Chapter 2

American Kestrel
USFWS photo

Planning Process

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The Comprehensive Conservation Planning Process

Service policy establishes an eight-step planning process that also facilitates compliance with NEPA (see figure 1.1, below).[1] Each of its individual steps is described in detail in the planning policy and CCP training materials. While the figure suggests these steps are discreet, there can be 2-3 steps happening concurrently.

Planning Process

We started this planning process in 1998 as a combined CCP for both the Wallkill River and Shawangunk Grasslands refuges. The core team was composed of a Regional planner, Regional Resource Specialist, refuge staff, and representatives from NJ DEP and NYSDEC. The core team first convened in February 1999.

Our early meetings consisted of detailing the steps in the planning process for this project and collecting information on natural resources and public uses that pertained to each refuge.

As part of "Step A: Preplanning," we also developed a preliminary refuge vision statement, management goals, and identified issues and management concerns. During that step, we also began a wilderness review of existing refuge lands.

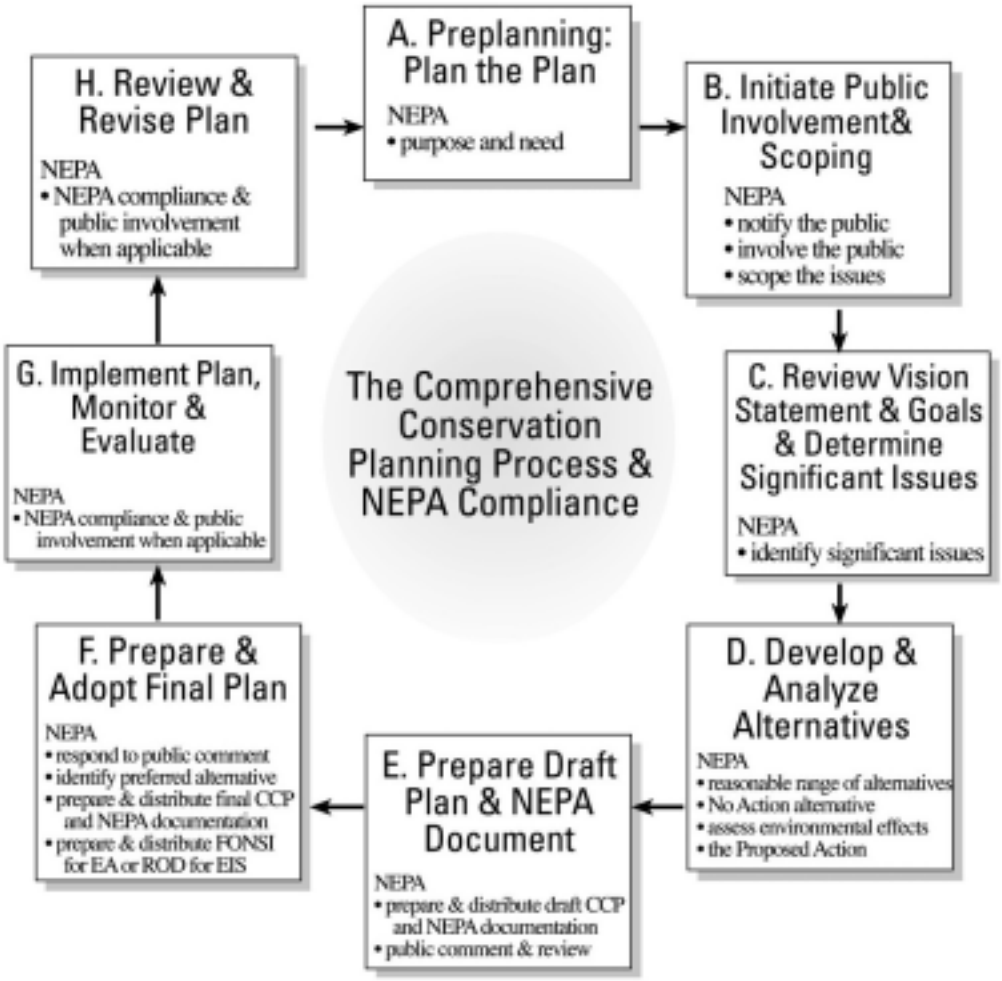
Our wilderness review evaluates the suitability of refuge lands for inclusion into the National Wilderness Preservation System (NWPS). The review consists of three phases: (1) inventory, (2) study, (3) recommendation. We inventoried all 566 acres of refuge lands in fee title ownership and found no areas that meet the eligibility criteria for a wilderness study area as defined by the Wilderness Act. Therefore, suitability of refuge lands for wilderness designation is not analyzed further in the CCP. The results of the wilderness inventory are included in appendix C.

