

Appendix F



The Fells existing parking lot

Summary of Public Comments and Service Responses on the Draft Comprehensive Conservation Plan and Environmental Assessment for the John Hay National Wildlife Refuge

Introduction

In February 2010, we completed the “John Hay National Wildlife Refuge Draft Comprehensive Conservation Plan and Environmental Assessment” (Draft CCP/EA). That draft refuge plan outlines three alternatives for managing the refuge over the next 15 years, and identifies Alternative B as the “Service-preferred Alternative.” We released the draft plan for 30 days of public review and comment from February 18 to March 22, 2010.

We evaluated all the letters and e-mails sent to us during that comment period, along with comments recorded in our public meeting. This document summarizes those comments and provides our responses to them. Based on our analysis in the Draft CCP/EA, and our evaluation of comments, we selected Alternative B, and recommended it to our Regional Director for implementation. It is that Alternative B which is detailed in this CCP.

Based on the comments received by the public and the planning team, we modified the draft CCP slightly. Our modifications include additions, corrections, or clarifications of our preferred management actions. We have also determined that none of those modifications warrants our publishing a revised or amended draft CCP/EA before publishing the CCP. These are some important changes we made.

1. We clarified that the shoreline will be monitored for impacts related to angler access once the fishing program is implemented (Chapter 4 of the final CCP, pages 4-26 and 4-27).
2. We inserted language in the Strategies to implement Objective 2.2 (Chapter 4 of the final CCP, page 4-27) that we will consult with the Town, NH Department of Transportation and NH SHPO to ensure that the new angler parking area will be safe and will minimize effects to cultural and historical resources.
3. We revised the language in the draft CCP stating that we will pursue a new MOU with The Fells, replacing the language “MOU” with “Partnership Agreement” in the final CCP.
4. We made minor edits to some of the FOA in Appendix B to include more recent justification(s) language.
5. We updated the staffing chart in Appendix E to reflect current staffing personnel.
6. We corrected all format and typographical errors that were brought to our attention.

Our Regional Director will either select our Alternative B for implementation, or one of the other two alternatives analyzed in the Draft CCP/EA, or a combination of actions from among the three alternatives. He will also determine whether a Finding of No Significant Impact (FONSI) is justified prior to finalizing his decision. He will make his decision after:

- Reviewing all the comments received on the Draft CCP/EA, and our response to those comments; and,
- Affirming that the CCP actions support the purpose and need for the CCP, the purposes for which the refuge was established, help fulfill the mission of the Refuge System, comply with all legal and policy mandates, and work best toward achieving the refuge’s vision and goals.

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

Summary of Comments Received

Given our interest in an objective analysis of the comments we received, we evaluated and categorized by subject or issue all of the comments we received, including all letters, e-mails, and comments recorded at the public meeting. Our responses below follow the subject headings.

During the comment period, we received 18 responses, both written and oral. We gathered oral comments at a public meeting attended by 15 people on March 11, 2010, at the Newbury, NH, Town Hall.

We received comments from these organizations:

Lake Sunapee Protective Association
Newbury Conservation Commission
Society for the Protection of New Hampshire Forests
The Fells

In the discussions below, we address every substantive comment received. Occasionally, comments received fell under two or more subject headings. In our responses, we may refer the reader to other places in this document where we address the same comment.

Directly beneath each subject heading, you will see a list of unique letter ID numbers that correspond to the person, agency or organization that submitted the comment. The cross-referenced list appears as attachment 1 to this appendix.

In several instances, we refer to specific text in the Draft CCP/EA, and indicate how the CCP was changed in response to comments. You have several options for obtaining the full version of either the Draft CCP/EA or the CCP. They are available online at <http://www.fws.gov/northeast/planning/JohnHay/ccphome.html>. For a CD ROM or a print copy, contact the refuge planner.

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Service Responses to Comments by Subject

Public Uses

Fishing Program

(Letter ID#: 8, 9, 11, 14, 15, 17)

Comment: Six individuals and organizations expressed concerns to the U.S. Fish and Wildlife Service (Service; we, us) regarding the addition of a fishing program at John Hay National Wildlife Refuge (Refuge). Concerns received in both written and oral comments include that demand for the fishing program will be low because of other fishing opportunities and events nearby on Lake Sunapee, that the program will lead to more human traffic and associated environmental degradation from human impacts, that the provision of an angler trail and fishing program will lead to future development of a dock and/or boat launch, that there may be conflicts of interest between hiker-viewers and anglers on Beech Brook, and

that the shallow water depths along the Refuge's lake shoreline are too shallow to provide a quality fishing experience and that anglers will need to fish from the water instead of the shoreline.

