

## Appendix J



USFWS

*The Wallkill River flows north from New Jersey into New York.*

# Summary and Response to Public Comments

## Introduction

We received 683 unique responses to our draft CCP/EA in oral comments at our public meetings, via e-mails, and written comments from a total of 2,781 respondents. The comment period lasted 66 days from February 4 to April 9, 2008.

We received 4 comments from state agencies:

- New York State Department of Environmental Conservation
- New Jersey Department of Environmental Conservation
- New Jersey Division of Fish and Wildlife
- High Point State Park, N.J.

We received 3 comments from Federal Congresspersons:

- Senator Frank Lautenberg (N.J.)
- Congressman Scott Garrett (N.J. 5)
- Congressman John Hall (N.Y. 19)

We received 7 comments from local (county, municipal, etc.) governments/officials:

- Evanford Township, N.J. Open Space Committee
- Frankford Township, N.J.
- Orange County, N.Y., Division of Planning
- Sussex County, N.J. Board of Chosen Freeholders (2)
- Wantage Township, N.J.
- Warwick Township, N.Y.

We received more than 50 comments from groups, associations, clubs, organizations, boards and other organized entities including:

- Appalachian Mountain Club (NY-NJ chapter)
- Committee to Abolish Sport Hunting
- Friends of the Wallkill River Refuge
- Hudson Valley AgriBusiness Development Corporation
- National Wild Turkey Federation (N.J. chapter)
- National Rifle Association
- New Jersey Animal Rights Alliance
- New Jersey Audubon Society (various local chapters)
- New Jersey Conservation Foundation
- New Jersey Federation of Sportsmen's Clubs
- New Jersey Highlands Coalition
- New York-New Jersey Trail Conference
- Orange County, N.Y. Agricultural and Farmland Protection Board
- Orange County, N.Y. Farm Bureau
- Orange County Land Trust
- Orange County, N.Y. Soil and Water Conservation District
- Outdoor Writers Association of America
- Ruffed Grouse Society (Skylands Chapter)
- Sierra Club (various local chapters)
- Sussex County Municipal Utilities Authority
- The Bear Education and Resource (BEAR) Group
- The Humane Society of the United States
- The Warwick Conservancy
- Vernon Civic Associations
- Wallkill River Watershed Management Group

We received 2,781 responses from individuals:

- 2,494 e-mails (2,285 form letters)
- 218 letters (54 form letters)
- 15 faxes
- 54 oral testimonies

During the comment period, 243 people attended our three public meetings on February 20, 2008, from 6:00 p.m. to 9:00 p.m., at the Trico Credit Union Community Room in Frankford, N.J.; February 21, 2008, from 6:00 p.m. to 9:00 p.m. at the Sussex-Wantage Public Library in Wantage, N.J.; and March 6, 2008, from 6:30 to 9:00 p.m., at the Warwick Township Town Hall, N.Y. Some participants presented their comments orally, some provided written comments and some people provided both. More comments arrived later via mail or e-mail.

The following discussion summarizes the substantive issues raised by the public's comments and our responses to them. Many of our responses refer to the full text of our draft CCP/EA. If you would like to view or download copies of the draft plan, it is available online at <http://www.fws.gov/northeast/northeast/planning/Wallkill%20River/ccphome.html>. You may also request them on CD-ROM by contacting the refuge headquarters at 973 702 7266 or [wallkillriver@fws.gov](mailto:wallkillriver@fws.gov), Wallkill River NWR, 1547 County Route 565, Sussex, NJ 07461.

## 1. Planning Process and Policy

**Comment:** Some reviewers requested that the Service increase the length of time available to comment on the Comprehensive Conservation Plan (CCP) and Land Protection Plan (LPP), and one asked the Service to add a public hearing meeting in New York State.

**Response:** As noted in the Appendix I, Consultation and Coordination with Others, in the final plan, the Service did decide to extend the comment period by 30 days. As a result, the public comment period was extended until April 9, 2008. In addition, the Service added a public comment meeting in New York State that was held on March 6 at the Warwick Town Hall.