Also in early 1999, we compiled a mailing list of approximately 3,000 names, including organizations, elected officials, state agencies, individuals, and adjacent landowners, to ensure that we would be contacting a diverse sample of interested groups as we progressed through the process.

Next, we began step B, "Initiate Public Involvement and Scoping," which provided an opportunity for the public to critique or add to the vision, goals, and issues we drafted. In May 1999, we developed issues workbooks to solicit written comments on topics related to the management of the refuge. We realized not everyone could attend planned Open House meetings scheduled for later in May and in June, so the issues workbooks provided an opportunity to reach a larger audience. Workbooks were sent to everyone on our mailing list; were available at the Refuge Headquarters; and were offered to people every time our refuge staff participated in a public function. We received 337 workbooks completed with responses. Those responses strongly influenced our formulating issues and developing alternatives on resource protection and public use.

[1] 602 FW 3, "The Comprehensive Conservation Planning Process" (http://policy.fws.gov/602fw3.html)

Figure 1.1 The Comprehensive Conservation Planning Process and its relationship to the National Environmental Policy Act of 1969.



In May and June 1999 we held seven Open Houses: two in Sparta, NJ; two in Vernon, NJ; two in Wallkill, NY; and, one in Warwick, NY. We advertised those open houses locally in news releases, radio broadcasts, and notices to our mailing list. More than 50 people attended those meetings. We also organized several separate meetings with conservation partners and state agencies to discuss shared issues.

In October 1999, we released our "Fall 1999 Planning Update" to everyone on our mailing list. That update summarized the public comments we had received from meetings and issues workbooks, identified the key issues we would be dealing with in the CCPs, and shared revised vision statements and goals.

Once we had firmed up the key issues in October, we began step D, "Develop and Analyze Alternatives." The purpose of this step is to develop alternative strategies for addressing and resolving each issue on both refuges. We derived the management alternatives described in draft CCP, chapter 3, from those strategies, public comments, our goals and refuge purposes.

At this stage, we identified and mapped ecologically important lands in the vicinity of the refuge or connected to the Wallkill River valley. Using the expertise of our Connecticut River/Southern New England/New York Bight Coastal Ecosystems Program office and wildlife biologists with NYSDEC, we determined areas of high biodiversity important to our Federal trust resources, including areas with rare or declining wildlife species or plant communities, wetlands, and contiguous grasslands larger than 150 acres. Those areas of high biodiversity were mapped as focus areas.

We identified a Shawangunk Grasslands Focus Area, 3,486 acres in size, surrounding the refuge (map 1–2). In our opinion, land uses in this focus area could have a direct effect on our ability to fully meet our refuge goals and objectives. Unfortunately, some of that area now has been developed and has lost its significance to wildlife.

Despite our interest in seeing these lands protected, we do not propose Service acquisition of additional lands at this time. We do not feel there is enough local community support for a refuge expansion, and from our Regional perspective, with all our other land protection priorities, it is doubtful we would be able to secure funding to buy additional lands here or hire staff to manage those lands. Instead, we plan to work with adjacent landowners and other partners to facilitate land conservation within the focus area. However, if favorable conditions arise in the future to make Service land acquisition in this area possible, we may pursue it under a separate environmental assessment and public review.

At follow-up meetings in 2000, we shared our proposed alternatives with conservation partners, state agencies, and the public. We distributed another newsletter in January 2002 that outlined four management alternatives. Through further analysis, we reduced those alternatives to three. In chapter 5, “Consultation and Coordination with Others,” you will find a detailed summary of each public involvement activity.

In November 2002, we determined it would be more efficient to separate our planning efforts for Wallkill River and Shawangunk Grasslands refuges, with priority given to completing a CCP for this refuge.

In November 2005, we completed Step E: “Prepare Draft Plan and NEPA Document.”and released a draft CCP/ EA for a 45-day public review and comment. In additition, we held a public meeting/ open house on January 17, 2006, in the Hamlet of Wallkill, NY. Thirty eight people (non-FWS) attended the public meeting.

We received a total of 589 public responses in oral testimony at public hearings, in phone calls, or in written or electronic documents. Appendix I summarizes those public comments and our responses to them. In some cases, our response resulted in a modification to alternative B, our preferred alternative. Our modifications include additions, corrections, or clarifications which we have incorporated into this final CCP.

