

## Appendix K

Hollinsworth/USFWS



*Swamp sparrow*

# **Summary of Public Comments and Service Responses on the Draft Comprehensive Conservation Plan and Environmental Assessment for Montezume National Wildlife Refuge**



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February 2013

## Introduction

In May 2012, the U.S. Fish and Wildlife Service (Service, we, our) completed the Montezuma National Wildlife Refuge (Montezuma NWR, the refuge) draft Comprehensive Conservation Plan (CCP) and Environmental Assessment (EA). That document outlines three alternatives for managing the refuge over the next 15 years and identifies alternative B as the “Service-preferred alternative.” We released the draft CCP and EA for public review and comment from May 22 to June 21, 2012.

We evaluated all the letters, email, and phone calls we received during that comment period, along with comments recorded during our two public meetings. This document summarizes the substantive comments we received and provides our responses to them. Based on our analysis in the draft CCP and EA and our evaluation of comments, we made minor modifications to alternative B and recommended it to the Northeast Regional Director for implementation. It is that modified alternative B which is detailed in this final CCP. Our modifications include additions, corrections, or clarifications of our preferred management actions. We have also determined that none of those modifications warrants publishing a revised or amended draft CCP and EA before publishing the CCP.

The changes we made to the final CCP include the following:

1. We increased the amount of shrubland we intend to maintain to 396 acres (similar to alternative A), which is about 100 acres more than originally proposed under alternative B of the draft CCP and EA.
2. We included additional information in chapter 4, under “Protecting Land and Proposed Land Expansion,” that we will evaluate newly acquired lands for their potential for habitat restoration (i.e., emergent marsh, forest, shrubland, or grassland).
3. We have added estimates of hazard abatement surveys to table 4.1, and have revised the cost estimates for demolition.
4. We added a section titled “Alternatives Considered but not Fully Developed” to the final hunt program EA (appendix E, which includes a discussion of closing the refuge to hunting).
5. We modified the Land Protection Plan (appendix F) to incorporate climate change information from the CCP and estimated numbers of migratory birds and breeding marshbirds that could use emergent marsh habitats, once lands have been acquired and restored. We also revised the land protection plan and final CCP to clarify which parcels

we own, which have been previously added to the refuge's approved acquisition boundary but not purchased, and which would be included in the refuge expansion.

6. We corrected the final fire management plan EA to show that alternative B is both the current management (the no action alternative) and the preferred-alternative.

As we create the refuge step-down plans, we will take into consideration all comments that relate to those plans.

The Northeast Regional Director will either select alternative B for implementation, or one of the other two alternatives analyzed in the draft CCP and EA, or a combination of actions from among the three alternatives. She will also determine whether a Finding of No Significant Impact is justified prior to finalizing her decision. She will make her decision after:

- Reviewing all the comments received on the draft CCP and EA, and our responses to those comments.
- Affirming that the CCP actions support the purpose and need for the CCP, the purposes for which the refuge was established, help fulfill the mission of the National Wildlife Refuge System (Refuge System), comply with all legal and policy mandates, and work best toward achieving the refuge's vision and goals.

Concurrent with release of the approved CCP, we will publish a notice of the availability in the *Federal Register*. That notice completes the planning phase of the CCP process, and we can begin its implementation phase.

## Summary of Comments Received

During the comment period, we received 36 sets of responses, both written and oral. We gathered oral comments at the following two public meetings attended by about six people: June 4, 2012, 2:00 to 4:00 p.m. and 6:00 to 8:00 p.m. at the Montezuma National Wildlife Refuge, 3395 US Route 20 East, Seneca Falls, NY 13148.

We received written comments, including email and post, from 34 organizations and individuals. We received letters from the New York State Department of Environmental Conservation (NYSDEC), the New York State Ornithological Association, New York Audubon, and the Onondaga Audubon Society. We received a letter from the Mayor of Aurora, NY, and comments from members of the public.

In the discussions below, we address every substantive comment received during the comment period. Comments were organized by subject. Directly beneath each subject heading, you will see a list of unique letter numbers that correspond to the person, agency, public meeting, or organization that submitted the comment. In some cases, one person may have submitted a comment more than once (public meeting, email, written letter, or telephone). The cross-referenced list appears as attachment 1 to this appendix.

In our responses, we may refer the reader to other places in this document or the draft CCP and EA where we address the same comment. In some instances, we refer to specific text in the draft CCP and EA and indicate how the CCP was changed in response to comments. There are several

options for obtaining the full versions of the draft CCP and EA or the final CCP. They are available online at: <http://www.fws.gov/northeast/planning/Montezuma/ccphome.html>.

For a CD-ROM or a print copy, please contact the refuge at:

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## Service Responses to Comments by Subject

### Biological Resources

#### **Habitat Management**

**(Letter ID#: 4, 6, 8, 10, 11, 27, 28, 30, 31)**

Comment: One commenter expressed appreciation for the refuge's work to improve and restore habitat for wildlife, especially endangered species, and that the refuge is essential for these species' well-being.

*Response:* Thank you for your support.

Comment: One commenter stated that the CCP does not satisfactorily address the effects of refuge management in the larger Montezuma Wetlands Complex (MWC) and that the effects of combined changes in this larger area are not considered in the CCP. They stated that we cannot meet the goals of managing for specified population changes unless we coordinate with other managers in the surrounding areas.

*Response:* We agree that coordinating with other land managers within the MWC is paramount in achieving conservation goals in this area. Under all of the alternatives in the draft CCP and EA and in the final CCP we emphasize continued coordination with NYSDEC and other partners. We have and will continue to work closely with NYSDEC and other land managers in the area to coordinate habitat management and species needs across the MWC. As part of the National Wildlife Refuge System, we must also consider our role in habitat and species conservation on a landscape scale that extends beyond the MWC. As we develop CCPs, we coordinate with partners and other Service programs to evaluate habitat management and public use at multiple scales, including potential changes to the landscape. No one can predict future habitats with certainty. We use the best available science, our professional judgment, and information from our partners to develop our habitat management strategies.

Comment: We received several comments about grassland and shrubland habitats on the refuge, including comments from New York State Ornithological Society (NYSOA), Onondaga Audubon Society, and Audubon New York as well as others. One person considered reducing

grassland and shrubland to be ill-advised since these comprise much smaller portions of the refuge than forest habitat. NYSOA commented that the increase in forest is unlikely to significantly improve the populations for species such as the cerulean warbler, wood thrush, wood duck, and Indiana bats while the reduction of shrubland and grassland will negatively impact a large group of bird species of concern. The NYSOA would rather have shrubland and grassland habitats be increased by limiting forest succession and managing marshlands to provide these habitats. One commenter also noted that grassland bird species are declining faster in New York than forest species, so increasing forest habitat and decreasing grassland habitat on the refuge was ill-advised. Audubon New York commented that they support the consolidation of grassland units because these grassland units have not supported many priority grassland species. However, they feel that there could be additional opportunities to provide grassland habitat in addition to the 287 acres proposed in the CCP. They would prefer that the goals for grassland and shrubland habitat types remain at least at their current levels rather than being reduced. Onondaga Audubon Society is not in favor of decreasing shrubland habitat by 110 acres and also believes that providing 287 acres of grassland is a step in the wrong direction for bird species that require fields that are not mowed too soon.

*Response:* We recognize that grassland birds have been declining faster than any other habitat-species suite in the northeastern U.S. We currently manage four parcels for grassland obligate breeding birds. Managing grasslands successfully is labor intensive, requiring frequent mowing, burning, or both. We have chosen to maintain three high quality grassland areas on the refuge. We based this decision on a variety of factors, in particular they are relatively large (greater than 54 acres), and some are surrounded by or adjacent to other open habitats (e.g., emergent marsh or cropland). As noted by Audubon New York, grassland areas we are planning to convert to other habitats have not support priority grassland species. Results of breeding bird surveys indicate that the only consistent grassland breeding birds in these units are bobolink and savannah sparrow. One unit currently managed as grasslands will convert to shrubland under alternative B of the draft CCP and EA: the Subheadquarters Field. This field is linear with a lot of edge and not as productive for grassland breeding birds (from 2008 to 2010 only one bobolink and two savannah sparrows were detected during breeding bird surveys). However, higher numbers of both willow flycatcher and song sparrow (both early successional species of conservation concern) were detected on this unit.

