

Appendix H



Ryan Haggerty/USFWS

Northern Diamondback Terrapin

Summary of Public Comments and Service Responses on the Draft Comprehensive Conservation Plan and Environmental Assessment for Supawna Meadows NWR

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July 2011

Introduction

In September 2010, the U.S. Fish and Wildlife Service (Service, we, our) completed the Supawna Meadows National Wildlife Refuge (NWR) Draft Comprehensive Conservation Plan and Environmental Assessment (draft CCP/EA). That document 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 CCP/EA for 30 days of public review and comment from September 27, 2010 to October 27, 2010.

We evaluated all the letters, electronic mail, and phone calls we received during that comment period, along with comments recorded in our two public meetings. This document summarizes the substantive comments we received and provides our responses to them. Based on our analysis in the draft CCP/EA and our evaluation of comments, we modified alternative B and recommended it to our Regional Director for implementation. It is that modified alternative B which is detailed in this final CCP. 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 to the final CCP:

Under chapter 4

1. We inserted language discussing the potential for including a black bear hunt if New Jersey State regulations are changed to accommodate hunting this species at Supawna Meadows NWR (see General Refuge Management).
2. We inserted language clarifying changes to hunting safety zones and hunting closure signs (see goal 4, objective 4.1).
3. Goal 2, objective 2.3 was inadvertently excluded from the text in alternative B of the draft CCP/EA, but was included in table 3.5, Summary comparison of management actions by alternative. We did not receive any comments on this aspect of alternative B during the public comment period. We restored this objective in the final CCP.

Appendix A

1. We corrected and updated appendix A, Species of Conservation Concern on or near Supawna Meadows NWR.

Our Regional Director will either select 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 National Wildlife Refuge System (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 will publish a notice of the availability in the *Federal Register*. That notice completes the planning phase of the CCP process, and we can begin its implementation phase.

Summary of Comments Received

During the comment period, we received 11 sets of responses, both written and oral. We gathered oral comments at the following 2 public meetings attended by about 20 people:

October 12, 2010, 2-4 pm and 6-8 pm at the Sgt. W.T. Whitaker V.F.W. Post 1952, 171 S. Broadway, Pennsville, New Jersey 08070.

We received written comments, including electronic mail and post, from six people. We received comments from one person via telephone. We received a letter from the New Jersey Division of Fish and Wildlife with comments included below. We received electronic mail from New Jersey Historic Preservation Office concurring with the draft CCP/EA, and we received comments from The Friends of Supawna Meadows.

In the discussions below, we address every substantive comment received during the comment period. Comments were organized by subject. Directly beneath each subject heading, you will see a list of unique letter ID numbers that correspond to the person, agency, public meeting, or organization that submitted the comment. In some cases, one person may have submitted a comment more than once (public meeting, email, written letter, or telephone). The cross-referenced list appears as attachment 1 to this appendix.

In our responses, we may refer the reader to other places in this document or the draft CCP/EA where we address the same comment. In some instances, we refer to specific text in the draft CCP/EA and indicate how the CCP was changed in response to comments. There are several options for obtaining the full versions of the draft CCP/EA or the final CCP. They are available online at: <http://www.fws.gov/northeast/planning/SupawnaMeadows/ccphome.html>.

For a CD-ROM or a print copy, contact the refuge headquarters:

Supawna Meadows National Wildlife Refuge
c/o Cape May National Wildlife Refuge
24 Kimbles Beach Road
Cape May Court House, NJ 08210
Phone: (609) 463-0994
Fax: (609) 463-1667
Email: capemay@fws.gov

Service Responses to Comments by Subject

Resource Management

Habitat Management

(Letter ID#: 1, 2, 3, 4, 6)

Comment: A few commenters asked if we were planning any grassland and early successional habitat management to benefit species like bobolink. One commenter asked if we were planning to re-introduce any species that use this habitat like bobwhite and American woodcock.

Response: The refuge manages habitat to best meet the needs of wildlife species. Bobolink is identified as a species of concern for the refuge in appendix A of both the draft CCP/EA and the final CCP. As described in the final CCP, we will manage for grassland habitat as stated in goal 2, objective 2.1, which will provide habitat for bobolink. We will also manage for early successional scrub/shrub habitat as stated in goal 2, objective 2.2, providing habitat for American woodcock. Bobwhite quail were not identified as a species of conservation concern on the refuge, so this species is not specifically addressed in our habitat management. However, the management of grassland and early successional scrub/shrub habitats will also benefit quail. Regarding species introduction, the Service typically addresses species population management through habitat enhancement rather than stocking. Only in extreme situations, typically when species are endangered or at risk of extinction, do refuges actively stock wildlife on refuges.

Comment: One person commented that habitat management for black ducks and other species should be emphasized.