Response: Our planning team is recommending Alternative B, including the addition of a fishing program at the Refuge, because we believe, in our best professional judgment, it best achieves the purposes, vision, and goals of the refuge; contributes to the mission of the Refuge System; adheres to Service policies and other mandates; addresses identified issues of significant; and, incorporates sound principles of fish and wildlife science. In summary, we believe it fully protects and enhances the wildlife resources we are entrusted to manage.

We will allow only the activities determined appropriate and compatible as prescribed in Service policy 603 FW 1 and 2. Hunting, fishing, wildlife observation and photography, and environmental education and interpretation, when compatible, are the priority general wildlife-dependent uses of the National Wildlife Refuge System. According to Service policy 603 FW 1.3, these six wildlife-dependent recreational uses are determined to be appropriate, and therefore, do not require a separate Finding of Appropriateness. Service Manual 605 FW 1 states that these uses should receive preferential consideration in refuge planning and management before the refuge manager analyzes other recreational opportunities for appropriateness and compatibility.

The fishing program will provide a new priority public use at the Refuge and is not intended to be a replacement of local programs, some of which are one-time events rather than an area open to fishing during the state's fishing season.

The environmental consequences likely to occur with the addition of a fishing program were evaluated and described in Chapter 4 of the draft CCP/EA, primarily on pages 4-18 and 4-19, and we believe, in our best professional judgment, that the impacts will be minimal. Angler access would be restricted to the southeast corner where the Woods Road meets Route 103A. Two to three vehicles would be allowed to park on a short section of the Woods Road. If necessary, the present gate would be moved to accommodate the vehicles, but vehicle access beyond the parking area would be restricted. A new primitive foot trail would connect this parking area with the Lake Sunapee shoreline, which would create a minimal increase in disturbance to the surrounding habitat and wildlife. Anglers would not be allowed to park in the parking lot adjacent to The Fells gatehouse. These access restrictions should minimize disturbance to the shoreline and associated wildlife by limiting the number of anglers present at any one time and their route to the lake shoreline.

Neither a dock nor a boat launch facility were proposed in the Service's preferred alternative (Alternative B) in the draft CCP/EA or this final CCP; this CCP covers the Service's management strategies for the Refuge for the next 15 years, and any significant modifications to those strategies, such as the construction of new facilities along the lakeshore, would require additional NEPA documentation and corresponding public comment and review.

We believe that any potential conflicts of interest between anglers and hiker-viewers along Beech Brook are likely to be minimal, as described in Chapter 4 of the draft CCP/EA on page 4-26. Because fishing is a quiet pastime that often requires some amount of solitude for success, it is anticipated that anglers may choose times of the day and locations on the Refuge that would minimize interactions with other Refuge recreationists, although peak periods of use would undoubtedly be weekends and holidays. Most visitors will be concentrated on the Ecology Trail, which is on the northern portion of the Refuge and disjunct from the proposed angler access. While Beech Brook will be open to fishing, this small stream is not considered a high quality fishery and is unlikely to draw many anglers. We do not anticipate substantial user conflicts between anglers and other Refuge visitors because they will tend to be spatially separated. In addition, fishing is a generally accepted pastime, and the inclusion of this activity as a public use is not anticipated to result in negative responses by other Refuge users.

We acknowledge that the shoreline itself is heavily vegetated in most areas without a beach; therefore most fishing is anticipated to be done by wading in the shallow lake waters and not from the Refuge shoreline (page 4-18 of the draft CCP/EA).

Hunting

(Letter ID#: 1, 2, 5)

Comment: Two individuals submitted comments opposed to allowing a hunting program at the Refuge and one individual expressed support for Alternative C, including the hunting program proposed under that alternative.

Response: The addition of a hunting program to the Refuge was considered under Alternative C in the draft CCP/EA (Chapter 4). As described in this final CCP, Alternative B was chosen as the preferred alternative to implement; this alternative does not include a hunting program, and as a result hunting will continue to be prohibited at John Hay National Wildlife Refuge. Our planning team is recommending Alternative B because we believe, in our best professional judgment, it best achieves the purposes, vision, and goals of the refuge; contributes to the mission of the Refuge System; adheres to Service policies and other mandates; addresses identified issues of significance; and, incorporates sound principles of fish and wildlife science. In summary, we believe the selected alternative fully protects and enhances the wildlife resources we are entrusted to manage, and a hunting program is not warranted.