We are hopeful that with approval of the final CCP, we will have the capacity to improve habitat conditions in the remaining three grassland units (e.g., by haying in late summer and by increased monitoring, management, and restoration in early successional habitats if additional staff are approved and funded). As new lands are acquired, we will evaluate the potential to restore or maintain new grassland units, specifically on large parcels with little edge surrounded by or adjacent to other open habitats. While always our intent, we clarified this in chapter 4 of the final CCP, under “Land Protection and Proposed Expansion.”

As a result of a number of insightful comments during the draft CCP and EA comment period and input from the Service’s Division of Migratory Birds regarding shrublands, forest gaps, and the species that depend on them, we have decided to increase the amount of refuge land managed for shrublands by decreasing proposed mature forest habitat. In alternative B of the draft CCP, we proposed increasing refuge acreage of forested habitats from 3,017 to 3,757 and decreasing

acreage of shrubland habitats from 866 to 291. We have revised the final plan so forested habitats will total 3,646 acres, and shrublands will total about 396 acres. This has been accomplished by changing the target habitat type on five management units.

We also want to point out that the habitat acres reported in the draft CCP and EA and final CCP reflect overall tract size and do not take into account some of the diversity within the tracts or the lag time in conversion from early successional habitat to mature forest. For example, some of the areas included in “current shrublands” and “alternative B forests” are former agricultural fields (surrounded by forests) where tree and shrub seedlings have recently been planted. These “fields” will remain in an early successional stage through the 15-year lifetime of the plan even though forest habitat is the long-term goal. Similar to grasslands, as new lands are acquired, we will evaluate the potential to restore or maintain new shrubland units, specifically in areas with existing edge habitat. While always our intent, we clarified this in chapter 4 of the final CCP, under “Land Protection and Proposed Expansion.”

Patches of early successional habitat already exist and will continue to be present within existing forests. These canopy gaps have not been mapped or included in the target acreage for shrublands. For example, in the 266-acre Unit 17 West, there is a 33-acre open patch resulting from beaver activity. In addition, powerlines run through four of our forested tracts, creating linear patches of early successional habitats within these forested units. Indeed, the following species of conservation concern that use early successional habitats were detected during breeding bird surveys in two forested units on the refuge (Unit 17 and the Main Pool Forest Unit) from 2007 to 2011: American woodcock, Baltimore oriole, northern flicker, song sparrow, and willow flycatcher.

Finally, and sadly, we are poised to lose great chunks of our forest canopy over the course of the next 15 years as a result of the emerald ash borer. The U.S. Forest Service identified white ash as a dominant tree in four of the 10 forest stands surveyed on the refuge for a Forest Health Assessment in 2010. Not included were Unit 17 East and West and the Main Pool Forest where green ash co-dominates with red and silver maple. The legacy of the emerald ash borer will be to create significant gaps in the forest canopy leading to considerable patches of early successional habitat within forested habitats not only on the refuge but statewide. In New York State, there are approximately 900 million ash trees, and 10 percent of the trees in New York’s hardwood forests are ash. As these trees die, forest gaps and early successional habitats will increase throughout the State. These should benefit not only species that require early successional habitats but also the postbreeding success of forest interior species. The management challenge will be to promote native vegetation in these areas so they do not become over-run by nonnative, invasive species. For example the dominant understory plant in some parts of the refuge is common buckthorn, a nonnative, invasive species. Our hope is that increased partnerships and additional staffing (if authorized and funded) proposed under alternative B of the draft CCP and EA and in the final CCP will help us successfully control invasive species to continue to provide high quality habitat.

We have added additional clarification about early successional habitats that exist on the refuge but are not actively maintained by the refuge to the rationale for objective 3.2 in the final CCP.

Comment: There should be more specific mention of the management and protection of cavity nesting birds in the CCP. Change in habitats may result in more nesting and roosting sites for these species if snags are kept in place. More details about plans for cavity nesting species should be added to the plan.

*Response:* We recognize the importance of cavity nesting species. As stated previously, as part of the National Wildlife Refuge System, we must also consider our role in habitat and species conservation on a landscape scale that extends beyond the refuge and the MWC. As we develop CCPs, we coordinate with partners and other Service programs to evaluate habitat management and public use at multiple scales. We use the best available science, our professional judgment, and information from our partners to develop our habitat management strategies. A comprehensive list of resources of concern for the refuge, compiled from a multitude of guiding documents and other information sources, is in table A.1 in appendix A of both the draft CCP and EA and final CCP. This list includes 87 bird species, 50 of which breed on or near the refuge. This is a large number of species with a broad array of habitat needs. CCPs are intended to help focus and prioritize management strategies. From the list of 87 species, we chose focal species to guide our management based on criteria listed in the draft handbook for identifying refuge resources of concern and management priorities (USFWS 2009; see appendix A for criteria and focal species).

Of the 50 bird species of conservation concern that breed on or near the refuge, only five are cavity nesting: hooded merganser, wood duck, long-eared owl, northern flicker, and prothonotary warbler. Based on the criteria described in appendix A, none of these were identified as focal species for the refuge. However, all of these species will benefit from proposed refuge management actions. Tree cavities currently exist on the refuge, and we expect them to become more prevalent as refuge forests mature. We are increasing the acreage of forested habitats on the refuge, in some places by planting trees, and expect these forests to eventually provide additional cavities as existing trees with cavities continue to decay and fall. If the conservation concern for cavity nesting species increases, we will consider reevaluating focal species and revising the CCP.

Comment: One commenter noted that the nest boxes for eastern bluebirds, tree swallows, etc. have been productive; however, it would be useful to expand these artificial nests to include more species, such as the black capped chickadee, northern flicker, screech owl, etc. This will be very beneficial to nesting and roosting birds and could potentially be used for additional environmental education and interpretation opportunities.

*Response:* In general, the Service is increasing our focus on providing natural nesting habitat for wildlife rather than artificial nesting boxes. Expanding nest boxes on the refuge would require refuge staff time and funds, diverting these resources from other, higher priority activities such as environmental education programs and habitat restoration efforts. As discussed under goal 2, strategies that apply to all objectives, because of the potential benefits to the federally listed Indiana bat, we will work with partners to determine the need for bat houses on the refuge and install where appropriate if deemed worthwhile. If conservation concern for other species of conservation concern increases, we will reconsider expanding the refuge's nest box program.

Comment: Audubon New York does not see the need to increase waterfowl habitat by 500 acres and would rather the refuge focus resources on other priority species. If the refuge proceeds with increasing waterfowl habitat, they would not want that to compromise shorebirds and marshbirds by reducing their habitat.

*Response:* Managing habitat for waterfowl is compatible with managing habitat for marshbirds and shorebirds. Most large wetland impoundments on the refuge, for example Tschache Pool and the Main Pool, are managed on a rotation between flooding and drawing down. This provides habitat for migratory birds that have different water level requirements, including waterfowl, marshbirds, and shorebirds. The increase in waterfowl habitat under alternative B of the draft CCP and EA and included in the final CCP does not come at the expense of shorebird or marshbird habitat. We are working with biologists throughout the Atlantic Flyway through the Integrated Waterbird Management and Monitoring Program (<http://iwmmprogram.ning.com/>) to fine tune our wetland management to balance the needs of all waterbird species. Increasing waterfowl habitat as proposed will also benefit breeding marshbirds. For example, in 2011, the Main Pool provided ample habitat for both migrating waterfowl and for breeding marshbirds including Virginia rail, American bittern, sora, pied-billed grebe, common gallinule, and black tern. Similarly, in 2011, Knox-Marsellus and Puddler Marshes provided extensive habitat for both shorebirds and waterfowl.

