

## Chapter 2



Ken Sturm/USFWS

*Female chalk-fronted corporal*

# The Comprehensive Conservation Planning Process

- Planning Process
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- Issues Outside the Scope of this Final CCP
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Service policy establishes an eight-step planning process that also facilitates compliance with NEPA. Although that figure suggests those steps are discrete, two or three steps can happen at the same time. Each of the eight steps is described in detail in the planning policy and CCP training materials.

## Planning Process

We began planning for Canaan Valley refuge in 2006. Our early meetings consisted of getting acquainted with the planning process and collecting information on natural resources and public use. We identified preliminary issues and management concerns, and developed refuge vision statements and preliminary goals. Figure 2.1 describes the steps of the planning process and how it integrates NEPA compliance.

We hosted public open houses in October 2006 in Thomas, Parsons, and Elkins, and in January 2007 in Canaan Valley. We then distributed a workbook and issues survey to neighbors, visitors, and other interested parties during the fall and winter of 2006. A total of 2,000 workbooks were sent out and 129 were returned with comments. Our purpose was to provide local residents and other interested individuals the opportunity to become involved in the comprehensive conservation planning process. The responses we received on protecting resources and providing public use helped influence our development of issues and alternatives.

Following the public open houses, we hosted a series of field meetings with resource professionals from The Nature Conservancy, Canaan Valley Institute, the U.S. Forest Service, WVDNR, National Park Service, and West Virginia University, as well as recreational user groups to discuss some of the issues related to public use and habitat management on Canaan Valley refuge.

Between January and July 2007, these specialist groups met to discuss rare plant and natural community conservation, deer management, migratory bird management, educational and interpretation opportunities and other wildlife-dependent recreational uses of the refuge. These meetings helped refuge staff to communicate with our State, Federal, and NGO partners concerning the direction of the refuge over the next 15 years.

In the winter of 2007, the Service sponsored a stakeholder evaluation conducted by the Policy Analysis and Science Assistance Branch of the U.S. Geological Survey (USGS). This provided us with a way to more fully understand community preferences and opinions related to key topics in refuge planning.

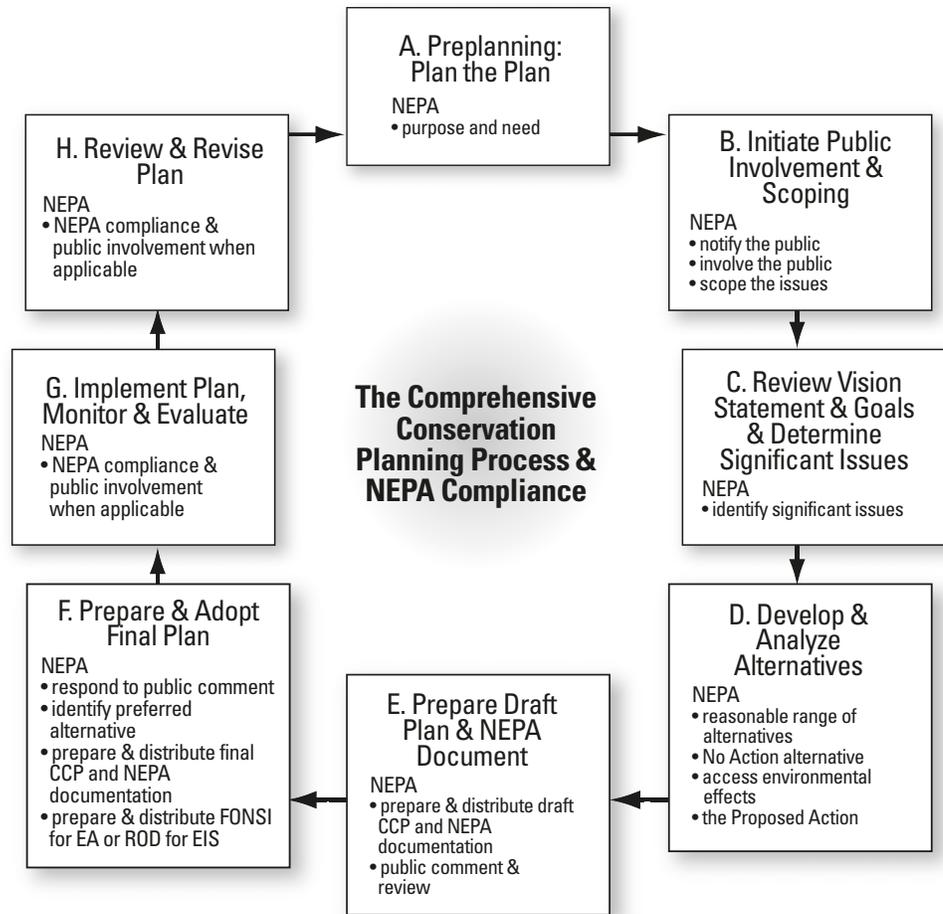
We distributed newsletters in February 2008 and April 2009 to our entire mailing list, updating everyone on our progress.