Jogging

(Letter ID#: 6)

Comment: One individual argued that jogging should be considered a compatible use at the Refuge and that the Finding of Appropriateness and Compatibility Determination for jogging as a public use, as described in Appendix B, be revised to allow jogging at the Refuge.

Response: In planning which public recreational uses to consider, we first evaluated the potential to expand or enhance the six priority public uses. We next considered other uses that would not materially detract from the purposes for which the refuge was established. We describe some of the uses that were determined not to be appropriate in draft CCP/EA, Chapter 2, "Activities not Allowed" (page 2-11), and again in this CCP on pages 4-8 and 4-9 of Chapter 4. Appendix B compiles all the uses that were evaluated in detail to determine appropriateness and compatibility. We believe the combination of activities we propose in Alternative B, under Goal 2, and carried forth in the CCP, provide the best mix of activities, with emphasis on the priority public uses, that should be developed over the next 15 years. According to the Service Manual regarding Compatibility Determinations and FOA, jogging is not a wildlife-dependent nor a high priority public use. Moreover, there are sufficient opportunities for jogging on other nearby lands, including the Forest Society's Hay Forest Reservation adjacent to the Refuge, so the lack of access on the Refuge does not eliminate those opportunities in the Lake Sunapee region.

Educational and Partnership Programs

(Letter ID#: 6, 7, 14, 15, 17)

Comment: One organization stated that there was no need for new educational kiosks and signs at the Refuge that would turn it into a "zoo-like environment," and that the Service could collaborate with the LSPA and The Fells on educational programs. Four individuals expressed support for the proposed educational sign improvements and visitor services, including placing signs along the lakeshore to discourage the use of the area as a recreational area or as a place where kids could swim and play on the

beach. One individual recommended that signs placed along the lakeshore be seasonal instead of permanent.

Response: We appreciate the support for our recommended educational signs and kiosks. Any signs and/or kiosks will be developed in coordination with our partners, which was identified as a priority within The Fells' Master Plan as well as this CCP. The signs we propose to install along the lakeshore will be those traditionally used by the Service to demarcate Refuge boundaries and facilitate law enforcement of unauthorized activities. These signs are designed to be permanent, durable and able to withstand seasonal weather conditions and will be replaced as needed due to weathering or bleaching. The rationale for the installation of new kiosks and signs along the trails and shoreline of the Refuge was described on pages 4-11, 4-17, 4-18, 4-21 4-26, and 4-28 of the draft CCP/EA and again on page 4-29 of this final CCP. We believe that they will improve interpretive and educational programming at the Refuge and are intended to discretely and unobtrusively, using as natural a design as possible, provide information on the wildlife and habitat that visitors experience at the Refuge.

Habitat Management

Consistency with Alice Hay's Original Intent

(Letter ID#: 3, 4, 11, 14, 15)

Comment: Four individuals and one organization expressed concern that Alternative B was not as consistent with Alice Hay's original intent in donating land to the Service as a sanctuary for migratory birds and Atlantic northern forest as Alternative A. Alternative B, the Service's preferred alternative, would lead to an increase in human impacts as compared to the current management strategy described in the do-nothing Alternative A.

Response: Alternative A was fully analyzed as an option in the draft CCP/EA, but is not the alternative recommended by our planning team. Our team is recommending Alternative B because we believe, in our best professional judgment, it best achieves the purposes, vision, and goals of the refuge; contributes to the mission of the Refuge System; adheres to Service policies and other mandates; addresses identified issues of significance; and, incorporates sound principles of fish and wildlife science. In summary, we believe it fully protects and enhances the wildlife resources we are entrusted to manage, including migratory birds.

Using our best professional judgment, we developed goals and objectives for Alternative B in the draft CCP/EA, and carried them forth in the CCP, that would conserve and protect natural resources and that we believe are consistent with the Hay family's original intent in establishing the Refuge. Those goals and objectives were developed after consulting with wildlife experts in federal and state agencies. The CCP includes provisions to reduce existing human impacts to the environment such as the installation of foot bridges at the Hay Ecology Trail crossings of Beech Brook. Chapter 5 of both the draft CCP/EA and CCP provide a summary of our coordination and consultation with others.