Response: We appreciate support for habitat management that benefits American black duck and other species that use the refuge. As described in chapter 1 of the draft CCP/EA and the final CCP, two of the refuge's establishing purposes identify migratory birds, including waterfowl, as a priority for this refuge. As stated in chapter 4 of the final CCP, we will emphasize protecting and restoring native tidal marsh to benefit colonial-breeding wading birds, marsh birds, migratory waterfowl (including black ducks), shorebirds, and other birds of conservation concern. We will manage for tidal marsh habitat as stated in goal 1, objective 1.1, providing habitat for migrating and wintering waterfowl; freshwater impoundments as stated in goal 3, objective 3.3, providing habitat for waterfowl; and forested wetlands as stated in goal 3, objective 3.4, providing habitat for wood ducks.

Comment: One comment does not support opening previously closed areas because of the need for "rest area" for waterfowl.

Response: As required under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) as amended by the National Wildlife Refuge System Improvement Act (Public Law 105-57) (16 USC 668dd(d)(1)(A)), we will continue to provide an "inviolate sanctuary" on at least 60 percent of refuge lands. Under the final CCP, the waterfowl hunt area will be reconfigured to focus fishing and waterfowl hunting in the central portion of the refuge (see chapter 4, goal 4.1, and map 4.2 in the final CCP), leaving the majority of the refuge undisturbed by these uses. As discussed in the Compatibility Determination for White-tailed Deer Archery Hunt presented in appendix B, we expect minimal disturbance to wildlife associated with this activity since bow hunting is generally a solitary sport and hunters are distributed across the refuge. If we decide to open the refuge to a deer hunt with firearms, we will complete additional analyses to assess potential effects on waterfowl and other wildlife.

Comment: One commenter suggested that the refuge needs to re-evaluate the current methods of tidal marsh restoration, suggesting that restoration should incorporate active revegetation rather than relying on passive regeneration from the existing seed bank.

Response: Goal 1, objective 1.1 identifies the need to restore tidal marsh habitat. The CCP does not go into the specificity of restoration methods including regeneration. Specifics as to how we will pursue restoration of native tidal marsh will be addressed in the step-down Habitat Management Plan (HMP) that will be developed after the CCP is finalized. We will use an integrated approach to phragmites control and develop an Adaptive Management Framework, and will consider this comment as we develop the HMP.

Comment: One commenter expressed concern about the decline in deer numbers this year, asked when the last deer count was performed, and indicated his concern over epizootic hemorrhagic disease (EHD).

Response: Currently, the refuge does not conduct deer counts at Supawna Meadows NWR. The New Jersey Division of Fish and Wildlife does not conduct deer counts either, instead it collects data from a representative sample of deer harvested in the various hunting seasons each year. The data collected provide the necessary information to assess the health of the deer herd and the quality of the habitat throughout the state. These data also provide information to successfully manage New Jersey's thriving deer herd, keeping it in balance with the changing landscape of the state. At this time, there is no indication that the health of the state or regional deer population is at risk.

Comment: One commenter requested clarification on what the species of concern were for the refuge or in the area.

Response: The primary species that are the focus of conservation for the final CCP are Pea Patch Island colonial-breeding wading birds, secretive marsh birds, migratory waterfowl, shorebirds, and other birds of conservation concern. We have developed a more detailed list of species of concern for Supawna Meadows NWR, please refer to appendix A in the draft CCP/EA and final CCP.

Comment: One commenter was ethically opposed to control (e.g., trapping) of any bird or mammal on the refuge including feral cats, muskrat, mute swans, Canada geese, snow geese, and beaver.

Response: In chapter 3 of the draft CCP/EA, Actions Common to Alternatives A and B, we explain the importance of controlling animal pests as they cause habitat destruction and degradation, water quality degradation, erosion, disease, mortality to native wildlife, threaten public safety, and interfere with management objectives.

Comment: One commenter opposed the use of prescribed burns on the refuge because of the cost to taxpayers and the potential for fires getting out of control.

Response: Fuel reduction may be achieved by various methods, each requiring a cost to taxpayers. In addition to fuel reduction, prescribed burns benefit wildlife and their habitat in many ways. Fire releases nitrogen and other nutrients into the soil, which encourages growth of a variety of beneficial plants. It also creates habitat diversity for wildlife, enhances plant growth, and reduces fuel buildup (e.g., dead grasses, twigs, and wood that accumulate on the soil). Fire is also used to control undesirable plants and to maintain habitats, such as grasslands. Prescribed burns are regulated by strict guidelines. Prescribed Burn Plans are written, reviewed, and approved by trained wildland firefighters for each planned burn. The plans dictate the conditions that will permit burning activity and are designed to ensure safe burn operations. In the review, requirements for air temperature, wind speed, wind direction, and humidity, among others, are determined. Additionally, the number of firefighters and pieces of fire equipment needed to oversee the burn are stated. A prescribed burn only takes place if all conditions of the plans are

met. Safety of the firefighters and protection of any nearby property are the top priorities. Refer to appendix F, Fire Management Program Guidance for more detailed information.