In May 2010, we distributed a newsletter announcing the upcoming release of the draft Comprehensive Conservation Plan and Environmental Assessment (draft CCP/EA). On June 1, 2010, we published a Notice of Availability in the Federal Register announcing the release of the draft CCP/EA, and thus began a 45-day period of public review and comment. During that 45-day period, we held seven public comment meetings: two on June 15 in Canaan Valley, WV; two on June 16 in Parsons, WV; two on June 17 in Elkins, WV; and one on June 28 in Davis, WV. At these meetings, refuge staff gave a short presentation highlighting the important points of the draft CCP/EA, after which members of the public offered oral comments on the document.

After the comment period closed on July 16, 2010, we then reviewed and analyzed all of the written and oral comments. Appendix J summarizes those public comments and our responses to them. In some cases, our response includes modifications to alternative B, our preferred alternative. These modifications take

the form of additions, corrections, or clarifications, which we have incorporated into this final CCP.

**Figure 2.1. The Comprehensive Conservation Planning Process and its relationship to the National Environmental Policy Act of 1969.**



Our Regional Director has signed a Finding of No Significant Impact (FONSI) (appendix K), which certifies that this final CCP has met agency compliance requirements, and will achieve refuge purposes and help fulfill the Refuge System mission. 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. We will make these documents available to all interested parties. Implementation can begin immediately.

We will evaluate our accomplishments under the CCP each year. More intensive monitoring is proposed for each program area. If future monitoring or new information results in the predication of a significant impact, it will require additional analysis.

## Issues and Opportunities

From the issues workbook, public and focus group meetings, stakeholder survey, and planning team discussions, we developed a list of issues, concerns, opportunities, or other items requiring a management decision. We sorted them into two categories:

### 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 the goals, the key issues formed the basis for developing and comparing the four different management alternatives in the draft CCP/EA. The key issues listed below also share this characteristic: The Service has the jurisdiction and the authority to address them.

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

Hunting and fishing are two of the priority public uses that receive enhanced consideration in CCPs. Hunting and fishing are also historical, traditional, and very popular activities in the Canaan Valley area, in the State of West Virginia and in the Refuge System.

##### *Fishing*

The refuge previously had no approved fishing plan. The refuge allows anglers to access fishing areas via established trails that are open to public use. Fishing in these areas is conducted according to State regulation. The State regularly stocks the Blackwater River along Rt. 32, along Timberline Road, and in Canaan Valley Resort State Park. There are no special refuge regulations for fishing. Some anglers would like to be allowed off-trail access on the refuge, just as hunters are. Through the planning process, the Service has decided to officially open the refuge to fishing. Refuge Goal 4 addresses this issue in more detail.

##### *Hunting*

Approximately 98 percent of the refuge is currently open to hunting, with most seasons following the State seasons. In particular, the refuge has been concerned about the large local deer population and its impact on refuge habitats. The refuge has discussed several possibilities for increasing the deer harvest on the refuge, including reassessing areas of the refuge that are either closed completely to deer hunting or that are closed to rifle hunting. In West Virginia, many hunters use all-terrain vehicles (ATVs) to access remote hunting areas and to haul deer out of woods. The State has encouraged the refuge to consider this option, but ATVs are not permitted on the refuge. Some hunters have favored the use of ATVs while others have opposed it. Through the planning process, the refuge has worked with partners to determine how to make some interior parts of the refuge more accessible to hunters.

The refuge could also work with the State to develop special deer hunts on the refuge that would further help reduce the refuge's deer population. Addressing the issue of deer overpopulation would support all five of the refuge's goals and would be integral to the success of several biological goals and objectives. Finally, the refuge could work with other local landowners to help address the deer population on neighboring lands. Refuge Goal 4 addresses our response to this issue in detail.