Trail Relocation and Improvement

(Letter ID#: 6, 7, 8, 9, 11, 14, 16)

Comment: Six commenters stated support for the proposed trail expansions and improvements, including the improved stream crossings over Beech Brook. One comment heard at the public meeting, however, opposed the addition of a new trail to the fen, and another written comment expressed concern regarding the angler trail and the potential for it to lead to future development along the lakeshore.

Response: We appreciate the support for our recommended alternative, specifically the management objectives regarding the trail improvements and improved stream crossings over Beech Brook. The

environmental consequences likely to occur with the addition of a new trail to the fen were evaluated and described in Chapter 4 of the draft CCP/EA on pages 4-21 to 4-22, and we believe, in our best professional judgment, that the impacts will be minimal. This trail would be a native surface trail with minimal to no construction required, and would be marked by directional trail signs. The trail would end at some distance to one of the fens where a short post and rail fence would keep visitors away from the fen, and where interpretive signage would provide information about fens.

Regarding the potential for the addition of a trail for anglers to the lakeshore to lead to future development of the shoreline with additional facilities, see the response discussion above under *Fishing Program*.

Meadow Expansion

(Letter ID#: 3, 6)

Comment: One individual submitted comments in support of the proposed meadow expansion, while another expressed concerns that expansion of the meadow may not be feasible since a “benevolent abutter” currently mows the existing meadow, not the Service.

Response: We appreciate the support for our proposed meadow expansion. As described on page 4-19, under Objective 1.2, Strategies, we intend to identify partnership opportunities for mowing the field within five years of implementation of this CCP.

Habitat Management Objectives

(Letter ID#: 8)

Comment: The Service received one letter expressing concerns that the habitat management objectives for all three alternatives (Alternatives A, B and C) were not clear.

Response: We identified the habitat management objectives for each of the alternatives in Chapter 2 of the draft CCP/EA, numbering each and presenting them in bold type. The specific habitat management objectives for Alternative A were presented on pages 2-18 to 2-25, for Alternative B on pages 2-31 to 2-48, and for Alternative C on pages 2-53 to 2-67. The overall habitat management objectives for the CCP are described on page 4-11, and for specific objectives of the recommended alternative, Alternative B, are reiterated in Chapter 4 of this CCP on pages 4-14 through 4-33 and retain their sequential numbering. Moreover, we intend to initiate a Habitat Management Plan immediately following implementation of this CCP (see page 4-9 of this CCP).

Monitoring of Environmental Consequences

Impacts to Water Quality and Protection of the Lake Sunapee Shoreline

(Letter ID#: 3, 4, 6, 11, 15, 17)

Comment: Several comments were received describing the importance of the Refuge as an undeveloped parcel on Lake Sunapee amidst increasing development elsewhere along the lakeshore. One individual described protecting the shoreland as “critical,” and two others described the importance of the Refuge in mitigating stormwater runoff and protecting the water quality of the Lake Sunapee watershed. One organization expressed concerns that Alternative B would result in lakeshore degradation from human impacts and erosion. Another individual supported the prohibition on boats beaching along the Refuge shoreline but did not want foot traffic to be prohibited from accessing the lakeshore. Two comments were received regarding signage at the lakeshore – one in favor of the use of seasonal signs instead of permanent signs, and the other recommending prominent signs to discourage use of the lakeshore as a recreational

area. One individual opposed any changes to the Refuge that would lower the level of preservation and protection of the lake and water quality with increasing local and regional development.

Response: We concur that the Refuge provides a valuable function in protecting the resources of the Lake Sunapee shoreline and watershed. We will adhere to all requirements for permits and consultations that apply to national wildlife refuges regarding the protection of water quality and water resources.

In addition, we evaluated the environmental consequences for the CCP on water quality, as described on pages 4-5 to 4-8 of the draft CCP/EA under “Effects on Water Quality” and on the shoreline specifically under “Effects on Shoreline/Minute Island” (pages 4-17 to 4-19). Trail improvements would be designed to protect and maintain the integrity of Beech Brook while still allowing visitors to observe and explore it. Hiring a seasonal visitor services staff person would enhance our capacity to monitor public uses, ensure greater compliance of allowed and prohibited uses, and provide more public outreach on the value and sensitivity of the lakeshore and brook. These proposed activities would provide greater water quality protection than under Alternative A. In addition, we would work with the Lake Sunapee Protective Association to assess the potential effects of Route 103A winter road treatments on the water quality of Beech Brook; we would work with them and the local road authority to take mitigating steps, if necessary.