**Comment:** Some reviewers commented about the CCP process and the role of the public in determining the final outcome.

**Response:** Most of the information relating to the CCP process is located in Chapter 2 of the final CCP. In summary, the Service must consider all substantive public comments. In consultation with staff and partners, we develop and approve a final CCP. All decisions are made using the best available science and management, which are then applied in the context of the laws and regulations that govern the Service. More information about this process may also be found online at [www.fws.gov/refuges](http://www.fws.gov/refuges).

**Comment:** One reviewer stated they believed the Service did not adequately analyze the impacts of expanding hunting opportunities on the refuge.

**Response:** The Service worked closely with the state of New Jersey, collected and analyzed data about refuge lands, and worked within the legal and scientific framework established for opening a refuge to hunting. More information about hunting is located in the draft CCP/EA in Chapters 3 and 4 and in Appendix B. In those sections, we outline our data collection and analysis, which demonstrates population levels and impacts of expanded hunting programs.

**Comment:** One reviewer inquired about the Service's authority to expand the refuge.

**Response:** A refuge can be expanded by (a) law (b) an executive order or (c) administratively by the authorities in the Fish and Wildlife Act of 1956 and the Migratory Bird Conservation Act of 1929. The Land Protection Plan, as Appendix G to the final CCP, facilitates the process to expand the refuge.

**Comment:** Many reviewers appreciated the opportunity to comment on the draft CCP/EA and were supportive of the Wallkill River National Wildlife Refuge (NWR) and the National Wildlife Refuge System in general.

**Response:** The Service thanks these reviewers for their support.

**Comment:** A few reviewers noted minor editorial changes that the Service should make to improve the document's readability and clarity. One reviewer commented on the language used by the Service that, in their opinion, placed hunting in conflict with other public uses.

**Response:** The Service would like to clarify that, with the exception of ensuring visitor safety, hunting is not seen as being in conflict with any other form of wildlife dependent recreation. Where appropriate, we have made minor changes based on these comments. Thank you for your input.

**2. Purpose and Need:** No response necessary

**3. Affected Environment and Environmental Consequences**

**Comment:** We received a number of comments about water quality within the refuge and the Wallkill River watershed. Individual concerns ranged from contaminants from outside the refuge and their impact on refuge habitats, to chemicals used by the refuge in various aspects of refuge management. A few reviewers also discussed the refuge's role in relation to the quality and quantity of wetland habitats.

**Response:** With 9 miles of the Wallkill River running through lands currently managed by the refuge, water quality is a concern. One of the refuge's founding purposes is to improve water quality and aquatic habitats within the refuge, so it falls within the refuge's goals to monitor and improve quality. We address water quality in the draft CCP/EA in objective 2.2 for each of the alternatives in Chapter 3, and in Chapter 4 (pages 4-8 to 4-11). Where feasible and appropriate, the refuge will continue to restore wetland habitats on the lands that it manages. Wetland restoration and enhancement, as well as other land restoration activities that reduce erosion and impervious surfaces, will improve water quality and aquatic habitats. These actions are discussed in each of the alternatives as Objectives 1.3 and 2.1 of Chapter 3 in the draft CCP/EA. The refuge does occasionally use or authorize the use of chemical controls of nuisance wildlife/invasive species. These activities are discussed in the "Common to All" objectives section of Chapter 3 of the draft CCP/EA, and impacts from these activities are discussed in Chapter 4 (pages 4-8 to 4-11) in the draft CCP/EA.

**4. Cultural and Historic Resources:** No response necessary

**5. Socioeconomic Setting**

**Comment:** Several reviewers were concerned about the socio-economic impact of the refuge expanding into the Black Dirt region of Pine Island, N.Y. Specifically, they mentioned financial impacts, taking land out of farmland production, economy-of-scale impacts, their agricultural way of life, and the value of farming to the local economy.

**Response:** Based on individual conversations and oral and written comments, the scope of the expansion was generally misunderstood. The expansion in Warwick Township only includes land owned by two landowners. Even if all of the land within the Black Dirt region identified by the Service was purchased, it would total approximately 210 acres. This is about 1.4 percent of the 14,500 acres of farmland within the Black Dirt region. In addition, the Service has a policy of buying land from willing sellers only, and has no intention to alter the current state of the agricultural economy in the Black Dirt region. It is possible that with some purchase options, (e.g., easement, life use reservation) farming could continue on any land that would be added to the refuge. For more information about the expansion in Warwick Township, please refer to the Land Protection Plan which is located in Appendix G of the CCP.

