

Chapter 2



Marty Hilliard

Osprey at Montezuma National Wildlife Refuge

The Planning Process

- **Comprehensive Conservation Planning Process**
- **Issues, Concerns, and Opportunities**

The Comprehensive Conservation Planning Process

Service policy 602 FW 3 establishes an eight-step comprehensive conservation planning process that provides guidelines for developing CCPs and facilitates compliance with NEPA by integrating NEPA compliance requirements in the CCP process (figure 2.1). The full text of the policy and a detailed description of the planning steps can be viewed at: <http://policy.fws.gov/602fw3.html>.

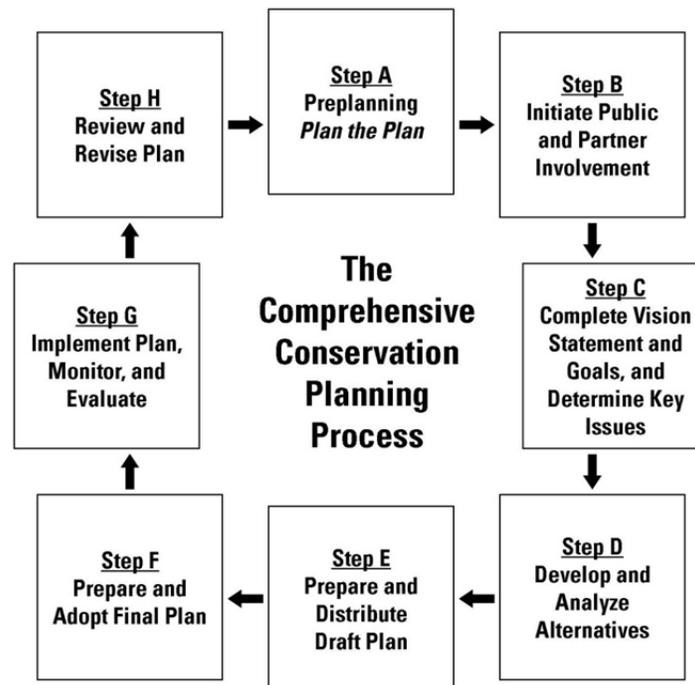


Figure 2.1. The CCP Planning Process and its Relationship to NEPA.

Since the refuge’s establishment in 1938, the Service has focused on conserving lands within the approved refuge boundary; facilitating wildlife-dependent public uses; managing habitat for several focus species, such as grassland birds and bald eagles; and establishing relationships with the community and our partners. In 2005, we began collecting information on refuge resources and mapping refuge habitats in preparation for developing the CCP. The process described below was followed in the development of this CCP.

Steps in the Planning Process

Step A: Preplanning

Preplanning officially began in February 2010. Several steps were initiated as part of “Step A: Preplanning,” including the formation of the core planning team which is responsible for developing the CCP. Our core planning team consists of refuge staff, Regional Office staff, a

representative of the New York State Department of Environmental Conservation, and a contractor responsible for compiling information and preparing documents. As part of the preplanning process, we discussed management issues, drafted a vision statement and tentative goals and compiled a project mailing list of known stakeholders, interested individuals, organizations and agencies. We also summarized the refuge's biological inventory and monitoring information.

Step B: Public Scoping

During the month of April 2010, we distributed copies of the first planning newsletter, including an issues workbook, to approximately 400 individuals, organizations, and agencies, announcing the beginning of the planning process and asking people if they wanted to remain on the mailing list. Copies were also made available to everyone who visited the visitor contact station and everyone who visited our Web site. The workbook asked people to share what they valued most about the refuge, their vision for its future, the Service's role in their community and any other issues they wanted to raise. We received 15 completed workbooks.