We appreciate the support for the continued prohibition on the beaching of boats along the Refuge shoreline, and the CCP does not propose any changes to the accessibility of the shoreline by foot traffic. The shoreline will remain accessible to foot traffic. The CCP recommends the use of new signage along the lakeshore to inform the public of the Refuge boundary and unauthorized uses; see the response discussion under *Educational and Partnership Programs* above for more details.

Alternative B, as described in this CCP and the draft CCP/EA, does not recommend any changes in Refuge management that would lower the level of preservation or protection of the lake and water quality; in fact, land protection is a central theme to the CCP (see page 4-4).

The permanent protection of land is the keystone of wildlife and habitat conservation. Land brought into the Refuge System will be available forever to support fish, wildlife, and plants. We can restore, enhance, or maintain the land owned by the United States and managed as part of the Refuge System to provide suitable conditions for priority species targeted for conservation, such as threatened or endangered species and those whose populations are in decline. The land we protect through conservation easements will never convert to uses that will remove permanently their value for fish and wildlife.

Though the Refuge encompasses the approved acquisition boundary, it is part of a regional matrix of conserved land. It is our goal to create new and enhance our existing conservation partnerships to both encourage and provide education about land conservation in the region.

To continue our progress toward our shared objectives in protecting land, we will employ the following, ongoing strategies.

1. Participate in local land protection meetings with partners to facilitate communication and cooperation.
2. Provide information to elected officials on land protection issues upon request.
3. Work with partners and landowners to encourage land conservation outside the Refuge boundary.
4. Keep communities around the Refuge informed about land protection issues through the distribution of outreach material and personal appearances by staff.

Impacts from an Increase in Visitation / Human Use
(Letter ID#: 4, 8, 10, 11, 15)

Comment: One individual recommended that the Service be flexible in choosing management measures that are appropriate for the Refuge property; this individual also promoted low-impact and appropriate uses. A second individual opposed an increase in human usage of the Refuge, concerned about impacts to wildlife. A third individual expressed concern with the Service's ability to control people and the environmental impacts that may result. A fourth individual was concerned that an increase in human visitation would negatively impact migratory birds and wildlife. Finally, one organization was concerned that the increase in human visitation and use of the Refuge is inconsistent with the Hay family's intent for the land to be a migratory bird sanctuary.

Response: This CCP includes adaptive management as a central theme to its management strategies (pages 4-3 to 4-4). By incorporating an adaptive management approach into our management of the Refuge, we will be able to be flexible in choosing the appropriate management actions as conditions change or as monitoring indicates a change is warranted. All public uses of the Refuge must be evaluated with a Finding of Appropriateness and/or Compatibility Determination, as contained in Appendix B. As a result, only uses found to be appropriate will be approved and implemented at the Refuge. Uses that could potentially result in high or significant impacts to Refuge resources would require additional NEPA compliance.

The impacts to wildlife and other Refuge resources were evaluated in Chapter 4 of the draft CCP/EA. Alternative B, which is recommended for implementation in this CCP, is not likely to result in any significant, adverse impacts to any Refuge resource, including birds and wildlife (e.g., see pages 4-12 to 4-15 of the draft CCP/EA, "Effects on Forest Habitat and Wildlife" and pages 4- 23 to 4-24 for "Effects on Migratory Birds"). We believe that this CCP includes all reasonable and prudent measures to limit the environmental impacts from increased human use of the Refuge; see the response discussion below on *Law Enforcement and Supervision of Impacts* regarding our ability to monitor and prevent environmental impacts from Refuge visitors. The response discussion immediately below on *Impacts to Meadow and Migratory Birds* describes our response to concerns that an increase in human use of the Refuge may negatively impact avian resources. Finally, see the response above under *Consistency with Alice Hay's Original Intent* regarding concerns that an increase in visitor use of the Refuge may be inconsistent with the Hay family's intent in establishing the Refuge as a migratory bird sanctuary.

Impacts to Meadow and Migratory Birds
(Letter ID#: 4, 6, 11, 15)

Comment: Three individuals and one organization submitted comments regarding impacts to meadow and/or migratory birds at the Refuge. One expressed concern that an increase in human visitation would negatively impact migratory birds and wildlife. A second recommended maintaining the Woods Road as an open area, providing more edge habitat and avian diversity. The third individual was concerned that Alternative B would negatively impact meadow birds, and one organization stated that Alternatives B and C would make the Refuge unsuitable for nesting birds and as a resting area for migratory birds.