Comment: One person expressed the need for increased management of shorebird habitat, as much of their habitat has been eliminated due to a loss of wetlands. The CCP does not specifically address shorebird habitat and shorebird habitat has become overgrown quickly and there seems to be insufficient resources to maintain these habitats for their intended purposes. Because birders frequently visit the refuge from Syracuse, Rochester, and Ithaca to see these species, the refuge should allot more resources for shorebird habitat management.

*Response:* We agree that providing habitat for shorebirds is important and it will continue to be a high priority for the refuge. As specified in chapter 3, objective 1.3 in alternative B of the draft CCP and EA and chapter 4, objective 1.3 of the final CCP, we will continue to manage a minimum of 100 acres of mudflats to benefit migrating shorebirds throughout both the northbound and southbound shorebird migrations (i.e., April to November). We also intend to increase the suitability and availability of this habitat, potentially allowing a greater number of shorebirds to use the refuge. Most large wetland impoundments on the refuge, for example Tschache Pool and the Main Pool, are managed on a rotation between flooding and drawing down. This provides habitat for migratory birds that have different water level requirements, including shorebirds during the drawdown years. Certain wetlands are designated specifically for shorebird habitat most years (e.g., Benning Marsh, Lesser Yellowlegs Unit, and Visitor Center Wetlands). Unfortunately, weather patterns sometimes prevent or delay us from maintaining shorebird habitat. In the absence of tidal waters, providing shorebird habitat is also labor intensive and sometimes lack of staff and funding prevent us from meeting our objective of providing 100 acres of shorebird habitat throughout the entire migration. Proposed increases in staff, if authorized and funded, will help us provide more shorebird habitat.

**Comment:** One commenter believes that cooperative farming is not a compatible use and that agribusinesses disrupt wildlife, and should therefore not be allowed on the refuge.

**Response:** Prior to initiating the CCP, we completed a compatibility determination (see appendix B of the final CCP) for cooperative farming where we found this use to be compatible. As we state in the CCP and in the compatibility determination, cooperative farming is used as an important interim management method to keep newly acquired fields from being colonized by nonnative, invasive species while we are preparing for native habitat restoration. Refuge lands are phased out of the cooperative farming program as soon as habitat restoration is feasible. Currently, only 180 acres are included in the refuge's cooperative farming program, or about 2 percent of the refuge's current acreage.

### **Species of Concern** **(Letter ID#: 8, 9)**

**Comment:** One commenter suggested that the blue-winged teal be included as a species of special concern listed on page 2-25 of the draft CCP and EA, mainly because its population in New York has steadily declined.

**Response:** The list of species of conservation concern on page 2-25 of the draft CCP and EA is not meant to be an exhaustive list for the MWC or the refuge. As discussed on this page, there are more than 117 species of birds known to nest on the refuge. Only a few of them are highlighted in this paragraph. The blue-winged teal is included as a species of concern in appendix A of both the draft CCP and EA and the final CCP. It is classified as a species of medium priority in the Bird Conservation Region 13 and the North American Waterfowl Management Plan.

**Comment:** One commenter stated that the repeated reference throughout the CCP to the cerulean warbler is an over-emphasis and that other species, including the vesper sparrow, blue-winged warbler, brown thrasher, long-eared owl, wintering short-eared owl, black tern, and least bittern should receive equal consideration in the plan.

**Response:** We recognize the importance of managing the refuge to benefit a variety of species. As stated previously, a comprehensive list of resources of concern for the refuge, compiled from a multitude of guiding documents and other information sources, is in table A.1 in appendix A of both the draft CCP and EA and final CCP. This list includes 87 bird species, 50 of which breed on or near the refuge. This is a large number of species with a broad array of habitat needs. Effectively managing refuge habitats for this number of species would be ineffective and logistically unfeasible. Service CCPs are intended to help focus and prioritize management strategies, and we developed focal species for each habitat to help guide management efforts based on criteria listed in the draft handbook for identifying refuge resources of concern and management priorities (USFWS 2009; see appendix A for criteria and focal species). Please note that, while we have identified specific focal species for habitat management, a variety of species of conservation concern (including reptiles, mammals, amphibians etc.) are expected to benefit from our efforts to maintain and restore habitats on the refuge. These are listed in appendix A, table A.2 of both the draft CCP and EA and final CCP.

We have provided additional information about the selection of specific focal species below:

- The cerulean warbler was chosen as a focal species because it is the only regularly breeding bird on the refuge that is listed as highest priority in the Bird Conservation Plan for the Lower Great Lakes/St. Lawrence Plain Bird Conservation Region (BCR 13) (ACJV 2007). As stated in the draft CCP and EA, the MWC is listed as one of the areas with the largest concentrations of cerulean warblers in the Atlas of Cerulean Warbler Populations (Rosenburg et al. 2000), indicating that we have an important role to play in the conservation of this species.
- Blue-winged warbler and short-eared owl are the focal species for shrubland and grassland habitats, respectively. We discuss these species in the rationale sections of objectives 3.1 (blue-winged warbler) and 3.2 (short-eared owl).
- As described in appendix A, American and least bittern, pied-billed grebe, and black tern are all good candidates to use as focal species for marshbird breeding habitat. All of these species are listed in at least four of eight conservation plans/lists, and all are listed in the New York State Comprehensive Wildlife Conservation Strategy (NYSDEC 2005) and the BCR 13 plan (ACJV 2007). However, least bittern and black tern were not selected as focal species for Montezuma NWR because they occur in low abundances in BCR 13 relative to other BCRs. The pied-billed grebe was selected because it is more easily detected and currently more abundant than the American bittern on the refuge so may be more useful as an indicator species for the entire group as all four species use similar habitats. Also, the pied-billed grebe is believed to be more vulnerable to climate change than the American bittern so monitoring this species may be more useful for monitoring climate change impacts on the refuge.
- Vesper sparrow is a special concern species in NY State and listed as a species of greatest conservation concern in the New York State Comprehensive Wildlife Conservation Strategy (NYSDEC 2005), but it is not listed in any other major bird conservation plan for this area (e.g., the U.S. Fish and Wildlife Service Division of Migratory Birds, Birds of Conservation Concern for Region 5; the Bird Conservation Plan for the Lower Great Lakes/St. Lawrence Plain Bird Conservation Region (BCR 13) (ACJV 2007); or Partners In Flight Landbird Conservation Plan: Physiographic Area 15: Lower Great Lakes Plain (Dettmers and Rosenberg 2003). Vesper sparrow is listed in appendix A as a species of concern for grasslands, and we hope the vesper sparrow will benefit from improved grassland habitat management as described in alternative B of the draft CCP and EA and included in the final CCP.
- Brown thrasher is listed under only two of seven conservation plans consulted. It is listed in appendix A as a species of concern, and we hope the brown thrasher will benefit from improved early successional habitat management under alternative B.

- The long-eared owl is rare on the refuge and listed in only one of seven conservation plans consulted. However, it is still listed in appendix A as a species of concern. Since the long-eared owl breeds in open forests, it may benefit from the forest gaps that will be created in forest interiors as a result of the emerald ash borer.

Comment: Onondaga Audubon would like the CCP to include the creation of properly maintained early successional habitat and scrub/shrub wetlands to attract breeding golden-winged warblers, whose population is in decline. The refuge has the resources to provide such habitat, in addition to habitat management consultants in the area that could provide additional support and guidance as a partner.

*Response:* We are aware that golden-winged warblers are in decline and this species has been identified as a species of concern for the refuge (see appendix A in both the draft CCP and EA and final CCP). While this species has been identified as a species of concern in five of the conservation plans used to help determine focal species, we have not focused refuge management efforts on this species mainly because focal species must be supported by current or restorable refuge habitats and must respond well to management. Despite the availability of suitable habitat for golden-winged warblers in the area, between 1993 and 2012 only four individuals were reported on Ebird for the entire MWC (<http://ebird.org/ebird/map/>). The refuge will continue to provide early successional habitat and shrublands, which would benefit this species if present. We will continue to conduct monitoring efforts on the refuge to document species occurrences. If we detect this species on the refuge or if a potential source population is found near the refuge, we will consider reevaluating focal species and revising the CCP.