**Comment:** Several people commented on the contribution of refuge-related activities such as hunting and wildlife observation to the local economy. One reviewer encouraged the refuge to increase wildlife-dependent recreational uses to enhance the local tourism industry.

**Response:** Chapters 3 and 4 of the CCP discuss refuge-related tourism. In Chapter 4, we discuss the additional opportunities for wildlife dependent recreation that will be available as a result of implementing the CCP. Further information on Service-related tourism is available in the Service's Banking on Nature Report, which is mentioned in Chapter 3 and is available online at [www.fws.gov](http://www.fws.gov).

**Comment:** Some reviewers commented on the relationship of refuge lands to property taxes. They asked about Refuge Revenue Sharing Payments and their relation to local taxes. Some expressed concerns their private property rights would be affected by the refuge expansion plan.

**Response:** The Service cannot speculate on what might happen to land values based on hypothetical situations; however, we are able to report what funds we have provided to local governments via Refuge Revenue Sharing Act payments as shown in Chapter 2 (page 2-8) of the draft CCP/EA. In Chapter 2, we also indicate that land in refuge ownership requires little in municipal services compared to private lands. The Service has no authority to regulate lands it does not own, so the Land Protection Plan will not affect private property rights. More information about the LPP is available in Appendix G.

## 6. Refuge Administration

**Comment:** Many reviewers commented on the Land Protection Plan. Most were generally supportive of the full expansion. A few reviewers expressed a belief that a refuge expansion could reduce flooding events downstream along the Walkkill River, while others had questions about the logistics of the LPP.

**Response:** Criteria used in determining the refuge expansion and how the Service purchases land are located in the Land Protection Plan (Appendix G). Priorities for land acquisition are also discussed in the LPP. Wetlands are known to reduce the magnitude and duration of flooding events. The refuge's efforts to restore natural hydrological flows within previously ditched areas are discussed in Objectives 2.1 to 2.3 of Alternative B (Chapter 3) of the draft CCP/EA.

**Comment:** One reviewer expressed a preference that new refuge lands should be open for public access, while another mentioned they would prefer for refuge lands to be protected from the negative impacts of recreational activities. A few reviewers also noted that the LPP would protect wildlife and habitat and create an ecological connection between the Hudson Highlands and Ridge and Valley Province.

**Response:** The Service's mission and responsibilities include providing wildlife dependent recreational opportunities where compatible with the primary purposes of the refuge and the mission of the National Wildlife Refuge System. The objectives under Goal 3 in Chapter 3 (Objectives 3.1 to 3.5) and Appendix B (Appropriate Use and Compatibility Determinations) of the draft CCP/EA outline how refuge staff ensures that wildlife dependent recreation does not negatively impact wildlife and habitats.

**Comment:** A few reviewers asked how the Service defines the expansion area, with one reviewer specifically suggesting that the Service make upland acquisition a priority since wetlands already receive state protection. Several reviewers stressed the need for land acquisition to be voluntary (no use of eminent domain).

**Response:** It is the Service's policy only to buy land from willing sellers. The Service does not utilize eminent domain as a land acquisition tool, but like any government agency, the Service has eminent domain available to it. This policy is discussed in-depth in the LPP. Any landowners interested in learning more about how the Service purchases land may contact the refuge manager or the Region 5 realty office.

**Comment:** Some reviewers expressed concerns about land expansion, citing that the refuge already had more land than it could maintain, that enough wetlands were already preserved, or that they were against public ownership of land in general. One reviewer questioned how the Service will maintain additional lands in the expansion area when budget and staffing are currently being cut.

**Response:** The Service is confident that there is a need to continue to protect wildlife, wildlife habitats and wetlands along the Wallkill River and its tributaries. As the Service has a responsibility to carry out its mission, defined by the legislative and executive branches of the Federal government, we will continue to work with local communities and other partners to fulfill our mission. Also, land acquisition funds and refuge operations funds come from different funding sources.

