Refuge and other federal regulations. These officers find it increasingly difficult to respond to public reports of potential violations.

## **Improving Refuge buildings and facilities**

The existing buildings and facilities at Forsythe Refuge are woefully inadequate and need to be replaced. This is especially important if the Refuge is to adequately accommodate work space for not only current staff, but also any future increases in staffing levels that would be required to implement the actions and strategies in the Refuge CCP. Additional laboratory and equipment storage space is also needed.

New facilities would help increase our visibility in coastal New Jersey and improve our visitor services, including providing opportunities for environmental education and interpretation. The 150,000 people, who

currently use the wildlife drive at Forsythe Refuge, are provided few opportunities to learn about the Service or its programs during their visit to the Refuge.

## **Issues Outside the Scope of the CCP/EA**

These issues did not fall within the scope of The Purpose of and Need for Action and the Decision to be Made in the CCP/EA. Issues within this category were not addressed. The Service will, however, pursue other courses of action, often in cooperation with other interested parties, to resolve them.

### **Protecting sensitive areas from personal water craft use**

Many people expressed concern over the use of personal water craft at the public scoping meetings, in the workbook and at the workshop.

Personal water craft use in the State-managed waters surrounding or adjacent to lands of the Forsythe Refuge has risen dramatically. The Refuge does not have jurisdiction over these activities in these waters.

Personal water craft have made previously inaccessible Refuge areas susceptible to adverse habitat and wildlife impacts. Their use has increased wildlife-human interactions, involving disruption of roosting, foraging, and nesting birds over large areas of the Refuge.

The Service will increase its education and outreach efforts regarding the responsible use of personal water craft, and will work closely with the State to seek solutions for resolving this perplexing problem.

### **Mosquito control**

Several species of mosquitoes found in coastal New Jersey are important vectors of potentially lethal diseases, including Eastern Equine Encephalitis and West Nile Virus. The Service is striving to responsibly address risks to public health and safety and to protect trust resources from mosquito borne diseases and the impacts of pesticides on wildlife and the ecosystem. The Service and the mosquito control agencies in New Jersey and Delaware are working to develop new strategies for mosquito control, with appropriate NEPA compliance. The public will have the opportunity to review and comment on the proposed strategies before they are finalized.

### **Control of resident Canada geese**

Resident Canada geese are having a growing impact on communities across the country. Increasing urban and suburban development in the United States has resulted in the creation of ideal goose habitat conditions including park-like areas with short grass adjacent to small bodies of water.

These habitat conditions have enticed rapidly growing numbers of locally breeding geese to live here year round. These resident goose populations are increasingly coming into conflict with human activities in many parts of the country. Large flocks of resident geese have serious impacts, on both wildlife and people: geese grazing in large numbers cause major habitat destruction, reducing the amount of critical forage available for migratory geese and other waterfowl during migration; high concentrations of goose droppings in lakes can cause excessive algae growth, leading to fish kills; high concentrations of goose droppings can also create health hazards to humans; and resident geese can denude lawns of vegetation.

To help address this problem, the Service issued special Canada goose permits to states in the summer of 1999. The permits are designed to give states greater flexibility and opportunity to design management

programs to control specific resident Canada goose populations. The permit program was designed as a short-term program until a comprehensive long-term management strategy can be developed and implemented.

The Service is preparing an Environmental Impact Statement (EIS) to lay out alternatives for dealing with all the resident Canada goose problems. The EIS will be completed in 2001.

### **Control of white geese**

Populations of white geese – a term that encompasses greater and lesser snow geese and Ross' geese – have increased dramatically in the last 30 years. The species of primary concern in Forsythe Refuge area is the greater snow goose.

Numbers of lesser snow geese and Ross' geese have grown from 300,000 birds in 1969 to more than 3 million birds today. Numbers of greater snow geese have grown from fewer than 50,000 in the late 1960's to about 800,000 today.

As a result, the geese have destroyed and damaged vast areas of their sensitive Arctic breeding grounds as well as local migration stopover areas. This negatively impacts not only the geese, but for all the plants and the other animals in these areas.

The Service is preparing an EIS to lay out alternatives for dealing with all the white goose population problems. The EIS will be completed in May 2001.

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