### **Flooding** **(Letter ID#: 25, 26, 29)**

Comment: One person commented that the refuge should be used as part of the floodplain to help reduce overall flooding and release water in a controlled manner. There is currently not a good plan for potential flooding and how to control it.

*Response:* We recognize the importance of floodplains in reducing impacts of flooding, as well as benefits to native species. Unfortunately, as discussed in chapter 2 of the draft CCP and EA and chapter 3 of the final CCP, the hydrology within and surrounding the refuge is so highly altered that we must use artificial means to mimic natural hydrologic patterns, for example spring flooding in wetlands to provide habitat for native species. One of the benefits of alternative C in the draft CCP and EA was reconnecting portions of the refuge to the current floodplain. However, we did not select this alternative for the final CCP because it did not support the refuge's purpose of providing habitat for migratory birds or the goals of the CCP, as well as alternative B. We will work with local towns, the NYS Canal Corp, and other partners to help minimize impacts of flooding as needed, and will ensure that refuge management does not contribute to impacts from flooding.

Comment: The Flood Hazard Mitigation Coordinator for the Cayuga County Planning Department and the Mayor of Aurora requested the Service do a complete evaluation of the potential flood impacts of acquiring and managing mucklands off New York State Route 31 in

the towns of Tyre and Savannah. Managing these mucklands to reduce flooding frequency could have adverse impacts on flooding. This potential flood impact triggers Executive Order 11988, however there appears to be no money allocated for flood modeling. They requested that the Service calculate floodplain storage losses, potential floodway rise, and the number of homes and properties that would be potentially impacted by flooding. They have also requested more information on the \$150,000 to be used for impoundments and water control structures, and how they would impact flooding.

*Response:* Flooding can have significant impacts on communities. Our role in the community is very important to us. We consider impacts of refuge activities on local communities, including potential increased risk of flooding. Of the 1,431 acres proposed in the Land Protection Plan (appendix F), about 725 acres are classified as cultivated crops (a.k.a. mucklands). It is our understanding that these acres are currently diked, drained, and farmed, effectively removing them from the floodplain already. We do not anticipate that habitat restoration of these lands after acquisition would result in removing additional lands from the floodplain. In fact, it is possible that Service acquisition and subsequent habitat restoration and refuge management actions on these lands could result in increasing floodplain capacity. During flood events we may open water control structures to allow floodwaters to enter refuge lands, which might not occur if left in private ownership. We estimated it would cost about \$150,000 (in 2012 dollars) to modify or upgrade existing dikes and water control structures in conjunction with habitat restoration efforts for these lands. This estimate is based on costs from similar-sized projects that have already been conducted on the refuge. Additional details on design, location, and potential impacts on flooding will not be available unless these lands are acquired and we develop a restoration plan. We will work with interested local communities and towns as we develop our restoration plans to minimize or eliminate potential negative effects of refuge activities. We have clarified that we will continue to comply with all applicable Executive Orders, Federal regulations, and laws, including NEPA and Executive Order 11988 in “Socioeconomic and Cultural Impacts” of appendix F and chapter 4 of the final CCP, under “Protecting Land and Proposed Land Expansion.”

Comment: The Cayuga County Planning Department expressed concern that if construction of the Wildlife Drive extension is designed on a berm and water is managed to keep it from overtopping during flooding, the extension will keep portions of the floodplains dry which will impact flood levels along the Clyde and Seneca Rivers. This potential flood impact triggers Executive Order 11988, however there appears to be no money allocated for flood modeling.

*Response:* At this time, we do not have sufficient information to analyze potential impacts of expanding the Wildlife Drive. Prior to implementing any expansion, we would need to complete an additional NEPA document to present alternatives and analyze potential impacts of each alternative, including potential impacts to flooding. We do not know what the cost of that analysis would be, as it depends on specifics in the alternatives which haven’t been developed. We anticipate that, during flooding events, some or all of the Wildlife Drive would be closed temporarily to protect public safety and to allow and floodplain lands to function as such. As stated previously, we will work with interested local communities as we develop alternatives and we will comply with all applicable Executive Orders, Federal regulations, and laws, including Executive Order 11988, prior to initiating any on the ground activities.

### **Refuge Administration** **(Letter ID#: 25)**

Comment: The Cayuga County Planning Department commented that all structures being demolished in the Proposed Expansion Area must have a pre-demolition asbestos survey and that the demolition proposal does not allocate enough money for hazard abatement (see table 3.1 in the draft CCP and EA).

*Response:* As stated previously, we comply with all applicable Executive Orders, Federal regulations, and laws when conducting refuge management activities, including construction and demolition projects. We have revised this table (chapter 4, table 4.1) in the final CCP to include potential costs of conducting hazardous materials surveys and have included some additional estimates of funds needed for removal of hazardous materials. It is important to note that, as with the other estimated costs in this table, these are general estimates only (in 2012 dollars) and actual costs are expected to vary.

### **Fire Management Plan EA** **(Letter ID#: 4, 25)**

Comment: The Cayuga County Planning Department stated that the Fire Management Plan did not adequately address the effects of prescribed burning on the local and regional airshed, specifically the potential impacts on sensitive individuals and the impacts of prescribed burns on air quality. This person noted there was a fire on or near the refuge in 2010 or 2011 that rained ash on downtown Auburn. Another commenter requested we prohibit prescribed burning because it releases mercury and fine particulate matter into the air, which can cause human health problems and diseases.

*Response:* The above event cited was not a prescribed burn. This was a wildfire on the refuge that burned cattails in the pool bordering the NY State Thruway. The exact cause of the fire is not known. It started on Easter morning, April 4, 2010, and consumed about 700 acres. It was contained by that afternoon. Several additional days were spent putting out larger fuels on upland portions of the refuge to prevent further unwanted impacts. The reference to ash fallout is unique when cattails burn. The burning cattail “fluff” is lofted and unfortunately can travel downwind before falling out. We do our best to notify for such occurrences, even an uncontrolled event like a wildfire, because we too are concerned for public health as well as the health of those fighting the fire.

We understand that fires (both prescribed burns and wildfires) affect air quality and consequently may affect area residents. Because of these potential impacts to the airshed, we limit the size of our burn units for prescribed fires.

Smoke management guidelines from the EPA (Clean Air Act standards) and NYSDEC air quality regulations for prescribed burning are used to develop parameters for burning and are an agency requirement. Below are some techniques that we use to mitigate and reduce smoke from prescribed fires:

- Reducing acres burned (keeping our burn units small).
- Isolating large diameter woody debris that tends to smolder for long periods.
- Reduce consumption of larger fuels by burning with a higher moisture content (avoidance).
- Schedule burning before spring green-up (and high live fuel moisture content that causes a lot of smoldering as moisture is being driven off).
- Increase combustion efficiency by using a backing fire ignition technique.
- Rapid mop-up (put out smoking materials) after the flaming front as passed.
- Burn during times of good air dispersion and away from smoke sensitive areas (residences, roads, schools, hospitals, etc.).
- Time of day—we burn after morning air has warmed and stable air no longer is present, and complete our ignition prior to the return of more stable air as cooler evening conditions set in.
- We burn when we have some surface wind (indicator of unstable conditions) and only if we have adequate mixing height aloft.
- Advance notification—public awareness is very important and our burn plan will address this need, usually through news releases, radio, or where residences are close by, door-to-door notification.

Our burn plans specify no burning when poor atmospheric conditions are forecasted, and we use smoke dispersion and air quality information generated by the National Weather Service. We are required to obtain a “Spot Weather Forecast” prior to implementing any prescribed burn.

Impacts on a regional level would be minimized from burns at Montezuma NWR and St Lawrence Wetland and Grassland Management District (WMD) by having small units that can be treated (burned) in a short period of time. The fire management plan EA has been clarified to reflect mitigation measures as well as the potential impacts (see appendix H of the final CCP).

During a wildfire situation (exempt from air quality standards) tactics and strategies are deployed to suppress the fire while maintaining firefighter and public safety. Our past experience with wildfires on the refuge and WMD suggests they are usually short duration wildfires, small in size, and lasting less than 24 hours. Within the fire management plan EA, we have clarified that we will put out wildfires when safe to do so at their smallest size.