Management of Service lands is dependent on a variety of factors, many of which the Service does not have direct control over. Mainly, the Service receives its annual budget from Congress, which in turn drives regional and station budgets. In addition, temporary staff, volunteers, friends groups and partners can all contribute to maintaining refuge resources. It is also important to note that the Wallkill River refuge is part of a complex with Great Swamp refuge, which has a full-time staff of 10 employees who also provide support for the refuge. Just as the LPP defines the Service's vision for an expanded refuge, Appendix F of the CCP defines the Service's vision for refuge staffing.

**Comment:** Some land owners in the Black Dirt region of New York expressed concern over the potential negative impacts of a refuge expansion on their farming operations.

**Response:** Much of the confusion regarding the concern over farming in the Black Dirt region came from a general misunderstanding of the scope of the LPP. Some reviewers thought that the expansion includes areas well outside the LPP area and this led to erroneous conclusions. The Service does not think that purchase of up to 1.4 percent of the Black Dirt area will negatively impact the overall farming community. The refuge is continuing to establish better communication with the farming community to better understand their concerns and find areas where we can work together. With a number of options available for addressing the concerns of local farmers and the recognition that we need to work together, the Service is confident that all reasonable concerns will be addressed.

**Comment:** A large number of people were supportive of the LPP, but their objections to a bear hunt caused them to speak against the land expansion proposed in Alternative B and instead support the expansion as proposed in Alternative C of the draft CCP/EA, which did not include the Beaver Run Focus Area and the Adjoining West Focus Area.

**Response:** The Service understands that the bear hunt is a controversial issue, especially in the State of New Jersey. In many cases, those who preferred Alternative C because they objected to the bear hunt preferred the land expansion in Alternative B. The Service would like to clarify that the selection of an expansion area and the decision to have a bear hunt are independent of one another. Further response to the bear hunt issue is made in the sections on hunting below.

**Comment:** Several reviewers commented that the agricultural community in the Black Dirt region of New York can manage the lands identified in the LPP consistent with refuge goals without refuge ownership.

**Response:** The Service respectfully disagrees that the agricultural community can manage lands consistent with the refuge mission and goals. While agriculture and refuge interests do have many areas of common interest (healthy ecosystems, clean water, predictable climate, etc.), land use by farmers and refuge managers is, and should be, different. The Service does not believe this difference in land management should create a barrier to good relations between the refuge and the agricultural community. The refuge is part of a national system of lands set aside for wildlife and wildlife-dependent recreation and is managed by a staff of biological and other professionals. The CCP is a document that represents the vision for this refuge for the next 15 years, but many other plans are incorporated into the operation of refuge lands, as discussed in Chapter 1 (page 1-15) of the draft CCP/EA.

**Comment:** Some reviewers expressed concern that the Service mismanages its lands and this causes flooding on adjacent private lands and facilitates the spread of invasive plant and animal species. The Orange County Agricultural and Farming Protection Board (AFPB) requested that the Service create a policy to address local farming and drainage in areas where agricultural and refuge interests interact.

**Response:** In the past year, the Service has worked with the local farming community and township to improve drainage. The Service has also made an effort to listen to farmer concerns, look for grant opportunities, get involved in community/county planning efforts, discuss nuisance plant and species problems, and improve overall relations with the Black Dirt community.

The Service, like every other landowner in the Wallkill River Valley, is concerned about flooding. The increase in impervious surfaces and erosion in upstream areas have increased flooding episodes within the Wallkill drainage. Large storms and flooding events are documented throughout the Wallkill drainage area. Wetland and adjoining upland restoration and improvement will help reduce the magnitude and duration of flooding events. When refuge lands flood, it is part of the natural cycle and prevents harm from reaching human developments and agricultural properties downstream.

Service lands and our moist soil management units (impoundments) are carefully managed to hold water for migratory waterfowl during spring and fall migrations, but at an average depth of 18 inches they are simply not large enough to play a significant role in flooding, even at a local scale. More information about how we manage our moist soil units is available in Chapter 3, especially in Objective 1.2 of Alternatives A and B.

**Comment:** A few reviewers were concerned about the facilities and maintenance situation on the refuge. One cited the deteriorated condition of some properties and another asked for more infrastructure for wildlife-dependent recreation such as trails and observation blinds. A few reviewers commented on the overall maintenance situation on the refuge and the ability of the refuge to maintain its infrastructure.