On May 7, 2010, the Service formally announced the start of the planning process in a Notice of Intent in the *Federal Register* (75 FR 25286). On May 18, 2010, two public scoping meetings were held at the refuge to identify public issues and concerns, share the vision statement and tentative goals, describe the planning process and explain how people could become involved and stay informed about the process. Those meetings helped identify the public concerns that would need to be addressed in the planning process. Meeting locations, dates, and times were announced in local newspapers, in special mailings, and on the refuge Web site. Twenty-five people attended the public meetings. Since then, the Service has also solicited public input and concerns regularly from individuals through visitor contacts, refuge sponsored events, community-sponsored events in which the refuge participated and answered invitations to speak to community organizations. Public scoping ended on June 30, 2010, and a scoping newsletter was released in July 2010. A copy of the scoping newsletter and other CCP planning updates can be found at: <http://www.fws.gov/northeast/planning/Montezuma/ccphome.html>.

Steps C and D: Vision, Goals, and Alternatives Development

Throughout June and July 2010, the planning team worked on "Step C: Review Vision Statement, Goals, and Identify Significant Issues." The Service held a workshop on June 23, 2010 to seek advice from State and Federal Agencies, Tribes, and local governments on what resources of conservation concern in the project area should be management priorities.

A planning update newsletter was distributed to the mailing list and posted on our Web site in July 2010. That newsletter shared our goals, provided an update on CCP activities and summarized the key issues the Service would address in the CCP. The team also conducted a wilderness review and evaluated wild and scenic rivers potential.

From August 2010 through December of 2011, the planning team worked on "Step D: Develop and Analyze Alternatives." The planning team compiled and analyzed three management alternatives to serve as the foundation for developing this CCP.

Step E: Draft CCP/EA and NEPA Document

The Service published a Notice of Availability (NOA) in the *Federal Register* on May 22, 2012 announcing the release of the draft CCP/EA for its 30-day period of public review and comment from May 22 to June 21. During that comment period, we held two public meetings at the refuge to obtain comments on the document, and also received comments by regular and electronic mail. We distributed the draft CCP/EA to all interested parties, contacted the media, and posted it on our Web site, in addition to distributing a newsletter summarizing the three management alternatives. After the comment period, we reviewed and summarized all of the substantive comments we received, developed our responses and published them as appendix K.

Step F: Adopt Final Plan

We submitted the final CCP to our Regional Director for approval in September 2012. We also submitted the final LPP (see appendix F) to the Service's Director for approval in September 2012. The Service's Director approved the final LPP in January 2013. In February 2013, the Regional Director determined that a Finding of No Significant Impact (FONSI) was warranted. We announced the Regional Director's final decision and the final CCP by publishing a Notice of Availability in the *Federal Register*. These actions complete step F to prepare and adopt a final plan.

Steps G and H: Implement, Evaluate, and Revise the Plan

With the planning phase of the CCP process complete, "Step G: Implement Plan, Monitor and Evaluate" will begin. Periodic review of the CCP will be required to ensure that objectives are being met and management actions are being implemented. Ongoing monitoring and evaluation will be an important part of this process. Monitoring results or new information may indicate the need to change our strategies.

As part of "Step H: Review and Revise Plan," the Service will modify or revise the final CCP, as warranted, following the procedures in Service policies 602 FW 1, 3, and 4 and the NEPA requirements. Minor revisions that meet the criteria for categorical exclusions (550 FW 3.3C) will require only an environmental action memorandum. As the Refuge Improvement Act and Service policy stipulate, the Service will review and revise the CCP at least every 15 years as needed.

Issues, Concerns, and Opportunities

A number of issues have been raised through initial scoping for the CCP. An issue is defined as "any unsettled matter requiring a management decision" and may be an "initiative, opportunity, resource management problem, threat to a resource, conflict in use, or a public concern." Issues can arise from many sources, including refuge staff; planning team members; other Service program staff; state agencies; other Federal agencies; refuge partners, neighbors and user groups; or Congress. The planning team has grouped the issues raised to date into two categories:

- **Key issues**—Key issues are those the Service has the jurisdiction and authority to resolve. They key issues, together with refuge goals, formed the basis for developing the management direction we describe in chapter 4.