Pre-planned fire management actions do affect emission production from wildfires because they intentionally reduce occurrence, extent, or severity. Fire prevention, aggressive suppression, and fuel treatments (e.g. prescribed fires) all reduce emissions from wildland fires.

The release of mercury into the air associated with fires has primarily been an issue in the Western U.S. We did not discuss potential effects of mercury associated with the refuge’s fire management plan EA (appendix H) because only trace amounts of mercury have been detected in refuge soils and wildlife (Stoll 1988), so we would expect that prescribed burns would release only negligible amounts of this metal into the air.

Comment: The Fire Management Plan and Environmental Assessment really did not address the larger regional airshed. We are upstream of the mid-Atlantic and northeast coastal airshed, and

under certain circumstances what happens here can impact air quality along the coast. Under certain circumstances, prescribed burns could introduce pollutants to the atmosphere that can be transported long distances, contributing to haze or smog on the coast. The plan should recognize that this is a factor in timing of prescribed burns.

*Response:* The proposed course of action to include prescribed fire would most likely have minimal downrange, long distance impacts to both air quality and haze. Our prescribed burn units average less than 20 acres and generally active burning is completed within 1 to 4 hours. Most of the units will be burned to manage for grasslands. There is very little particulate matter associated with this vegetation type and most burns occur during the spring when air masses are changing and dispersion is at its best. For many of the reasons above, the likelihood of a spring burn associated with an adverse coastal impact day would be very rare, but this point is noted, and we will look well beyond the burn location.

Prescribed burns are controllable situations. Wildfire, on the other hand, is not and could impact air quality along the coast if the fire is large or burns for several days, or if it gets into a marsh and we were under drought (summer/fall) conditions. As the fire management plan EA states, we limit the acreage of wildfire through an aggressive initial attack when safe to do so, for this very reason. While it can happen, it would be a very rare occurrence to have a wildfire on the refuge burning for extended periods of time and thus cumulatively influencing conditions well downrange.

## Public Use and Access

### **General Public Use** **(Letter ID #: 6, 8, 33, 35)**

Comment: One person commented that the hiking trails are very enjoyable and that she looks forward to the refuge implementing additional trails.

*Response:* We appreciate your feedback on the refuge trails and support for additional trails proposed under alternative B.

Comment: One person commented about access to the refuge, specifically the access to Puddler Marsh and Knox-Marsellus Marsh from Towpath Road. He suggested either acquiring Towpath Road or coming to an agreement with the NYS Canal Corp to conduct better maintenance of that access point. Additionally in regards to Towpath Road, it was suggested that the foliage be better managed to allow better viewing of Knox Marsellus from the road. The refuge could create open areas for viewing along the road which would be conducive to field trips and handling a large number of cars and people who want to do wildlife observation from the road.

*Response:* Thank you for your comment. We will take it under consideration as we develop our visitor services step-down plan. We do cooperate with NYS Barge Canal and have permission to grade the road and create openings in the Towpath Road vegetation for viewing. We do so as staff time allows. Knox-Marsellus and Puddler Marshes have become increasingly popular with birders and other visitors. Both areas offer excellent habitat for wildlife. A more in-depth look at

access to these areas is needed to address balancing our “wildlife first” mission and public access. The visitor services step-down plan will give refuge staff and visitors the opportunity to look more closely at this issue. As stated in alternative B, objective 4.1, we hope to develop products and programs to better orient visitors to the Knox-Marsellus Marsh. More specific details on how to reach that end will be developed in the visitor services plan.

Comment: The Onondaga Audubon Society requested that we seriously consider the opinions of non-hunting visitors, and expressed their interest in learning how many of the refuge visitors would be categorized as “birders.”

*Response:* We seriously consider the comments and opinions of all interested parties when developing CCPs and step-down plans. The Refuge Improvement Act identifies six priority public uses that are to receive enhanced consideration in refuge planning: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. Our mandate is to provide high-quality opportunities for those priority uses when they are compatible with refuge purposes, goals, and other management priorities. The Refuge Improvement Act does not establish a hierarchy among the six priority uses, but requires us to facilitate them when they are compatible and appropriate. Currently, we do not keep records of the number of refuge visitors categorized as “birders.” To collect this information, we would have to survey refuge visitors. The Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) outlines extensive rules and guidelines every Federal agency must follow when collecting information from the public. U.S. Geological Survey recently completed a national survey of public use at several national wildlife refuges, including Montezuma NWR (Sexton et al. 2012). According to this survey, 82 percent of visitors surveyed at Montezuma NWR reported they were bird watching.

Comment: One person believes that we should not be spending money on new staff and buildings, given the current economic situation.

*Response:* The purpose of the CCP is to develop a management direction that best achieves the refuge purpose; attains the vision and goals developed for the refuge; contributes to the Refuge System mission; addresses key problems, issues, and relevant mandates; and is consistent with sound principles of fish and wildlife management. In 2008, the Service approved a national staffing model which identifies the number of staff needed at each refuge or refuge complex throughout the country. The goal of this model was to quantify staffing and law enforcement resource needs and to help guide allocation of resources. The new staff proposed in the Service’s preferred alternative in the draft CCP and EA reflects the recommended staff from this modeling effort. Nationally, the Service spends a significant portion of our budget paying for leased facilities. While moving offices and staff would initially cost additional funds, collocating Service offices on refuge lands is expected to save money by reducing rent and lease expenses over the long term. Collocation is also expected to improve cross-programmatic coordination and efficiency. We recognize that additional funding is unlikely in the current economic situation. Over the life of the plan, we are hopeful that the economic situation will improve.

## **Wildlife Observation**

**(Letter ID #: 8)**

Comment: Bird watchers need better access, and even limited seasonal access, to the larger impoundments, including Puddler Marsh and May's Point Pond, to view the shorebirds. This would be important as long as there was no negative impact to the birds.

*Response:* Wildlife observation is one of six public uses available at Montezuma National Wildlife Refuge. As an area of emphasis for the refuge, staff time and other resources will be prioritized toward maintaining and creating wildlife observation areas, including shorebird viewing areas. Objective 4.1 lists strategies for doing so. These strategies will be further developed in the refuge's visitor services step-down plan and we will take this recommendation into consideration as we develop our visitor services step-down plan.

## **Hunting and Hunt Program EA**

**(Letter ID#: 3, 4, 5, 9, 10, 11, 12, 14, 15, 17, 20, 21, 22, 24, 28, 31, 32, 33, 34, 35, 36)**

Comment: Several individuals expressed their opposition to expanding, and even allowing, hunting on the refuge. Two commenters stated that hunting is something they considered to be in conflict with the concept of a refuge, which should be a safe place for wildlife. One commenter stated that they believe hunting benefits only a small portion of visitors to the refuge, at the expense of the majority, and is not conducive to a family friendly environment. Several people also stated that the number of young hunters and big game hunters has declined in New York. The Onondaga Audubon Society and the NYSOA expressed concern about the negative impacts on other refuge users from the expanded hunt program. In particular, they are concerned about closing the Wildlife Drive to other users beginning December 1 to allow hunting; allowing Sunday hunting for all deer seasons; allowing a fall turkey hunt; and the uncertainty surrounding the impacts that increased Canada and snow goose hunting will have on non-hunting refuge visitors. They are also concerned about the how the expansion of waterfowl hunting will affect other bird species and how strictly the refuge will regulate this activity.