**Response:** In fiscal year 2007, the refuge demolished 26 structures and is in the process of restoring these sites as wildlife habitat. Most of the remaining deteriorating structures that are on land managed by the refuge remain the property of the State of New Jersey. The refuge is working with the state to see what can be done about removing these structures.

New infrastructure for wildlife dependent recreation on the refuge is discussed in Chapter 3 of the draft CCP/EA in Objectives 3.2 to 3.5, particularly in Alternative B.

Appendix F of the draft CCP/EA defines the Service's vision for refuge staffing, which includes an additional 5 full time positions in Alternatives B and C. It is also important to note that Wallkill River refuge is part of a complex with Great Swamp refuge, which has a full-time staff of 10 that provides support for Wallkill. With limited refuge resources, Friends and partners can, and do, contribute to maintaining the refuge.

**Comment:** Many reviewers wrote in favor of the staffing levels identified in Alternative B of the draft CCP/EA. Some stressed the importance of increased staffing with the proposed expansion and cited the need for on-site staff and management to maintain effective local communication and partnerships. Many complimented the current refuge manager and staff's ability to deal with the issues that occur on the refuge. These reviewers feel that the refuge cannot be adequately managed without an on-site manager and staff. A few reviewers expressed their dismay at how complexing the refuge with Great Swamp refuge has resulted in the refuge having many of its staff resources, and in the near future its management, 60 miles away.

**Response:** The Service thanks all those who have written in support of the current management staff located at the Wallkill River refuge. We appreciate the support during this period of adjustment for the refuge and the complex.

This CCP proposes a larger staff for Wallkill River refuge, as stated in Appendix F, although the Service recognizes that putting such staff in place requires adequate funding.

Management of Service lands is dependent on a variety of factors, many of which the Service does not have direct control over. Mainly, the Service receives its annual budget from Congress, which in turn drives regional and station budgets. Temporary staff, volunteers, Friends Groups and partners all contribute to maintaining refuge resources. While complexing does pose certain challenges for refuge managers, we believe this is the most effective method for managing the complex at this time.

**Comment:** Some reviewers complimented the Service's partnerships with individuals and organizations within the community. A couple of reviewers who object to consumptive uses on refuges were against our entering into partnerships with organizations that promote such uses.

**Response:** The Service is pleased to be recognized for its hard work and dedication to the community with respect to partnerships.

The Service's mission and heritage clearly defines six priority public uses: hunting, fishing, interpretation, environmental education, wildlife observation and wildlife photography. While some individuals and organizations may object to these uses, our responsibilities in these areas are clear, and we are proud of our association with the groups and people who work hard to support the Service's mission and goals. For more information on partnerships, see Chapter 3 (Objectives 2.2, 2.3, and 3.1 to 4.3, particularly in Alternative B).

## 7. Biological Resources

**Comment:** One reviewer opposed the use of grazing as a management tool because livestock can bring disease to wildlife.

**Response:** Using cattle to improve bog turtle habitat is an accepted and effective method for creating a microtopography beneficial for bog turtles. In Chapter 3 of the draft CCP/EA we discuss this in detail in the "Common to All Alternatives" and in Objective 1.5 sections. We further discuss this activity in the Appendix B (Grazing) and in Chapter 4 (page 4-22 among others).

## 8. Habitat Management

**Comment:** Several reviewers commented about mosquito populations in and around the refuge. One felt that it is a refuge responsibility to control mosquito populations, and asked the refuge to do more to control mosquito populations.

**Response:** On October 15, 2007, the Service published in the Federal Register its "Draft Mosquito and Mosquito-Borne Disease Management Policy Pursuant to the National Wildlife Refuge System Improvement Act of 1997." Until the draft policy is finalized, we will follow the "Interim Guidance for Mosquito Management on National Wildlife Refuges," prepared in spring 2005. This document provides refuges with interim guidance on addressing mosquito-associated health threats in a consistent manner. Like the draft policy, the guidance states that refuges will not conduct mosquito monitoring or control unless it is necessary and compatible to protect the health of a human, wildlife, or domestic animal population. If there is a declared health emergency, the Service will work with local and state mosquito managers to minimize any risks to human health.