- Issues considered, but not analyzed further—These issues do not fall within the scope of the “purpose of, and need for, action” in this CCP. These issues are discussed after the key issues below, but are not addressed further in the CCP analysis.

Key Issues

The following key issues, not arranged in any particular order, were derived from completed issues workbooks, public and partner meetings, visitor contacts, refuge staff, and planning team discussions.

1. *How will the refuge provide quality wildlife observation and photography opportunities for the public?*

Wildlife observation and wildlife photography are two closely related priority wildlife-dependent uses of the Refuge System and currently draw most of the refuge’s visitors. Opportunities for wildlife observation and photography are provided by several trails, an auto tour route and observation towers and overlook areas. The refuge manages these activities to ensure that visitors have opportunities to observe wildlife in ways that do not disrupt wildlife or damage wildlife habitat and minimize conflicts between users.

During the scoping process, some commenters expressed interest in increased access to Tschache Pool and Knox-Marsellus Marsh for wildlife watchers. Some members of the public also expressed an interest in increasing the number of photography blinds and hiking trails, while other members of the public commented that they do not want more areas of the refuge opened to public use to prevent disturbance to wildlife. Our response to these concerns is addressed in chapter 4 under goal 4.

2. *How will the refuge provide quality hunting and fishing opportunities for the public?*

Hunting and fishing are two priority public uses of the Refuge System. They are also historical, traditional, and popular activities in the Finger Lakes region, in the State of New York and in the Refuge System.

Hunting

Our intent is to provide a quality hunting experience that is appropriate and compatible with the refuge purpose, vision, goals, and the mission of the Refuge System. Close cooperation and coordination with State fish and wildlife management agencies will continue to be important in developing and managing hunting opportunities on the refuge and in setting population management goals and objectives. Regulations permitting hunting of wildlife on the refuge will be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans. Hunting programs should be safe, accessible, and managed to minimize conflicts with other priority wildlife-dependent recreational uses. Currently, the refuge offers opportunities to hunt deer and waterfowl.

Fishing

Fishing on the refuge is in accordance with State regulations and is currently limited to the Seneca and Clyde Rivers. The refuge currently offers one fishing access area at May's Point via a parking area and a universally accessible pier.

Some members of the public have expressed interest in increased hunting and fishing opportunities, including the opening of additional areas and the taking of additional species (e.g., turkey). Other members of the public would like to close the refuge to hunting and fishing. Our response to these concerns is addressed in chapter 4 under goal 5.

3. How will the refuge provide opportunities for trapping?

Some members of the public have expressed interest in increased trapping opportunities. Other members of the public would like to close the refuge to trapping. Trapping on the refuge is considered a management action because it is the method used to manage populations of furbearers at sustainable levels. Trapping is currently controlled on the refuge through special use permits. Because it is a commercial activity, trappers bid for the permits. The number of permits distributed each year is adjusted to control furbearer populations at sustainable levels. This issue is addressed in chapter 4 under goals 1 and 2, since it is authorized as a management action.

4. How will the refuge provide environmental education and interpretation opportunities for the public?

Environmental education is a process designed to teach participants the history and importance of conservation and the biological and scientific knowledge of our Nation's natural resources in a more formal academic format. Through this process, as with hunting and fishing, we can help develop a citizenry that has the awareness, knowledge, attitudes, skills, motivation, and commitment to work cooperatively towards the conservation of our Nation's environmental resources. Environmental education within the Refuge System incorporates onsite, offsite, and distance learning materials, activities, programs, and products that address the audience's course of study, refuge purpose(s), physical attributes, ecosystem dynamics, conservation strategies, and the Refuge System mission. Because our partners at the Montezuma Audubon Center (MAC) provide a range of environmental education opportunities, the refuge has not felt the need to fully develop its own environmental education program, given our current limited staffing levels and resources. However, we do support school field trips upon request.