*Response:* We understand there are differing opinions about the role of hunting on national wildlife refuges. Hunting is an historic use of refuge lands, and has been allowed on the refuge since 1957. There are many laws, policies, establishment documents, and other mandates that we used to guide public use programs on the refuge. The Refuge Improvement Act identifies hunting as one of six priority public uses that are to receive enhanced consideration in refuge planning. The others are fishing, wildlife observation and photography, and environmental education and interpretation. Our mandate is to provide high-quality opportunities for those priority uses when they are compatible with refuge purposes, goals, and other management priorities. The Refuge Improvement Act does not establish a hierarchy among the six priority uses, but requires us to facilitate them when they are compatible and appropriate. Executive Order No. 13443 (August 16, 2007), "Facilitation of Hunting Heritage and Wildlife Conservation," reinforces the importance of hunting for recreational and management purposes on national wildlife refuges. That order recognizes the declining trends in hunting, and directs the Department of the Interior and other Federal land management agencies to "facilitate the expansion and enhancement of hunting opportunities and the management of game species and

their habitat.” It also states that Federal agencies are to “manage wildlife and wildlife habitats on public lands in a manner that expands and enhances hunting opportunities, including through the use of hunting in wildlife management planning.” One of the objectives specified in the 1991 Northern Montezuma Wetlands Project Final Environmental Impact Statement which authorized the refuge expansion is to improve “accessibility to this wetland complex for compatible wildlife-related public recreation, education, and research” (USFWS and NYSDEC 1991).

Hunters also contribute to wildlife conservation by purchasing Duck Stamps, a requirement for hunting waterfowl in the U.S. According the Service’s Duck Stamp Web site (<http://www.fws.gov/duckstamps/>), funds from duck stamps have purchased or leased almost 8 million acres of wetland habitat across the country through July 2010. These funds have purchased about 87 percent of refuge lands at Montezuma NWR.

As discussed in the refuge’s hunting environmental assessment (see appendix E of the final CCP), we have proposed expanding deer and waterfowl hunting for management reasons as well. We expect expanding the refuge’s deer hunt program will be a cost-effective way to help control the deer population and improve habitat quality. Vegetation monitoring in refuge forests has revealed that deer are suppressing plant growth and succession leading to a decrease in overall plant diversity (Rawinski 2010 personal communication). Not only is the herbaceous layer less diverse but also as mature trees die and fall, there are few or no native tree saplings to replace them because the seedlings are being browsed so heavily by deer. A number of studies have documented that habitat changes caused by overbrowsing by deer can have negative impacts on nesting songbirds. If we do not decrease the size of the deer herd on the refuge, negative impacts to forest birds would likely occur due to continued degradation of the vegetation’s physical structure and diversity as a result of overbrowsing by deer.

The additional Canada goose hunt days and areas would contribute to the Service’s goal of reducing the resident population of Canada geese in the Atlantic Flyway from more than one million to 620,000 and the Service and NYSDEC goal of reducing the number of resident population Canada geese in the State from 257,000 (<http://www.dec.ny.gov/animals/67311.html>) to at or below 85,000 birds (USFWS 2005). Resident geese, as their name implies, spend most of their lives in one area, although some travel hundreds of miles to wintering areas. In recent years, flocks resident geese have become year-round inhabitants of parks, waterways, residential areas, and golf courses in New York State, and too often, they are causing significant problems. Problems include over-grazed lawns, accumulations of droppings and feathers on play areas and walkways, nutrient loading to ponds, public health concerns at beaches and drinking water supplies, aggressive behavior by nesting birds, and safety hazards near roads and airports (NYSDEC and USDA 2007). In addition, studies have shown that when resident Canada goose populations are high, they can have profound negative impacts on wetland vegetation (Haramis and Kearns 2007, Laskowski et al. 2002).

The additional snow goose hunt days and areas would contribute to the Service goal to reduce the population of lesser snow geese by 50 percent from the level observed in the late 1990s (USFWS 2007). Some populations of snow geese have become so numerous that they are damaging their Arctic and sub-Arctic nesting habitats (Abraham and Jefferies 1997, Jano et al. 1998). These studies show that parts of the fragile tundra habitats where these geese traditionally nest are being seriously degraded or destroyed, primarily by overgrazing. Snow geese in the mid-

continent region are showing signs of overpopulation in lower-than normal body size in both goslings (Cooch et al. 1991a, b) and adults (Reed and Plante 1997). Populations of other bird species that breed in the Arctic and sub-Arctic are declining; researchers believe these declines are caused, at least in part, by habitat degradation caused by snow goose populations (Rockwell et al. 1997 as cited in USFWS 2007).

To balance the priority public uses and ensure sensitive species are protected, we have stipulated that opening additional areas to waterfowl hunting would occur only when the refuge manager determines there is sufficient quality habitat available that can be accessed by hunters on foot or by boat without disturbing sensitive species or conflicting with other priority public uses. In addition, we have delayed opening portions of the refuge to deer hunting to reduce conflicts with visitors participating in wildlife observation, photography, environmental education, and interpretation. We will continue to monitor for potential conflicts among priority public uses and potential disturbance to wildlife and habitats and will adjust locations, dates, or times of day for authorized public use on the refuge if warranted.

The Service's previous NEPA documents on expanded snow goose hunting (USFWS 2007) and resident Canada goose (USFWS 2005) incorporated this information and we included it by reference in the refuge's hunt program EA. However, we have included the additional details on impacts of resident Canada geese and snow geese presented above in the refuge's final hunt program EA (see appendix E, page E-42 of the final CCP) to more clearly explain to readers our reasoning behind expanding waterfowl hunting in our preferred alternative. To more clearly explain why we did not decide to eliminate or reduce hunting on the refuge, we have added a section titled "Alternatives Considered but not Fully Developed" to the final hunt program EA (see appendix E, page E-7).

Comment: Several people commented that they were in favor of expanding hunting opportunities on the refuge. One commenter stated that they believed opening more of the refuge to hunting under alternative B would be very positive. The increased hunting opportunities will be very beneficial to waterfowl hunters who are greatly invested in this activity. One commenter believes the refuge should be managed for the expansion of waterfowl and other hunting opportunities since access is limited due to the management of wildlife habitat. One commenter believes alternative B helps ensure that hunting is appropriately managed on the refuge and an activity that will endure.

*Response:* We thank the commenters for their support.

Comment: One commenter asked if animal protection groups had been invited to participate in the CCP process and whether the refuge's partners included such groups.

*Response:* Service planning policy is designed to ensure broad public, agency, and Tribe involvement (602 FW 1, 3, and 4) when developing CCPs. The refuge maintains a contact list which includes agencies, organizations, and individuals that have expressed interest in refuge activities and who have given contact information. This was used as a basis for our initial contact list for mailings. This contact list was updated throughout the CCP process. In addition to sending out newsletters to the contact list, we announced our intention of preparing a

comprehensive conservation plan in the *Federal Register* (75 FR 25286) and held two public scoping meetings. We issued press releases announcing the official beginning of the planning process and the release of the draft CCP and EA, and we posted notices on the refuge's planning website (<http://www.fws.gov/northeast/planning/Montezuma/ccphome.html>). As required by law and policy, we also coordinated with State and Federal agencies and Tribes. We did not categorize agencies or organizations on our contact list by issue or focus and definitions of "animal protection groups" can vary; therefore, we do not know if any of the organization on the contact list would meet the commenter's definition of an animal protection group.

Comment: One commenter was concerned about taxpayers being required to fund hunting activities on a wildlife refuge.

*Response:* As stated above, hunting is one of the priority public uses identified in the Refuge System Improvement Act. The refuge's operational budget does come from Federal taxes paid by citizens and corporations of the U.S. The cost of administering the refuge's hunt program is a minor component of the refuge's operation funds (less than 1 percent). It helps us meet refuge and Service management objectives (e.g., controlling the deer population on the refuge and reducing snow goose and resident Canada goose populations) and Refuge System mandates (e.g., facilitates a priority public use).

Comment: A commenter suggested we choose alternative A in regards to expanding hunting on the refuge and not pursuing trail expansion, as it is more difficult to hunt when the animals are disturbed by humans. This person stated that the refuge should allow good habitat for breeding birds and that hunters can help reduce the goose populations on the refuge. This person believes there is no need for additional trails or attracting more visitors to the refuge.