Our Regional Director has signed a Finding of No Significant Impact (FONSI) which certifies that this Final CCP has met agency compliance requirements and will achieve refuge purposes and help fulfill the Refuge System mission (appendix J). It also documents his determination that implementing this CCP will not have a significant impact on the human environment, and therefore, an Environmental Impact Statement (EIS) is not required.

These documents will be made available to all interested parties. Implementation can begin immediately.

Issues, Concerns, and Opportunities

From planning team discussions, public and focus group meetings, and public responses to our issues workbooks, we compiled the issues and concerns that we heard and categorized them as follows.

Key issues.—These were unresolved public, partner, or Service concerns without obvious solutions supported by all at the start of our planning process. Along with goals, key issues formed the basis for developing and comparing the three different management alternatives. In the draft CCP, the wide range of opinions on how to address key issues in a way consistent with refuge goals and objectives generated the three alternatives. The key issues listed below also share this characteristic: the Service has the jurisdiction and the authority to address them.

Issues and concerns outside the scope of this analysis.—These issues fall outside the scope of our planning process, or outside the jurisdiction or authority of the Service. Although we discuss them briefly below, we do not address them further in this document.

Key Issues

1. Which species should be a focus for management, and how will the refuge promote and enhance their habitats?

Congress entrusts the Service with protecting Federal-listed endangered or threatened plant and animal species, anadromous and inter-jurisdictional fish species, migratory birds, and certain marine mammals, and mandates their treatment as management priorities when they occur on a refuge. Appendix A identifies Federal trust resources on the refuge, as well as other species and habitats of special management concern.

Although we know of no Federal-listed species on the refuge, it does provide significant habitat for certain migratory birds. The challenge we faced early in the planning process with respect to migratory bird management was determining how this refuge could significantly contribute to the conservation of migratory bird species of concern. An important question we addressed is “Which migratory bird species and habitat types should be management priorities on the refuge?” Placing management emphasis on certain species or species groups may preclude emphasis on other migratory bird species of concern.

For example, our emphasis on managing habitat for grassland-dependent birds reduces the potential for shrub-dependent or forest-dependent birds also in decline throughout PIF Area 17. Our responses to this issue is addressed in refuge goals 1, 2, and 3.

2. How will the refuge manage for regionally significant ecological communities, including the Wallkill River and its associated wetlands?

Several habitat types present on the refuge have been identified as ecologically significant because of their biological diversity, their relative scarcity throughout the Hudson River ecosystem, or their ability to support a complex of species that are regionally declining. Besides the Wallkill River and its tributaries, large grassland complexes (>150 acres) are recognized as regionally important for their biological diversity.

Service policy (601 FW 3) requires us to maintain existing levels of biological integrity, diversity, and environmental health on refuge lands. If necessary, we are to restore lost or degraded habitats, using historical conditions as a frame of reference to identify composition, structure, and functional processes that naturally shaped ecosystems and habitat types. Our responses to this issue is addressed in refuge goals 1, 2, 3 and 4.

3. How will the refuge manage invasive, exotic, or overabundant species?

Invasive plants out-compete native species by dominating light, water, and nutrient resources. Species such as purple loosestrife (*Lythrum salicaria*), Phragmites (*Phragmites australis*), garlic mustard (*Alliaria petiolata*), Canada thistle (*Cirsium arvense*), multiflora rose (*Rosa multiflora*), and reed canary grass (*Phalaris arundinace*a) threaten refuge habitats by displacing native plant and animal species, degrading wetlands and other natural communities, and reducing natural diversity and wildlife habitat values. Those plants are particularly a menace when they impact the viability of native species of concern, such as some of the rare plant species on the refuge.

Once they have become established, getting rid of invasive plants is expensive and labor intensive. Their characteristic ability to easily establish, prolifically reproduce, and readily disperse makes eradicating them difficult. Many of them cause measurable economic impacts, especially in agricultural fields. Preventing new invasions is extremely important for maintaining biological diversity and native plant populations. Controlling them in existing, affected areas requires extensive partnerships with adjacent landowners, state, and local governments. Control of invasive plant is a high priority in this plan

Several wildlife species on the refuge may be adversely affecting natural biological diversity and we need to monitor any impacts. Native species such as deer, resident Canada geese, and small furbearing mammals such as foxes, raccoons, and woodchucks can be a problem when their populations exceed the range of

natural fluctuation and the ability of the habitat to support them. Management issues arise when they adversely affect Federal trust species or degrade natural communities. In particular, small mammalian predators destroy migratory bird nests. While some level of predation in a natural system is expected, concerns arise when that predation prevents our meeting conservation objectives.