The Sussex County Health Department has determined that there are endemic mosquito-borne diseases in the vicinity of the Refuge. The major mosquito-borne disease of concern at Wallkill River refuge is West Nile Virus. Identification of WNV infected mosquitoes in Sussex County nearly every year since 2000 indicates that the virus is locally maintained within the wildlife cycle. Therefore, monitoring and control measures are warranted.

The Sussex County Office of Mosquito Control (Division) is responsible for monitoring larval and adult mosquitoes on the refuge. The purpose of monitoring is to detect changes in mosquito populations that indicate an increased risk to human or wildlife health. In addition, adult mosquitoes collected from the refuge

can be tested for the presence of pathogens. The Division will monitor mosquito populations from April through October and, when necessary, will conduct mosquito control measures according to predetermined thresholds in a mosquito management plan and a special use permit.

**Comment:** Many reviewers wrote in favor of our current and proposed management strategies for refuge habitats and our proposal to reforest lands along the river corridor. A few reviewers expressed concerns about how this management, in particular emergent and non-forested wetlands, would relate to potential flooding, especially in the Liberty Marsh area. A couple of reviewers had specific comments relating to favoring a single habitat type or species (e.g. favoring grasslands over scrub-shrub habitat).

**Response:** Service lands that are managed as moist soil management units are carefully managed to hold water for migratory waterfowl during spring and fall migrations, but at an average depth of 18 inches they are simply not large enough to play a significant role in flooding, even at a local scale. More information about how we manage our moist soil units is available in Chapter 3 of the draft CCP/EA, particularly in Objective 1.2.

The Service, like every other landowner in the Wallkill Valley, is concerned about flooding. The increase in impervious surfaces and erosion in upstream areas have increased flooding episodes within the Wallkill drainage. Large storms and flooding events are documented throughout the Wallkill drainage area. As mentioned above, wetland restoration and other land preservation efforts can help reduce flooding events.

The Service's decisions to manage for habitat types or a particular species are located in Chapter 3 of the draft CCP/EA, specifically under Goal 1 and its related Objectives (1.1 to 1.6 in particular).

**Comment:** Several reviewers commented about the refuge's ability to control invasive species. Some are concerned about Canada thistle and multiflora rose on the refuge and its potential to spread to neighboring lands. They want to know how the refuge plans to control these species. Other reviewers are concerned about the refuge's use of herbicides to control invasive species.

**Response:** The Service is committed to controlling invasive species on its lands and is an active partner in working to reduce the spread of invasive species to neighboring lands as well. Through grants and partnerships, Wallkill River refuge has a track record of working with neighbors and local communities to work on controlling invasive species.

All of our activities relating to invasive species (plant and animal) are discussed in Chapter 3 (page 3-3) of the draft CCP/EA. The refuge uses a combination of mechanical control, chemical applications and fire to control invasive species. For invasive plants this typically involves the application of Rodeo or Roundup. Impacts from these activities are discussed in Chapter 4 (pages 4-23 and 4-26 among others) of the draft CCP/EA.

**9. Threatened and Endangered Species:** No response necessary

## 10. Wildlife

**Comment:** A number of reviewers provided comments about wildlife on the refuge, ranging from personal observations and preferences for particular species to sharing their own observations about species use. A few reviewers shared their views on managing nuisance wildlife. One was concerned about mercury levels in fish.

**Response :** The Service welcomes additional opportunities to gather data and examine strategies for managing wildlife; however, like all Service programs, such data must be based in sound science and management. Through partnerships and volunteer programs, many of these types of observations can become part of the data used by the refuge to improve our inventory and monitoring efforts, and to involve interested parties in a constructive and meaningful way in refuge activities. More about the refuge partnership and volunteer programs can be found in the draft CCP/EA, Chapter 3, Objective 4.3 or by contacting the refuge directly.

Overabundant and nuisance wildlife is addressed in the Common to All Alternatives section of Chapter 3 (page 3-4) and in Appendix B (Compatibility Determination for Trapping) in the draft CCP/EA.