*Response:* Thank you for your comment. We are happy that many visitors are satisfied with the current hunting opportunities offered at the refuge. We believe expanding hunting on the refuge as proposed in alternative B of the draft CCP and EA and in the final CCP would benefit refuge resources (i.e., control the deer population) and regional and national goals (reduce Canada and snow goose populations). Our planned restoration efforts, as well as expanding the deer hunt, are expected to improve habitat quality for wildlife. We have proposed a few new trails on the refuge. These trails have been located in areas that used to have a trail (i.e., Oxbow Trail) or in areas that provide opportunities for visitors to engage in priority public uses with minimal disturbance to wildlife. We recognize that there is a balance between providing high quality habitat for wildlife, high quality visitor experiences, and increasing the number of visitors to the refuge. We believe the increase in visitation projected under alternative B of the draft CCP and EA, if managed as proposed, would not cause undue disturbance to wildlife or decrease the quality of most visitor experiences. We will monitor public use activities and infrastructure (e.g., trails) on the refuge for conflicts and will modify them if warranted.

Comment: The issue of wounded or injured waterfowl as a result of hunting was not mentioned, as the CCP did not adequately explore specific adverse impacts on waterfowl from hunting. This person specifically referenced the Impacts from Public Uses section in chapter 4 (page 4-36) of the draft CCP and EA as lacking scientific research to show the detrimental effects on wounded waterfowl from hunting.

*Response:* The main body of the draft CCP and EA is not intended to address all of the impacts of hunting, rather these are more thoroughly addressed in the included hunt program EA (appendix E). The Service has established national guidelines and regulations for hunting migratory birds through a previous final supplemental environmental impact statement (USFWS 1988). Our analysis of the effects of the refuge's hunt program for migratory birds tiers off this document. This final supplemental environmental impact statement includes estimates of migratory birds "downed but not retrieved" (see pages 40, 56, 62, and 64). As discussed in the hunt program EA and supplemental environmental impact statement, we monitor breeding populations and harvest levels for migratory waterfowl. Estimates of breeding populations incorporate effects of any downed birds, as they would be removed from the breeding population. We use the results of these monitoring efforts to determine bag limits and season lengths for migratory waterfowl that maintain healthy populations of these species. While this information was presented in the hunt program EA, we inadvertently excluded the citation for the above referenced final supplemental environmental impact statement. We have updated the hunt program EA with this reference (see appendix E, page E-37).

Comment: Several commenters expressed concern over potential conflicts between hunting and other priority public uses. One commenter stated that due to the illegal activities associated with hunting, e.g. trespassing, he and many of his friends will not go into the fields during hunting season. Another commented that although there is a need to decrease the Canada goose and deer populations, allowing hunting on Sundays is not an appropriate method because it decreases the time birders and other visitors can safely use the refuge. Another commenter stated that the increase in hunting to reduce Canada and snow geese is fine, however the critical aspect is the degree to which this increased hunting reduces non-consumptive uses of wildlife, which would be dependent upon how the hunting is implemented. This commenter believes that hunting would eventually conflict with wildlife observation.

*Response:* Our goal is to provide a quality public use program, which includes placing a high priority on public safety. We make every effort to manage the refuge's hunt program to protect visitors and neighbors, and to minimize potential conflicts between hunters and other refuge visitors. We have posted refuge boundaries to help minimize trespassing, and partner with NYSDEC conservation officers to enforce refuge and State regulations. In addition, as stipulated in the refuge's hunt program EA (appendix E), the refuge manager will only open additional areas after determining there is sufficient quality habitat available that can be accessed by hunters on foot or by boat without disturbing sensitive species or conflicting with other priority public uses. We will monitor to ensure compatibility and evaluate compliance. Potential conflicts between user groups will also be evaluated. If impacts of conflicts are noted, we will follow Service policies and procedures to mitigate impacts and conflicts as needed.

Comment: One commenter stated that hunting will not significantly reduce the snow and Canada goose populations because the species are too widespread to be affected by increased hunting on the refuge. To reduce the populations, such changes in hunting would need to occur at every hunting venue in New York, not just at the refuge. Another commenter suggested the refuge implement a plan that targets hunting geese at Cayuga and Seneca Lakes since they tend to stay

there during the winter. It would be more effective and less costly to have a hunting program that targeted the lakes during the winter.

*Response:* We agree that expanding snow goose and early (resident) Canada goose hunting on the refuge is not sufficient, by itself, to control these populations. Expanding hunting opportunities for these species on the refuge is intended as one component of the Service's national efforts to reduce these populations. For additional information, see our response to the first question in this section and see appendix E, the refuge's hunt program EA.

We are aware that geese congregate in Seneca and Cayuga Lakes in the winter. The refuge does not have jurisdiction over Seneca and Cayuga Lakes; therefore, we cannot initiate a hunt program in those areas.

Comment: One commenter supports opening the refuge to Sunday hunting, to give those who work during the week an extra day to hunt. This person also wanted the refuge to allow the use of rifles, stating both would be consistent with hunting throughout Cayuga County and much of New York.

*Response:* We thank the commenter for the support. Under alternative B of the draft CCP and EA and in the final CCP, we propose opening the refuge to Sunday hunting for all deer hunt seasons. We are also proposing to allow the use of rifles in order to be consistent with State hunting regulations. This is outlined in the hunt program EA (appendix H) and we expect to make this change the fall of 2013 or 2014.

Comment: One commenter suggested the refuge bulldoze and clear more open trails, especially in thicker areas, to give hunters a clearer shot and easier access when hunting.

*Response:* As stated previously, hunting is one of six priority public uses identified for national wildlife refuges. While some visitors have requested additional trails and open areas, others have requested no new trails be created. We must balance providing opportunities for public use with restoring habitat and managing for wildlife. Alternative B of the draft CCP and EA does include creating some additional trails. These are intended to support all of the six priority public uses.

Comment: One person stated that special privileges should not be given to waterfowl hunters who arrive late during check in and are allowed to move to the front of the line.

*Response:* We did not intend to establish special privileges for any group of hunters. The refuge hunt program allows waterfowl hunters to move to check in first for administrative reasons. Waterfowl hunters must make reservations and pay a fee. Allowing waterfowl hunters to check in first makes it easier to separate waterfowl and deer hunters and avoid confusion at check in. Waterfowl hunting begins one hour earlier than deer hunting. We are not aware that allowing waterfowl hunters to check in first has affected the ability of any deer hunters to be in position at the start of the day for deer hunting. Lastly, allowing waterfowl hunters to check in first should only affect deer hunters 2 days a year, once during the opening day of archery season and once during the opening day of shotgun seasons; otherwise, deer hunters may check in on a self-serve basis.

Comment: One person was opposed to using hunting as a method to regulate the deer population. Rather, this person commented that deer are able to regulate their populations themselves through fetal absorption.

*Response:* A considerable amount of research has been conducted, as discussed in the draft CCP and EA and the hunt program EA, documenting the detrimental effects high densities of deer can have on native habitats. We believe that the deer population on the refuge should be actively controlled to maintain high quality habitat on the refuge, avoiding negative effects on refuge resources. Deer hunting is a cost effective method for controlling the refuge's deer population and allows us to facilitate a priority public use for the Refuge System. Please see the hunt program EA (appendix E) for a more detailed discussion of the impacts of deer over population on refuge habitats. Our search of the scientific literature did not readily reveal any peer-reviewed literature discussing regulation of deer populations through fetal absorption.

Comment: One commenter suggested we replace the term “weapon,” when referring to hunting, with “implement.” Weapon can have a negative connotation, implying aggressiveness or violence, and is even considered taboo in hunter education. Instead, a term such as implement should be used because it is more appropriate for describing a tool that is used for hunting.

*Response:* We understand your concerns regarding the use of the word weapon as it relates to hunting. The Service uses the term weapon consistently in our documents related to hunting. Therefore, we will continue to use the term weapon as a tool used for hunting.

Comment: The Onondaga Audubon Society are concerned about how hunting will be monitored, and if negative impacts are found on other bird species, will the refuge scale back waterfowl hunting?

*Response:* We recognize the importance of the Refuge System's wildlife first mandate. As discussed in the hunt program EA (appendix E) and the compatibility determinations (appendix B), the number of hunters for each season would be controlled through special use permits. This allows refuge staff to protect refuge resources and ensure a quality hunt by limiting the number of daily permits issued. The maximum number of daily hunt permits that can be issued is based on a variety of factors, including areas open to hunting. This ensures that the number of hunters is kept at levels that have only negligible impacts on refuge resources. We would continue to monitor the refuge for potential impacts and would take steps to limit access or close areas as needed to protect wildlife and habitat, including other bird species.