Opportunities for interpretation on Montezuma NWR are provided through displays in the visitor contact station, signs at various key points throughout the refuge, a guided cell phone tour, talks (Nature of Montezuma Series, Eco-Chat Series), and guided bus tours. The refuge's brochures are written not only to orient visitors to refuge information, but also as interpretive tools.

Visitors and members of the public have expressed a desire for an increase in environmental education opportunities and the inclusion of additional information in materials, activities, and interpretive displays, including information about climate change and other potential threats to refuge resources. Our response to these concerns is addressed in chapter 4 under goal 4.

5. *How will the refuge address outreach efforts?*

At Montezuma NWR, visitors can orient themselves with the refuge through available maps and brochures and an announcement board that posts current and upcoming events, as well as information on special refuge projects and area closures. Throughout the refuge, standard Service signage clearly leads visitors to different public use locations. The visitor services staff accommodate visitor needs whenever possible and strive to provide good customer service. Furthermore, refuge staff and volunteers staff the visitor center from April through November to help welcome and orient visitors. Refuge facilities, roadways, and trails are maintained regularly to provide a safe environment for visitors, volunteers and refuge staff; standards for maintenance require facilities be kept clean, hazard-free and accessible wherever possible.

The refuge's Web site (<http://www.fws.gov/r5mnwr/>) also serves as an outreach tool. The Web site contains refuge history and management information; announcements of programs, events and closures; a refuge map; descriptions of available public use areas and wildlife present in the refuge; local weather conditions; and links to other MWC Web sites. During the scoping process, we received requests from the public and area agencies and organizations for informational materials that provide a stronger link between the refuge and the MWC. Our response to these concerns is addressed in chapter 4 under goals 4 and 6.

6. *How will the impacts of habitat fragmentation be addressed?*

The refuge is fragmented by roads, canals, powerline and other utility corridors, and farmlands. Roads and powerlines can kill, injure, or impede wildlife during their movements, and species that are unable to traverse these barriers risk becoming isolated, which can have population-level impacts.

The effects of fragmentation can be minimized through a variety of means, some of which will be evaluated as part of this CCP. For instance, land acquisitions can include areas that increase connectivity between various habitats. Fragmentation of currently owned lands can be limited through changes in habitat management of key areas. Our response to these concerns is addressed in chapter 4 under goal 2.

7. *How will the refuge address the impacts of altered hydrology?*

The construction of the Erie Canal has drastically altered the area's hydrology, primarily by lowering the water table. Ditching of farmlands has caused further drying of wetlands through increased drainage. Roads and levees may both maintain dry conditions by keeping river water off of mucklands and cause water to be retained longer in areas that would have otherwise become dry periodically. The New York State Thruway (NYS Thruway; Interstate 90; I-90) is a major hydrological barrier that runs through the refuge and separates the May's Point Pool from the Main Pool. Culverts under I-90 could provide a connection between these two impoundments; however, because May's Point Pool is currently at a higher elevation, if these impoundments were connected, nearly all the water in May's Point Pool would drain into the Main Pool. Our response to these concerns is addressed in chapter 4 under goal 1.

8. *How will the Service promote trail and Wildlife Drive connectivity both on and off the refuge?*

Trails and wildlife drives provide visitors with opportunities to observe and photograph wildlife in their habitats. Currently, the refuge has nearly 4 miles of walking trail and a 3-mile Wildlife Drive.

Some members of the public have expressed interest in additional trails, including ones located along impoundments for viewing waterbirds. Other members of the public would prefer not to increase public access/use on the refuge to protect wildlife from disturbance. In addition, visitors have indicated interest in a trail system that would provide greater connectivity between the refuge and the MWC (e.g., the MAC, State conservation lands), as well as a wildlife driving route that would connect the refuge with the MWC and other local areas of interest (e.g., wineries, Erie Canalway points of interest, etc.). Some visitors have also expressed the desire to have biking allowed on the refuge Wildlife Drive. Our response to these concerns is addressed in chapter 4 under goal 4.