Adverse economic impacts can arise when deer or Canada geese forage on landscaping or agricultural fields. Excessively high populations of deer, fox or raccoon also can compromise human health and safety. Greater numbers of vehicle-deer collisions or cases of Lyme disease and rabies all raise community concerns. Not all of those situations exist now on the refuge, but they may surface soon, as surrounding lands become developed and animals are forced to concentrate on or near the refuge. Some of the control measures for each species are controversial; they may include visual or audio deterrence, the destruction of nests or dens, or lethal means. Our responses to this issue is addressed in refuge goals 1 and 2.

4. What opportunities for hunting will the refuge provide?

During public scoping we learned that opinions on hunting ran the full spectrum, from those totally opposed, to those advocating opening the refuge to all State hunting seasons. The Refuge Improvement Act of 1997 stipulates hunting on refuges as one of the six priority public uses to receive our enhanced consideration. The Service also views hunting as an effective management tool in controlling overabundant or invasive wildlife species.

However, a segment of the local community continues to oppose hunting, based on concerns about safety, disturbances, harm to non-target wildlife, and the impact on visitors engaging in other priority public uses. Others opposed to hunting feel that the refuge should function as a complete sanctuary for all native species, and that hunting is incongruous with managing a refuge.

Some support hunting only when it is needed for population control, and not as a recreational activity. Still others fully support it, including the NYSDEC, who would like to see more hunting on the refuge in conformance with State hunting seasons.

The refuge has not previously been open to hunting, but local residents indicate that deer and small game hunting occurred under previous ownerships. Some adjacent landowners were opposed to hunting, expressing a concern about their own safety, especially if a rifle season were allowed. Other individuals indicated a concern about the safety of hunters, since buried drainage structures on the refuge could be hazards.

As we considered whether or not to provide a hunting program, our foremost consideration was for public safety. Our final recomendation, described under Goal 4, is to provide an archery deer hunt.

5. How will the refuge provide opportunities for other compatible, wildlife dependent uses and accommodate their occasional conflicts?

The 1997 Refuge Improvement Act requires our enhanced consideration of opportunities for six priority wildlife-dependent recreational uses—hunting, fishing, wildlife observation and photography, and environmental education and interpretation—when they do not conflict with the mission of the Refuge System or the purposes for which the refuge was established. However, the Act establishes no hierarchy among the six priority uses and, unfortunately, they sometimes conflict.

Some people expressed concerns that refuge resources may be disproportionately allocated toward one use to the detriment of others. An additional challenge for the refuge manager is determining the capacity of the refuge to support those uses and still provide a quality experience for visitors. For example, some people would prefer that the runways be maintained for walking while others prefer that most of them be restored to grasslands. Our responses to this issue is addressed in refuge goals 4 and 5.

A few public uses that historically occurred on the refuge are not priorities, nor wildlife-dependent, and we have determined they are not compatible with the refuge purposes and management priorities. One activity in particular, model airplane flying, received a lot of attention when the refuge was established. Chapter 3 describes the history of that issue in greater detail. Also in Chapter 3, we describe our concerns with the potential for non wildlife-dependent activities drifting onto the refuge with the Town of Shawangunk's proposed 55-acre park and athletic fields on the refuge's north boundary.

6. Should we consider a refuge expansion to protect additional habitat areas?

Northern New Jersey and south-central New York have become commuter communities for cities to the south. Two-hour commutes are now commonplace. According to a June 19, 2005 editorial in the Poughkeepsie Journal, there is concern about the loss of open space and farmland in Ulster County due to demographic changes. The town of Gardiner, for example, experienced a population growth of more than 20% in the last 10 years. That growth, which places extreme pressure on natural resources, is now threatening the county's natural areas; many are becoming isolated islands of habitat, so fragmented that they can no longer support their full diversity of native wildlife and plant species. Species that require large, contiguous areas of natural habitat are the first to suffer. The Town of Shawangunk is developing a comprehensive plan that will include an analysis of current and future needs for open space. Public meetings indicate broad public support for the concept, but no consensus on how much open space is enough. It is also important to recognize the "open space lands" does not necessary equate with lands of greatest wildlife values.

Eastern bluebird
Scott A. Vincent ©

During our public scoping process, we heard from many individuals encouraging the Service to expand the refuge within the focus area for a variety of reasons, including their concern about the rapid rate of development, the increased burden on their communities' services brought on by that development, and their communities' loss of rural character. Some acknowledged the necessity and the direct benefits of maintaining land in its natural state afforded by refuges. They recognized that wetlands are essential habitat for wildlife, lessen the damage from flooding, and naturally break down contaminants in the environment. They also recognized that forests and grasslands protect the quality of our drinking water, help purify the air we breathe, and provide important areas for outdoor recreation.