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

The refuge has 31 miles of roads and trails open for public use, and this final CCP expands that trail system even further. This trail system provides access to most habitat types in the valley. Trails are zoned for pedestrian access, biking, horseback-riding, cross-country-skiing and snowshoeing. Pedestrian access is permitted on all trails, but most of the other uses are only permitted on some

of the trails. All these uses support the six priority public uses. Refuge Goal 4 further explains how and where we expand the refuge's trail system through the final CCP.

**How will the refuge address Camp 70/Delta Road access?**

Camp 70 is a State road that is bordered by refuge land on both sides for the last mile of its length. The road starts at Davis and enters the refuge in the northwest corner, continuing for one mile until it ends at the Camp 70 Loop Trail. The road was historically located on refuge-owned land. No maintenance has been conducted by the West Virginia Department of Highways or refuge staff. Camp 70 is minimally maintained outside of the refuge boundary. The road is currently an open public access route within the refuge's trail system and is therefore open to all foot, bicycle, horseback riding, and vehicle use. Because the road is under State authority, its use is regulated by the State. Therefore all vehicles are permitted on the road. However Camp 70 is an unimproved road that is in poor condition, and is likely impassable without four-wheel-drive and high clearance.

There is interest from the community and stakeholders to keep Camp 70/Delta 13 and the connecting loop trail open to pedestrians, bicycling, horseback riding, and vehicles. The refuge has expressed its desire to acquire this road so that it could invest in improving the road's condition. Goal 4 discusses our future plans for Camp 70/Delta Road.

**How will the refuge promote trail connectivity both on and off the refuge?**

Despite the 31 miles of roads and trails open to the public on the refuge, there is no east-west or north-south corridor that can take visitors from one end of the refuge to the other. In some areas, sensitive wetlands and lack of continuous refuge land ownership prevent connectivity. Some visitors have asked the refuge to look at different options for connecting the refuge's trails, such as converting old railroad grades that bisect the refuge into public use trails. Visitors have also asked that refuge trails be connected with trails on neighboring conservation lands, such as Canaan Valley State Park.

Connecting trails, both on and off refuge, allows people to travel longer distances for a more rigorous outdoor experience. Some people would also argue that becoming part of a long distance trail system offers a higher quality recreational experience. Longer, connected trails may also minimize the need for motorized vehicles and could contribute to improving air quality. For example, people from urban areas could come to the refuge to participate in multi-day hiking or bicycling trips instead of traveling to more remote locations to have a similar kind of experience. The issue of trail connectivity is addressed in Goal 4.

**How will the refuge be managed to protect Federal trust resources?**

The lack of suitable red spruce forest and the degraded and isolated condition of the then existing spruce forest were the primary reasons for listing the Cheat Mountain salamander and the West Virginia northern flying squirrel under the Endangered Species Act (ESA). These conditions persist on refuge lands. Although the squirrel has since recovered and has been delisted, the salamander remains a Federally threatened species. Improving the size and connectivity of red spruce forest on the refuge will help long term management and protection of species with the highest need for conservation in the State, such as the salamander and the squirrel. Furthermore, salamander populations have been located on the southern end of the refuge, where White Grass Touring Center (White Grass) operates a commercial cross-country skiing and snowshoeing operation on refuge land. Research related to the salamander has shown that logging roads and some hiking trails can serve as barriers to salamander movement and therefore can result in inhibited genetic dispersal. The refuge is

required by the ESA to improve and restore habitat for Federally listed species when feasible. White Grass provides the largest single source of public use on the refuge during the winter and likely during the entire year. Trails used by White Grass have conditions more conducive to salamander movements (canopy cover, not heavily traveled during spring and summer, vegetated) however habitat improvement projects may be beneficial to the species. The refuge will ensure that permitting public use on the refuge and in cooperation with White Grass will not have any adverse effects to the Cheat Mountain salamander. Further we hope to use White Grass as a conduit to increase the public's understanding of the salamander and other resources of concern the refuge protects and manages.