Impoundment Management
(Letter ID#: 2, 3, 4)

Comment: One commenter requested information on the long range plans for the impoundments off Lighthouse Road.

Response: We will manage freshwater impoundments to provide habitat for as stated in chapter 4, goal 3, and objective 3.3 of the final CCP. As stated under this objective, we will evaluate each impoundment for the potential for restoring or reverting to natural hydrology and we will participate in a Structured Decision-Making Process to determine its conservation value.

Comment: Two commenters asked who determines the water level for impoundments and requested if the impoundment levels could be changed currently due to concern over flooding in neighborhood properties. There was also concern expressed that impoundments were causing increased spread of invasive species and not providing habitat for migratory waterfowl.

Response: Chapter 3, alternative A, goal 3, objective 3.3 in the draft CCP/EA describes the current management of the impoundments. Currently, refuge staff determines water levels for impoundments. Because staff are located so far from the refuge, we are not actively managing water levels. Until the public comment period for the draft CCP/EA, we were unaware of flooding to any neighbors or an increase of invasive species. Refuge staff has been controlling various invasive species every year, but cannot treat all areas. As stated in alternative B (chapter 3, goal 3, objective 3.3) of the draft CCP/EA and in chapter 4, goal 3, objective 3.3 of the final CCP, we intend to manage the impoundments to provide habitat for migratory waterfowl contingent on sufficient staff and funding. Over the course of the plan, we will work with hydrologists, other biologists, and technical experts and partners as needed to determine the best way to manage or remove each impoundment in light of climate change and other factors. We have already requested to have the regional hydrologist visit the refuge and evaluate the impoundments but have not scheduled a site visit yet.

Comment: One commenter opposed impoundment management because of its contradiction in issues of climate change and extreme weather events.

Response: As stated in chapter 4, goal 3, objective 3.3 of the final CCP, we agree that as sea level rises, management and maintenance of coastal wetland impoundments will become increasingly challenging and expensive. We will continue to study the feasibility of whether or not to continue individual impoundment management. Refer to chapter 3 of this document for additional information on climate change and effects of relative sea level rise and appendix G for the application of the Sea Level Affecting Marshes Model (SLAMM) analysis for the refuge.

Water Quality
(Letter ID#: 2, 6)

Comment: One commenter noted that the refuge should be managed for drinking water, not just tidal marsh habitat.

Response: As stated in chapter 4 of the draft CCP, Water Quality and Aquatic Species Impacts, we recognize that good water quality is essential to sustaining healthy ecosystems. As stated in this section, we believe that our management practices on the refuge and our projects partnering with local communities and conservation organizations continue to benefit water quality, including drinking water,

on the refuge, in area wells, and in the Delaware River Basin. Refuge habitats filter impurities in water and provide cleaner water and habitats. We will continue to comply with all applicable Federal, State, and local water quality requirements. Please see chapter 4 of the draft CCP/EA, Water Quality and Aquatic Species Impacts for a more detailed discussion of water quality effects associated with refuge activities.

Comment: A few commenters were concerned about the use of herbicides and pesticides on the refuge and possible infiltration into the drinking water of local wells. One commenter requested that the neighbors be notified before spraying any pesticide or herbicide so they could refrain from using well water for a few days.

Response: As stated above, we recognize that good water quality is essential to sustaining healthy ecosystems. As we discuss in chapter 4 of the final CCP, Managing Invasive Plants, integrated pest management procedures are used when determining the best method for controlling pests on the refuge. Where herbicides and pesticides are determined the best management procedure to be used, a Pesticide Use Proposal is written and reviewed to determine if the chemical is safe (for people, plants, and wildlife) to use at that location. Various parameters, including location and depth of wells and groundwater, soil condition, slope, etc., are used in determining the appropriateness of using a chemical at each location. If deemed safe and appropriate, we may apply herbicides using a variety of techniques including hand spraying, aerial spraying (via planes), and spraying from motorized vehicles. Neighbors are notified before aerial spraying occurs. Due to the makeup of the products currently used at the refuge, drinking water is not affected. The chemicals break down quickly and are filtered out of the water column or are bound to organic content in soils before getting to any wells. Please see chapter 4 of the draft CCP/EA, Water Quality and Aquatic Species Impacts for a more detailed discussion of water quality effects associated with refuge activities.

Invasive Species **(Letter ID#: 1, 3, 4, 9)**

Comment: One commenter was concerned about phragmites management and requested information about how many acres have been sprayed and if there is reoccurring growth.