Response: The impacts to meadow and migratory birds were evaluated in Chapter 4 of the draft CCP/EA. Alternative B, which is recommended for implementation in this CCP, is not likely to result in any significant, adverse impacts to any Refuge resource, including meadow and migratory birds (see page 4-16 of the draft CCP/EA, "Effects on Meadow Habitat," and pages 4-23 to 4-24, "Effects on Migratory Birds"). In our evaluation, we concluded that neither Alternative B nor Alternative C would render the Refuge unsuitable for nesting or migratory bird stopovers (see pages referenced above of the draft CCP/EA).

In this CCP we are not seeking to increase forest edge for biological diversity, as recommended by the commenter in regards to utilizing Woods Road as an area to increase edge habitat. Our intent is to expand

the size of the existing meadow, which, as a by-product will increase the meadow/forest edge, but not impact forest interior habitat.

We include the following recommendations for protecting birds and wildlife in Chapter 4 of the CCP under the respective goals and objectives noted:

- Collaborate with partners including NH Audubon and NH FGD to conduct bird species inventories every 10 to 15 years to monitor species presence over time (Goal 1 – Objectives 1.1, Forest Habitat and 1.2, Meadow Habitat).
- Ensure that Refuge habitat complements the larger landscape composition and structure for priority species (Goal 1 – Objectives 1.1, Forest Habitat).
- Monitor to ensure that management activities including trail relocation do not adversely impact the fens (Goal 1 – Objective 1.3, Wetlands Habitat).
- Inventory and georeference vernal pools on the Refuge, before any trail enhancement or habitat management is implemented (Goal 1 – Objective 1.3, Wetlands Habitat).
- Record the presence/absence of vernal pool-obligate species according to acceptable survey protocols (Goal 1 – Objective 1.3, Wetlands Habitat).
- Post the area around the mouth of Beech Brook as closed to the beaching of boats (Goal 1 – Objective 1.4, Riparian and In-stream Habitat).
- Relocate the Refuge’s nature trail away from sensitive riparian areas and/or replace existing crossings with a footbridge(s) if it is found to negatively affect stream health (Goal 1 – Objective 1.4, Riparian and In-stream Habitat).
- Assess the impacts of rafting, and other public use on the biological health and integrity of Beech Brook and manage to mitigate those impacts (Goal 1 – Objective 1.4, Riparian and In-stream Habitat).
- Install signs closing the Refuge shoreline and Minute Island to all rafting, beaching of boats, and public access from the lake to minimize adverse impacts to the undeveloped shoreline and nearshore habitats (Goal 1 – Objective 1.5, Shoreline/Minute Island).

Impacts to Trees
(Letter ID#: 4)

Comment: One individual submitted comments with concerns that the proposed management strategies would impact the trees of the Atlantic northern forest protected on the Refuge.

Response: Protection of the Atlantic northern forest is Goal 1 in this CCP (page 4-14). The environmental consequences likely to occur with the implementation of Alternative B were evaluated and described in Chapter 4 of the draft CCP/EA on pages 4-12 to 4-15, and we believe, in our best professional judgment, that the impacts to trees and Atlantic northern forest will be minimal. The CCP does not recommend any alterations to the forest habitat of the Refuge except for an expansion of the existing meadow by up to 1.6 acre. As described on pages 4-16 to 4-17, the expansion will occur through the selective removal of small trees and saplings by hand without impacting the mature forest overstory. No mechanized equipment will be used, which will minimize impacts. In addition, the only long-term forest maintenance activities (Objective 1.1, page 4-14) will be maintenance of the viewing corridor, removal of felled or snagged trees that pose a safety hazard to visitors, and removal of trees infected by pathogens to protect the remaining trees from infestation.

Law Enforcement and Supervision of Impacts
(Letter ID#: 11, 15)

Comment: One individual expressed concern with the Service's ability to control people and the environmental impacts that may result, and one organization asked who will oversee the increased public use of the Refuge as described in the CCP.