The Indiana bat is a Federally listed endangered species and a trust resource of the Service. Primary foraging habitats include wetland and riparian areas, bottomland forests and edge habitats. Acoustical recordings suggest Indiana bats are using riparian corridors and beaver ponds on the refuge for summer foraging habitat. The refuge will need to do additional surveys to learn more about the bat's presence, reproductive information, the types of refuge habitats used, and the seasons they are using the refuge habitats. If Indiana bats are foraging and roosting on the refuge then protecting, maintaining and improving habitat quality on the refuge will contribute to the viability of the species and its recovery.

The issue of managing for Federal trust resources is further addressed in Goals 1 and 2.

#### **How will the refuge manage for early successional habitats?**

The decline of early successional and transitional forest habitat in the northeast is concurrent with the decline of species dependent on this habitat type (Sauer et al 2007, Fink et al 2006). On a regional scale, loss of small farms, increase of commercial and residential development, suppression of historically important disturbances such as fire, and decrease in large area clear-cutting contribute to the loss of early successional habitat (Brooks 2003, Lorimer 2001, Trani et al 2001). The suite of birds reliant on this habitat type is of high conservation priority in BCR 28 and the State (PIF 2003, WVDNR 2006) and includes American woodcock, Eastern towhee, field sparrow, indigo bunting, and brown thrasher. American woodcock is also a priority species of conservation concern and an important management species for recreational hunters. As a species occurring in Canaan Valley in greater concentration and abundance than other parts of the State and as a priority species for management in founding documents, the refuge identifies woodcock as an important management species.

The refuge is surrounded by forested lands including the Monongahela National Forest (Dolly Sods Wilderness Area) and two State parks where early successional habitat management is not the intent of management actions. In contrast, the refuge's extensive shrublands, old fields, and young forests currently provide early successional and shrubland habitat that is scarce in the region, State, and local area. Refer to Goal 3 for more information on how the refuge will manage for early successional habitat under the final CCP.

## **Issues Outside the Scope of this Final CCP**

### **South Rail Grade Crossing (Jack Neal's Ford)**

The refuge has conducted a series of evaluations to consider the use of the south rail grade for a developed public use trail. Beginning in 2002 refuge staff worked with a contract hydrologist and soil scientist to begin evaluating trail locations for the refuge. In 2007 the refuge contracted with Vanasse Hangen Brustlin, Inc. (VHB) to conduct an independent feasibility study to evaluate the potential of this rail grade to be improved for use as a public use route on the refuge. This report is available to the public on the planning website.

The refuge takes many factors into consideration when evaluating new trail development. These include but are not limited to considerations of wildlife disturbance, introduction of invasive plant species, infrastructure requirements, required maintenance, wetland protection, soil stability and how a proposed trail can help fulfill the priority public uses of the refuge system. One of the refuge's primary considerations is whether a trail can facilitate priority public uses with minimal impact to the resource so as to prevent the use from detracting from the purposes for which the refuge was established.

The Blackwater River crossing of this trail is highly eroded. The bare soil conditions on the river banks require restoration to prevent continued sedimentation of the river. VHB recommended a pedestrian foot bridge be established to prevent future erosion of the river banks and to provide a safe crossing over the Blackwater River under all conditions. Access to this site for bridge construction is limited and would require filling of wetland areas needed to bring equipment to the site. The construction of a bridge would be costly and would require ongoing maintenance.

The western section of the South Rail Grade that crosses the valley and the Blackwater River is extremely eroded after years of vehicle use and flooding. A short section east of the river is generally more stable, however it is also isolated. This would make it challenging to fill and to haul in equipment for building substantial infrastructure, such as a boardwalk, which would be needed to support public use with minimal impact to wetland plant communities and soils. In a longer section leading up to the juncture where the South Rail Grade connects to Middle Ridge, the trail is again highly eroded and has been flooded by beaver activity in recent years. Beaver inundation along the southern portion of the grade has also created weakened sections which show signs of erosion. This section would also require significant infrastructure to make it suitable for public access without causing continued wetland degradation.

Through the VHB study, the refuge determined that the one-time and ongoing monetary and environmental costs to construct and maintain a sustainable trail along the south rail grade crossing were far greater than the benefits to the public of providing this additional public use. The refuge also determined that similar habitats can be viewed from existing refuge trails including Camp 70, Brown Mountain Overlook, Freeland, South Glade Run Crossing and the northern section of the Middle Valley Trail. The refuge also determined that there are multiple opportunities to experience the refuge's wetland habitats in ways that do not impact those habitats nearly as much as a trail on the South Rail Grade crossing would. The risks to the refuge's biological resources through construction, use, and maintenance of such a trail are substantial.