Mercury levels in fish in the Wallkill River would be tracked by the states of New York and New Jersey, but the Service would work closely with the states to inform the public of any levels of contaminants in fish that would require the public to be informed.

## 11. Priority Public Uses

**Comment:** A large volume of reviewers commented on hunting on the refuge, with the great majority of them focused on bear hunting.

Many of these reviewers opposed hunting on the refuge. They noted that there are non-lethal methods available for controlling populations, that hunting can increase wildlife populations due to reproductive rebound, that a great majority of New Jersey's residents are non-hunters, that hunting is in decline, that hunting glorifies violence, and that it is merely thrill seeking. Some other concerns we received were that hunting impacts habitats, that it interferes with other refuge uses, that there is the possibility of harm from irresponsible/accidental use of firearms, and that nature should be able to take care of itself. Many reviewers commented that the idea of a "refuge" should not include hunting. Several expressed a dislike for baiting animals or manipulating habitats to benefit game species.

A few reviewers suggested the Service present an alternative with no hunting, stating they felt the hunt was not supported by the evidence or Service/Federal regulations.

A large volume of reviewers (but not as large as the anti-hunting reviewers) wrote in with comments in favor of hunting. These reviewers supported hunting because it helps to maintain healthy wildlife populations and ecosystems; it is the most effective way to control wildlife populations; it maintains a traditional use; it strengthens family bonds; it supports Executive order 13443, "Facilitation of Hunting Heritage and Wildlife Conservation;" it provides economic benefits to the local community; and because the refuge can offer a high quality hunting experience.

**Response:** The Service recognizes the controversial and, to many people, emotional nature of hunting (bear hunting in particular). The Service, however, must manage its lands under the Federal laws and regulations that guide the agency, which include the Refuge Improvement Act of 1997 and its formal recognition of hunting as a priority public use of the refuge system and Executive Order 13443, which requires the Service to facilitate hunting opportunities, where feasible and appropriate, on refuge lands.

**Comment:** Some reviewers stressed the need to use sound science and good management in determining hunting policy and warned against being influenced by emotional pleas from non-hunters and asking for non-expert opinions in areas that required professional analysis.

With regard to a bear hunt, some reviewers wrote to us citing the need for a hunt based on high local populations, threats to human safety from aggressive bears, the link between bear populations in New Jersey and neighboring states, the need to manage the bear population, the likelihood of disease and aggression among bears if the population is not controlled, the need to create a fear of humans among New Jersey's bear population, the need to coordinate a bear hunt with the State of New Jersey's management of bears, and the use of bear for food. A few reviewers were concerned that discussing the bear hunt separately made it too much of a high-profile issue.

**Response:** Using the best science and management available and the expertise of managers and biologists, the Service analyzes the available information to create and implement a hunting program. Appendix B includes the Appropriate Use and Compatibility Determination for hunting and for bear hunting. Impacts from hunting are included in Chapter 4 of the draft CCP/EA (see pages 4-54 to 4-57).

**Comment:** Some reviewers stated that hunting does not solve the problem of nuisance animals, particularly

bears, and that the data available was not credible, and thus could not be used to support a hunt. They cited anecdotal evidence that there were not that many bears in the proximity of the refuge, and stated that bears are not a threat to people, hunting does not reduce problem bears, wounded bears are a bigger danger, and it is a trophy hunt. Several reviewers stated they felt the Service was undermining the state's decision not to have a bear hunt, and some felt that having a bear hunt would lead to the elimination of bears from New Jersey. Some reviewers thought increased education measures would create appreciation for bears and the use of bear-proof garbage cans and other techniques to reduce negative bear-human interactions.

Some reviewers specifically stated that they were against youth hunting citing that it contributes to youth violence, while a few reviewers favored a youth hunt, stating that it helped to pass on a traditional use to a new generation.

One reviewer was concerned that the refuge manager might have the ability to override Service regulations and cancel hunts. A few reviewers wanted extended seasons or additional seasons including grouse, pheasant and small game. One reviewer wanted to ensure that newly acquired lands in New York would be open to hunting.