Response: The Service has Law Enforcement personnel on staff at the Conte Refuge, which covers the John Hay Refuge and responds to incidents as needed. As described under Objective 1.5 of this CCP (page 4-24), we will deploy law enforcement officers to patrol the Refuge on select high-use days and work with NH Marine Patrol to monitor and enforce posted Refuge signs. We also intend to collaborate with the NH FGD on law enforcement programs (Objective 3.3, page 4-33). The addition of a seasonal staff member on-site during the periods of highest visitation to the Refuge will allow the Service to supervise public use and any impacts resulting from that use. We intend to complete a Law Enforcement Plan for the Refuge within 3 years of the implementation of this CCP (see page 4-9). Moreover, the addition of educational signs and kiosks will inform visitors of allowable and unauthorized public uses throughout the Refuge.

Use of Refuge Trails to Circumvent The Fells Admission Fees
(Letter ID#: 12)

Comment: One individual stated concerns that visitors will use the connectivity of the trails between the Refuge and The Fells to circumvent the admission fees of the latter, that people will ignore any signs and that The Fells will lose revenue.

Response: It is not our intent to facilitate visitors' ability to circumvent admission fees at The Fells by using Refuge trails. Rather our intent is to increase the collaboration and connectivity between The Fells and the Refuge by sharing a new parking lot, having a seasonal employee stationed at the gatehouse or main house of The Fells, adding an alternate route for the John Hay II Forest Ecology Trail to allow visitors to return to the trailhead without entering The Fells' property, and establishing a new Partnership Agreement between The Fells and the Refuge. By constructing a trail section that returns to the trailhead entirely on Refuge property, visitors will be better informed of their options and can decide to continue on to The Fells property, for which there is admission, or to stay on the Refuge. Explanatory signage at the trailhead and at the point of entry to The Fells will be posted. Any substantive concerns about a potential decrease in revenue at The Fells resulting from visitors using Refuge trails to access The Fells without paying admission fees may be addressed in the new Partnership Agreement between us.

Administrative

Funding / Budget
(Letter ID#: 1, 3, 9)

Comment: The Service received comments expressing concerns about a lack of funding to implement management actions proposed in the CCP. One individual argued against "unnecessary expenses" for new staff, and another doubted that there would be sufficient visitor demand to support a seasonal staff member. Another individual expressed concerns about the lack of funding and/or resources to conduct water quality monitoring on Beech Brook.

Response: 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 John Hay

Refuge is part the Silvio O. Conte NFWR Complex, which has a full-time staff of 12.5 employees as well as approximately 10 short-term staff who also provide support for the Refuge. As described on page 4-22 of the CCP, we intend to continue our partnership with the LSPA to conduct water quality monitoring of Beech Brook. Appendix E of the CCP defines the Service's vision for Refuge staffing and Appendix D describes Refuge projects such as those proposed in the CCP that have been or will be submitted for funding.

Lack of Inclusion of Summer Residents' Input in Planning Process
(Letter ID#: 15)

Comment: One organization stated concerns that summer residents of the area did not have the opportunity to participate in the planning process and comment period.

Response: As a public agency, our planning documents are open and available to all who wish to comment on them. The availability of the draft CCP/EA for public comment was published in the *Federal Register*, a national publication, and on the internet at the Refuge's website (<http://www.fws.gov/northeast/planning/JohnHay/ccphome.html>). We also conducted two public meetings, one during the scoping phase held on October 9, 2008, at the Newbury Town Hall, and the other on March 11, 2010, also held at the Newbury Town Hall, to present the draft CCP/EA, answer questions and receive comments. Chapter 5 of the CCP describes the public outreach measures we used throughout the planning process, including notices about the public meeting(s) published in two local newspapers, mailings (including e-mail), press releases, postings on Service websites, and notices in the *Federal Register*. We also encouraged town officials from Newbury, Sunapee, and New London to post meeting information on their bulletin boards, and to forward them to interested parties.

Attachment 1— Letter and Comment ID Numbers and Respondents

<i>Letter or Comment ID Number</i>	<i>Name</i>
1	Janet Krueger
2	Jean Public
3	June Fichter, LSPA
4	Tanya Wilke
5	Terry Wheatley
6	Claire Martin
7	Bonnie Guterl
8	Robert Wood, LSPA
9	Liz Tentarelli
10	Margaret A. Whittemore
11	Katheryn C. Holmes
12	Bruce Crawford
13	Suzanne Levine
14	Charles Crickman
15	Newbury Conservation Commission
16	Dave Anderson, SPNHF
17	Fay and Dave Barden
18	Karen Zurheide, The Fells