Given the above considerations, the refuge has concluded that this trail is not a realistic or viable option for several reasons, but primarily because the old rail grade is mostly gone and the proposed trail exists almost entirely on wetland soils. It is the refuge's opinion that development of a new trail corridor through the heart of the largest wetland complex in the State of West Virginia would ultimately compromise the purposes of the refuge and affect our ability to fulfill obligations under the Biological Integrity, Diversity, and Environmental Health Policy.

### **Competitive Races**

The refuge periodically receives requests to use Forest Road (FR) 80 for competitive foot, bike and other races because of its connections bridging the Timberline/ Winterset areas, the national forest, and Freeland Road. FR 80 was rebuilt in 2003 and can support car and light truck traffic. The impact to the road itself from a foot or bike race and the supporting vehicles is likely to be small.

However, impacts from such events extend beyond the roadway and can include litter and off-road travel from by-standers. Races are not a wildlife-dependent use, and the presence of the participants, support personnel, and observers can interfere with other users participating in wildlife-dependent recreation. In addition, competitive races do not support any of the priority public uses, and they do not contribute to the purposes of the refuge or the mission of the Refuge System. Therefore, we will continue to deny requests for competitive races along the length of FR 80.

### **Overnight Camping on the Refuge**

Over the years, the refuge has received requests for overnight camping from different groups of users. Hunters have requested overnight camping to facilitate hunting, especially in the more remote areas of the refuge where greater hunting pressure is needed to cull the deer population. Allowing hunters to camp may increase the number of deer taken in the valley, but there are many other factors that contribute to the refuge's large deer population, such as neighboring lands that are closed to hunting and are used by deer as a safe haven.

Hikers have also requested overnight camping to facilitate hiking longer distances through neighboring conservation lands such as Canaan Valley Institute and U.S. Forest Service lands. Other users claim that overnight camping would allow visitors to experience the refuge at nighttime, therefore exposing the public to different aspects of wildlife and their habitats such as mammal movements at dusk, waterfowl roosting, and owls.

In regards to overnight camping, the refuge's primary concern is the permanent disturbance to soils and vegetation around camp sites. Trampling around camp sites is well documented to increase soil compaction, reduce water infiltration, and reduce vegetative cover. Furthermore, the long-term presence of people would cause disturbance to nocturnal animals that rely on the cover of night to forage and hunt. Finally, there would be sanitary issues such as how to deal with human waste.

There are also numerous administrative and law enforcement issues associated with overnight camping. Campers would likely require a special use permit, which would further tax the limited administrative staff at the refuge. The numerous law enforcement issues associated with camping include trash, illegal fires and the creation of spur trails around campsites. It would probably take a full-time law enforcement officer to monitor camp sites for these issues, and the refuge currently only has one law enforcement officer. These additional duties would place an onerous burden on the refuge and would detract from the resources (funding and staff time) currently being used to support activities that contribute to the refuge purposes and the mission of the Refuge System.

In summary, there are many issues related to overnight camping including law enforcement, management of the program and potential habitat and wildlife disturbance. Camping is not a priority public use and although it may facilitate some of the priority public uses, the resources it takes to manage overnight camping far outweigh the benefits from this activity. Additionally there are numerous areas where camping is permitted in close proximity to refuge property. Dispersed camping is permitted in the U.S. Forest Service land to the east and west of refuge boundaries. Camping is also permitted on property managed by the Canaan Valley Institute along Camp 70 Road outside of refuge boundaries. Finally, developed campsites are located at the Canaan Valley State Park and at Blackwater Falls State Park. These resources provide reasonable overnight facilities that allow users to access the refuge during normal hours of operation (one hour before sunrise to one hour after sunset).

**Plan Amendment and Revision**

Periodic review of the CCP will be required to ensure that we are implementing management actions and are meeting the objectives. Ongoing monitoring and evaluation will be an important part of that process. Monitoring results or new information may indicate the need to change our strategies.

At a minimum, CCPs will be fully revised every 15 years. We will follow the procedures in Service policy and the requirements of NEPA for modifying the CCP, its associated documents, and our management activities as needed.