**Response:** We would like to stress that the Service will only hold a bear hunt on the refuge in a particular year, if and only if, the state of New Jersey is conducting a bear hunt as well. Only by integrating the refuge's bear management into that of the state's will any type of population control program be successful. Also, the refuge's youth hunt is not a separate youth hunt conducted by the refuge, but is the state of New Jersey's youth hunt, which is taking place on the refuge as we work to integrate with state seasons (see Chapter 4, Objective 3.1 for more information).

**Comment:** Many reviewers commented on other public uses on the refuge. A few reviewers commented on fishing, mainly in the context of not stocking the river or objecting to fishing as inhumane. A few other reviewers commented on expanding wildlife-dependent recreational opportunities on the current refuge and on the proposed expansion lands. Specifically, reviewers wanted to have more interpretation; environmental education; access for hunting; access to the river; and access to refuge lands via trails for wildlife observation, photography and recreation.

**Response:** In general the Service does not stock fish on National Wildlife Refuge lands except for special events. Stocking fish, however, can help restore native populations in areas where populations are low. This is not done with consideration to fishing, but to aquatic ecosystem integrity. For more information on the refuge's fishing program, see Objective 3.2 in Chapter 3 of the draft CCP/EA. The Service, especially through its partnerships with groups such as the Friends of the Wallkill River Refuges and New Jersey Audubon Society, already provides some interpretation and environmental education, and the refuge plans on increasing these offerings, as outlined in Chapter 3 (Objectives 3.4 and 3.5). Increased access to refuge lands is discussed in Objective 3.3.

## 12. Non-Priority Public Uses

**Comment:** Some reviewers did not agree with our proposal to open up the remainder of the Liberty Loop Nature Trail to dog walking. A couple of reviewers wanted the refuge to be open for horseback riding.

**Response:** Although we have not done an official Appropriateness Finding for horseback riding, our experience is that horseback riding can cause significant damage to refuge resources. Therefore it is not currently permitted on the refuge. Through the CCP process we completed an Appropriate Use Finding and a Compatibility Determination for dog walking on the Liberty Loop Nature Trail and found that use both appropriate and compatible. The Appalachian Trail (AT) runs concurrent with a portion of the Liberty Loop Nature Trail. Permitting dog walking on the AT portion of the Liberty Loop Nature Trail would allow through-hikers with dogs to continue on the AT rather than forcing them to walk on public roads with limited shoulder space. More importantly, because dogs are leashed and because the trail follows a dike system that

isolates the activity from the surrounding wildlife habitats, the potential impacts are minimal. We will also allow dog walking on the portion of the Liberty Loop Nature Trail that does not run concurrent with the AT because we feel this will not result in any additional impacts beyond those of allowing it only on the AT portion of the trail, and because it will allow refuge visitors to complete the loop trail. We discuss dog walking further in Chapter 4. The Appropriate Use Finding and Compatibility Determination for dog walking can be found in Appendix B.

### 13. Alternatives

**Comment:** Several reviewers favored Alternative A from the draft CCP/EA. A few opposed Alternative A, citing a lack of land expansion and no policy regarding bear management.

**Comment:** Many reviewers favored Alternative B, citing the proposed land expansion, improved species and habitat management, and expanding wildlife dependent recreation opportunities including increased hunting, fishing and wildlife observation opportunities. A number of reviewers supported Alternative B with the exception of the bear hunt.

**Comment:** Many reviewers favored Alternative C, with most of them citing the lack of a bear hunt proposal as the reason for their support. Some reviewers cited the alternative's reduced level of habitat manipulation and the focus on restoring a more natural hydrology to the Wallkill River and its floodplain.

**Response:** The Service thanks all the people and organizations that have taken the time to review and respond to the draft CCP/EA and LPP. The Service worked hard, both internally and with its partners and the public, to create the three alternatives and the many parts of the plan that compose the alternatives. We feel Alternative B best meets the purposes of the refuge and the mission of the National Wildlife Refuge System. Through our public meetings, comments and input, we have used the best available science and management to produce the final CPP.

**Comment:** Several reviewers requested an additional alternative that would completely eliminate consumptive uses on the refuge.

**Response:** The Service's mission and legal responsibilities require it to facilitate a number of wildlife-dependent recreational opportunities. Alternatives considering such approaches as mentioned in this comment would require legal changes at higher levels of government.