9. *How will the refuge be managed to protect Federal trust species?*

In addition to meeting their purpose(s), refuges are required to manage for Federal trust resources. These resources include: migratory birds; anadromous and interjurisdictional fish and other aquatic species; some marine mammals; federally listed, threatened and endangered, species; and, wetlands. Of these, Montezuma NWR currently supports migratory birds, the resource for which the refuge was established, wetlands, and possibly the federally listed, threatened Indiana bat. Management for migratory birds on the refuge primarily consists of habitat management and monitoring efforts. In the refuge's Habitat Management Plan (HMP), high and moderate priority habitats for migratory birds were identified on the refuge, ranging from emergent marsh and open water to early successional habitats (e.g., grasslands and shrublands). Furthermore, the refuge installs and maintains nesting structures (e.g., tern platforms, nest boxes, etc.) and regulates public access to limit disturbance to breeding and migrating birds. Monitoring of migratory birds on the refuge includes waterfowl surveys, breeding bird surveys, Christmas bird counts, and other efforts. Our response to these concerns is addressed in chapter 4 under goals 1, 2, and 3.

10. *How will the refuge be managed with respect to biological diversity?*

We define biological diversity (or biodiversity) as the degree of variation in life and its processes, including the variety of living organisms, the genetic differences among them, and the communities and ecosystems in which they occur. In accordance with the Refuge Improvement Act and the Service's policy on maintaining biological integrity, diversity and environmental health (601 FW 3), maintaining biological diversity is one of the major responsibilities of the Refuge System.

Several comments received during public scoping indicated a desire for the refuge to expand management efforts to include focusing on additional groups of species (such as reptiles and amphibians). Our response to these concerns is addressed in chapter 4 under goals 1, 2, and 3.

11. How will the refuge manage newly acquired lands?

One of the ways that the Service can protect habitat and wildlife is by acquiring suitable lands. Although the refuge has been actively acquiring lands and conservation easements from willing sellers (see table 1.1), less than half of the lands located in the original acquisition boundary have been purchased to date (see map 1.1). Most of the acreage acquired to date was former farmland that has subsequently been restored, usually by converting the acreage into impoundments, which are subjected to specific water-level regimes.

The refuge will continue to acquire new lands as funding and opportunities become available. During scoping, the planning team received comments expressing interest in the exploration of restoring new areas to less managed habitats (i.e., other than waterbird impoundments). Our response to these concerns is addressed in chapter 4 under goals 1 and 2.

12. How will the refuge address the impacts of climate change?

There is unequivocal evidence that Earth's climate is changing. Rainfall patterns are expected to change, with prolonged periods of drought punctuated by excessive rain being a possible scenario. Unpredictable and extreme weather events are anticipated, and changes in temperature and rainfall will alter the distribution and species composition of plants and wildlife in the area.

Although it is unlikely that the refuge can affect the large-scale changes in habitats and wildlife populations that will occur, there are ways it can minimize the deleterious effects of climate change. These include increased monitoring, increased habitat diversity (especially along a north-south gradient), and incorporation of redundancies and flexibilities into impoundments and other infrastructure designs to prepare for extreme rainfall events and droughts. We discuss the potential effects of climate change on the refuge in chapter 3, under *Physical Environment*. Our response to these concerns is addressed in chapter 4 under goals 1, 2, 3, and 6.

13. How will the refuge address water quality?

Sources of water on the refuge include rainfall, runoff, the Seneca and Clyde Rivers and Black Brook. Unpolluted sources of water are critical to the environmental health of the refuge, as contaminants can affect vegetation (e.g., excessive nutrients cause growth of undesirable plants) and wildlife (e.g., a range of toxins affect everything from fish to birds). Land use practices in the watershed largely dictate the water quality on the refuge.