## Alternatives

### Alternative A (Letter ID#: 18, 19)

Comment: Three commenters supported the adoption of alternative A, or continuing the current management of the refuge. One commenter supported alternative A over both alternatives B and

C, largely because they believed alternative B will decrease the quality of many visitors' experiences on the refuge and not serve the rare wildlife species

*Response:* Thank you for your comments. We strive to provide high quality public use opportunities for all refuge visitors. Addition details were not provided, so we are not sure exactly which aspects of alternatives B and C are of concern. We believe alternative B of the draft CCP and EA, with minor modifications as presented in the final CCP, best satisfies the refuge purpose's and goals, the Service mission, and the Refuge System mission, as well as complying with Service policies and mandates.

**Alternative B**

**(Letter ID#: 7, 8, 13, 16, 23, 27, 30, 35, 36)**

Comment: Several commenters stated their support for alternative B, including NYSDEC, because of perceived benefits to wildlife and public use. One commenter believes it is the most beneficial for wildlife conservation and public use, and that the current management is insufficient to support the refuge's goals. One commenter hopes that the CCP will remember and embody the reason Montezuma NWR was founded, to provide a resting and staging area for migratory birds. Several commenters stated their support for alternative B because of the proposed increase in public access and recreational opportunities, and ensuring that hunting is appropriately managed on the refuge and an activity that will endure. One commenter also stated that it is also important to promote nature and the outdoors to youth.

*Response:* Thank you, we appreciate your support.

Comment: In support of alternative B, one commenter suggested working with as many stakeholders as possible, including The Nature Conservancy, Audubon Society, and Ducks Unlimited. Under the new partnerships proposed under alternative B, the Onondaga Audubon Society would like to be considered as a new partnership for the refuge and be included in refuge outreach activities.

*Response:* We agree that working with partners is critical to successful wildlife and habitat protection and restoration. We currently work with partners, including Audubon New York, Ducks Unlimited, and The Nature Conservancy, to conduct biological monitoring, research, habitat management, and restoration, and environmental education and interpretation on the refuge and within the MWC. Such partnerships will continue into the future under alternative B. We are always seeking new partnerships and ways to strengthen relations with our current partners. We appreciate Onondaga Audubon Society's offer to partner with us on outreach activities and look forward to working together.

Comment: Two people supported alternative B because it will allow for more hunting that would help reduce the waterfowl and snow goose populations. It is important to reduce the species' populations to target levels and will allow hunters to hunt desirable game without being a threat to the species.

*Response:* Thank you, we appreciate your support.

Comment: Audubon New York supports alternative B because of the proposed increase in marshbird habitat, forest restoration goals, maintaining some shrubland acreage, and increasing the staff capacity of the refuge. They support the Service's funding to surrounding towns in the form of shared revenues, the Service's strategies to minimize impacts from nearby oil and gas extraction, and the Proposed Land Expansion Area.

*Response:* Thank you, we appreciate your support.

Comment: The Onondaga Audubon Society asked if the four new pulloffs along the Wildlife Drive will allow visitors to get out of their vehicles and observe the wildlife. They recommended the construction of simple, open wildlife viewing blinds in these pulloff sites.

*Response:* Thank you for your suggestion regarding construction of wildlife viewing blinds. At this time, we intend to continue to require visitors to stay in their vehicles along the Wildlife Drive during the waterfowl migrations (spring and fall) to minimize disturbance of these species. Once the pulloffs are constructed, visitors may be allowed to leave their vehicles during summer months, when pedestrian travel is allowed on the Wildlife Drive. We will take this comment into consideration as we develop our visitor services step-down plan.

Comment: The New York State Ornithological Association and NYSDEC support the proposal to increase the refuge's approved acquisition boundary and increase land acquisition within the MWC. They also support continued coordination with other agencies and partners within the MWC.

*Response:* Thank you for your support of land acquisition for the refuge and support for our partnerships with outside agencies.

### **Alternative C** **(Letter ID#: 27, 30, 35)**

Comment: Several commenters did not support alternative C because of its proposed reduction of emergent marsh and wetlands and subsequent reduction in marshbird and waterfowl habitat, as well as associated public use opportunities. Two commenters were also concerned about the significant decrease of shrubland and grassland habitat associated with this alternative.

*Response:* We appreciate your comments. We agree that alternative C does not best meet the refuge's purposes, vision, or the goals of the CCP. Therefore, we did not select it for the final CCP.

## Planning Process and Policy

### **CCP Process**

**(Letter ID#: 4, 10, 28, 35)**

Comment: One commenter stated that the bibliography is antiquated and that some of the sources are too outdated and should not be used in this CCP.

*Response:* The Service is directed by the Department of the Interior Information Quality Guidelines as published in the *Federal Register* (67 FR 8452) to use the best available science and supporting studies conducted in accordance with sound and objective scientific practices, including peer-reviewed studies where available. We try to balance the information and data we use for our CCPs by referencing the most recent studies along with older studies that have laid the groundwork for their fields. Most of the older sources we cite are highly reputable and cited by many of the more recent sources we have used. We believe that we have used the best available science and our best professional judgment to develop the CCP.

Comment: Three commenters requested the comment period be extended. Some stated that the comment period for the CCP was not long enough to thoroughly read the CCP, provide comments, and disseminate the CCP to colleagues. Others did not find out about the draft CCP and EA until part way through the comment period.

*Response:* We recognize that the draft CCP and EA is a long document. Service planning policy establishes 30 days as the standard review period for draft comprehensive conservation plans and environmental assessments. We believe this is sufficient time for most reviewers. We strive to notify interested parties and the public as soon as the draft CCP and EA is available for public review and comment, to ensure interested individuals and organizations have the maximum time for reviewing the document. We send a newsletter announcing the availability of the draft CCP and EA to our contacts list, we send a press release to local, regional, and national media contacts, we post the document to the refuge's planning Web site, and we publish a notice of availability in the *Federal Register*. Unfortunately, these efforts do not always reach all of the interested parties in a timely manner. In addition, the Refuge Improvement Act requires that all CCPs be completed by October 4, 2012. The Service is making every effort to meet this deadline where feasible. While we encourage public comment on our draft CCP and EA, extending the comment period would have delayed the completion of the final CCP, possibly beyond this October 2012 deadline.

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**Attachment 1. Letter Identification (ID) Numbers and Respondents**

<b>Letter ID Number</b>	<b>Name or Public Meeting Date and Time</b>
1	June 4, 2012 2:00-4:00 pm meeting
2	June 4, 2012 6:00-8:00 pm meeting
3	Adam Perry, NYSDEC-Region 7
4	Jean Public
5	Robert Halstead
6	Wendy Sparks
7	James Stebbins
8	Dominic Sherony
9, 28	John Confer, Biology Department, Ithaca College
10	Andrew Mason, Conservation Commission, New York State Ornithological Association
11	John H. Rogers
12	Michelle Otto
13	Roger Moore
14	Karen Storne
15	James McQuiggan, Financial Adviser , Pinnacle Investments, LLC
16	Tom Cunningham, Wildlife Biologist, Loomacres Wildlife Management Inc.
17	Bina Robinson
18	Dennis Merlino
19	Elaine Montambeau
20	Janice Wilson
21	Kim Brenner
22	Dino Aimino
23	Jacqueline Siudy
24	Lc Goeckel
25	Bruce Natale, Environmental Engineer and Flood Hazard Mitigation Official, Cayuga County
26	John Potter
27	Matthew Frackelton Scientist, ARCADIS
29	Bonnie Apgar Bennett, Mayor of Aurora, NY
30	Jillian Liner, Director of Bird Conservation, Audubon New York
31	Candace E. Cornell
32	Asher Hockett
33	Wade and Melissa Rowley
34	Gary Norsen
35	Maryanne Adams, Conservation Chair, Onondaga Audubon Society
36	Patricia Riexinger, Director, Division of Fish, Wildlife and Marine Resources, New York State Department of Environmental Conservation