On the other hand, the fact that 29% of Ulster County is now held in non-taxed ownership, including the refuge, state prisons, religious communities, state owership (parks) and non-profit organizations, is a concern to many people. Some elected officials hold mixed opinions about this tax burden on their communities. They feel that increased Federal ownership will adversely affect property tax revenues. Federal lands are not taxed. However, the Refuge Revenue Sharing Act[2] helps offset the loss of tax revenue through refuge revenue sharing payments to towns, at a maximum rate of three-quarters of 1 percent of the appraised value of refuge land.

As we described under "Planning Process," we do not propose an expansion of the current approved boundary. However, we do recomend Service involvement in identifying important habitats that need protection or cooperative management on private lands in the area. In addition, nothing in this CCP precludes our pursuing land acquisition in the future, after additional NEPA analysis and public involvement. For example, the 55 acres deeded to the Town of Shawangunk for use as a town park, immediately adjacent to the refuge's northern boundary, may become a priority for Service acquisition should the town ever determine it excess to their needs. While this is not anticipated, should the opportunity arise, we would seek its acquisition. Our responses to this issue is addressed in refuge goals 1, 2, and 3.

[2] 16 U.S.C. 715s, June 15, 1935, as amended

7. How will the refuge cultivate an informed and educated public to support the mission of the Service and the purposes for which the refuge was established?

Community involvement in supporting the Refuge System is very important and very rewarding. It helps people understand what we are doing, why we are doing it, and how we can work together to improve our communities. Refuge outreach ties us to local communities and promotes an interest in conserving natural resources. The challenge lies in determining how best to reach out to raise refuge visibility and cultivate relationships in local communities. Some people advocate opening more refuge programs to the public; others desire a "Friends of the Refuge" Group; still others promote refuge staff involvement in established community events, government committees, and conservation organizations. Our responses to this issue is addressed in refuge goals 3 and 5.

8. How will we reduce the potential hazards from the underground drainage system?

On the refuge there is an extensive system of cement culverts that was installed to drain water from the air field which are collapsing, and in some cases are open and exposed. This may represent a safety hazard especially for our staff doing habitat management work or for visitors authorized to walk off the designated trail. Our responses to this issue is addressed in refuge goal 4.

9. How will the refuge obtain the necessary staffing and funding to maintain infrastructure and complete priority projects?

For the foreseeable future, this refuge will continue to be maintained as an unstaffed satellite refuge under the administration of the Wallkill River refuge. Some people expressed concerns about the ability of Wallkill River refuge staff to maintain infrastructure and implement programs and projects on this refuge given the current level of funding.

Some are concerned that any new proposals in this CCP will be substantially above current budget allocations, thus raising unrealistic expectations. It was pointed out that budgets can vary widely from year to year since they depend on annual Congressional appropriations. Other people supported our pursuit of new management goals, objectives, and strategies in the hopes that the CCP will establish new partnerships and funding sources. In fact, some people recommend a visitor contact facility be maintained throughout the year on the refuge. A "Friends Group" was suggested as one way to get assistance with funding and implementation.

We identify seasonal staffing positions and funding levels antecipated as necessary to implement over the next 15 years. Appendix E lists the essential staffing levels already approved for the refuge. All positions assigned to the refuge are currently vacant. Appendix D presents our Refuge Operating Needs (RONS) and Management Maintenance System (MMS) projected needs. These data-

bases are updated regularly, and in fact, we are transitioning to replace the MMS database with the Service Asset Maintenance Management System (SAMMS) database.

Issues Outside the Scope of this Planning Process

Development and local zoning

Many people indicated they are greatly concerned about urban sprawl, the rate and location of development, and the loss of habitat and resulting increased habitat fragmentation near refuge lands. Some wanted zoning for agriculture or something other than residential or commercial development. The authority of the Service does not extend to local zoning. However, we are working with adjacent towns to identify important wildlife habitats that need protection.

Pollution Control

Many refuge neighbors expressed their concern about poor water quality in the Wallkill River and their belief that it has steadily declined over the past years. Some attributed that decline to the use of herbicides and pesticides on agricultural fields and its relationship to the levels of DDE in the river, the highest in any Hudson River tributary. Others expressed their concerns about the effects of town wastewater treatment and pollution from farm operations.

The Service has no jurisdiction on other ownerships, unless polluters are directly impacting Federal trust resources. However, our staff will continue to work with the Wallkill River Task Force and participate in local community planning to promote the best management and restoration practices to benefit water quality and the wetlands of the river and its tributaries.