Members of the public have expressed concern over the water quality of Black Brook, which flows through urban and agricultural areas and adjacent to the Seneca Meadows Landfill before reaching the refuge. Because the refuge cannot dictate land use outside its areas of jurisdiction, it must rely largely on environmental regulations by our partners (e.g., NYSDEC and the Natural Resource Conservation Service) and educational and outreach efforts with regional landowners

and other stakeholders to help ensure that water quality is maintained or improved. Our response to these concerns is addressed in chapter 4 under goals 1 and 6.

14. How will the refuge address the impacts of hydraulic fracturing?

Hydraulic fracturing (or hydrofracking) is a process that results in the creation of fractures in rocks, typically to facilitate the extraction of oil and natural gas wells. Environmental health and safety concerns with this practice have emerged, and the U.S. Environmental Protection Agency (EPA) is currently performing an extensive review of the practice, with a report likely to be released in the next few years. Currently, the Service is unaware of any ongoing or proposed hydraulic fracturing in the vicinity of the refuge; however, this may become an issue in the next 15 years. We address this issue in chapter 3, under Socioeconomic Environment.

15. How will the refuge address universal accessibility?

Providing access to the public is an important component of the refuge's visitor services program. The refuge maintains several trails, roads, overlooks, and parking areas that support a variety of priority public uses; where possible, the refuge strives to make public access areas compliant with the Americans with Disabilities Act of 1990, as amended (ADA).

The need for increased and improved access for people with disabilities was among the comments noted during public scoping. Our response to these concerns is addressed in chapter 4 under goals 4 and 5.

16. How does/will the refuge affect the local economy?

Although the purpose of the Refuge System is not to provide economic opportunities (its mission being "Wildlife First"), numerous studies have shown that, overall, refuges have a positive economic impact on local economies (see chapter 3 for further details regarding the effects on local economies by the refuge). Members of the public and representatives from area towns indicated concern over the effects of Service land acquisitions on the tax-base of local communities. The socioeconomic effects of the plan are considered in chapter 3 (see section on Effects on the Socioeconomic Environment).

Issues Considered, but not Further Analyzed

1. Will the refuge address the development of a pulloff area along the New York Thruway (Interstate 90)?

For several years, the refuge has supported the construction of a pulloff area along the NYS Thruway overlooking the Main Pool. This would provide a scenic vantage point, as well as offer wildlife observation, photography, and interpretation opportunities. The project was supposed to be a joint effort between the NYS Thruway Authority and the Service; however, because of budget issues, this project is no longer being pursued at the present time and will not be further addressed in this CCP.

2. *Will the refuge provide camping opportunities for the public?*

The refuge occasionally receives requests regarding camping. Camping is not one of the priority public uses, nor does it clearly support any of the six priority public uses. Camping could impact soils (e.g., soil compaction and vegetation loss), increase disturbance to wildlife, provide a new pathway for the introduction of invasive species, and would increase law enforcement and maintenance needs on the refuge. In addition, disposal of associated waste would be an issue. Therefore, camping will not be permitted on the refuge and will not be further addressed in this CCP.

3. *Will entrance fees be implemented to help pay for public use programs and refuge upkeep?*

Members of the public have asked if the Service intends to implement entrance fees on the refuge to help pay for public use programs, as well as associated repairs and maintenance of refuge facilities. The issue of entrance fees was evaluated previously by the refuge and determined to place an undue burden on the visiting public. In addition, the collection of the fees would necessitate providing additional infrastructure (e.g., booth, barriers, etc.) and personnel to collect the fees. In light of this, the refuge has determined that, at this time, entrance fees will not be implemented and will not be further addressed in this CCP.

4. *Will the refuge promote carp fishing?*

We received a request to allow carp fishing in the impoundments. Carp, a nonnative, invasive species of fish is common in the Seneca and Clyde Rivers and is considered a sport fish by some anglers. In the spring, carp are often found congregating where the Main Pool water control structure connects to the Seneca River. In general, the Service does not promote the use of an invasive species for public use purposes, as this could create a demand for nonnative species. This could be contradictory to our mandate to control or eradicate if possible nonnative, invasive species; therefore, carp fishing will not be further addressed in this CCP.