Response: Recently, we have focused phragmites control efforts at the refuge on a 500-acre block of tidal marsh northwest of Mill Creek. On average, 100 acres are sprayed per year in this block. Growth of phragmites is reoccurring; however, native plants have also reestablished in this area as a result of the control efforts. We will develop an Adaptive Management Framework for monitoring and evaluating effectiveness of phragmites control and will use an integrated approach for control using tools as they are developed. Please refer to chapter 4, goal 1, objective 1.1 of the final CCP for more information on current strategies used in phragmites control.

Comment: One commenter suggested that the refuge use a “dike or sluice to flood the area around the observation deck for phragmites control” so that the observation area would provide better waterfowl habitat and viewing opportunities.

Response: Chapter 1 of the draft CCP/EA and the final CCP provides the mission of the Service and Refuge System, purposes of the refuge, appropriate refuge uses policy, compatibility policy, and various other policies that guide refuge decisions. As described in chapter 1, the Service has developed a policy on Maintaining Biological Integrity, Diversity, and Environmental Health (601 FW 3). This policy provides guidance on evaluating the best management direction to prevent the additional degradation of environmental conditions and to restore lost or severely degraded environmental components. To implement this policy, it directs us to eliminate artificial features, such as a dike or sluice, and processes where appropriate and feasible. Also, as mentioned in our response to a comment above on

impoundment management, management and maintenance of coastal wetland impoundments will become increasingly challenging and expensive with projected sea level rise. For these reasons, we are not planning to construct any additional impoundments, dikes, or water control structures. Phragmites is being controlled on portions of the marsh near the observation deck by hand and aerial spraying. Unfortunately, phragmites was not recently sprayed in front of the deck. Future control efforts may include phragmites control in front of the observation deck which would allow the regeneration of native plants in this area.

Comment: There was similar concern about mile-a-minute weed and that the weevil release appears minimally effective. One commenter suggested that the refuge should spray herbicide regularly to control or eradicate this species.

Response: Various methods are used to control invasive plants on the refuge. The current method used by the refuge to control mile-a-minute is the Asian weevils. The refuge will continue to work with the New Jersey Department of Agriculture as studies and results become available. The refuge may consider using herbicides in the future. Integrated pest management procedures are used when determining the best method for controlling pests on the refuge. For more information, refer to chapter 4, Managing Invasive Plants, and goal 2, objective 2.3, Upland Forest Habitat, in the final CCP.

Comment: One commenter was opposed to the use of pesticides and herbicides because of the concern for possible effects on birds.

Response: Herbicides used on the refuge are not known to affect birds. The Service strives to protect birds and provide quality habitat; therefore, we would not use a product that had a negative effect on birds. Please refer to our response to the first comment in the Water Quality section above, and chapter 4 in the draft CCP/EA for a more thorough discussion of effects of pesticide and herbicide use on the refuge.

Comment: The New Jersey Division of Fish and Wildlife strongly supports the restoration of native saltmarsh vegetation and the active control of the invasive plant, *Phragmites spp.*, as outlined in alternative B, chapter 3.

Response: Thank you, we appreciate your support in this effort.

Public Use and Access

Public Use (see also Hunting and Fishing) **(Letter ID#: 1, 2, 5, 9)**

Comment: One commenter asked if there was a way to record current visitation/public use on the refuge.

Response: There are several ways to try and measure visitation, for example installing vehicle counter at entrances, conducting periodic visual counts of visitors, and installing pedestrian counters at trail entrances. Without dedicated staff at the refuge, it is difficult for us to maintain counting equipment or conduct visual counts. Currently, we estimate refuge visitation at Supawna Meadows NWR using our best professional judgment. We have no plans to institute a more formal measurement of public use at this time.

Comment: One commenter asked the refuge to maintain, or to allow neighbors bordering the refuge to maintain, a cleared area on refuge lands bordering private property. The commenter stated that keeping this area mowed would improve visibility and minimize potential conflicts between wildlife (for example, coyotes) using the refuge and the neighboring properties.

Response: As established in the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) as amended by the National Wildlife Refuge System Improvement Act (Public Law 105-57), “wildlife and wildlife conservation must come first” on Refuge System lands. Habitat loss and fragmentation are major causes of declines in wildlife populations in New Jersey, the region, and the nation. Maintaining a mowed or cleared buffer area would increase the disturbance to wildlife on the refuge and would decrease the available habitat for wildlife on the refuge. For these reasons, we do not plan to allow or maintain a mowed or cleared buffer area on refuge property.

Comment: One commenter requested that refuge staff post signs to warn visitors about the length and rough terrain at Xmas Tree Lane Trail.

Response: Refuge staff has not received any complaints or comments on this trail in the past. This trail is a wooded trail, typical of many in the area. Unfortunately, with limited resources and time, it is likely that the trail does become somewhat overgrown at times. We do have standard trail head signs, along with some signs indicating which activities are prohibited (i.e., no ATVs, etc.) posted at this location. Our intent has always been to properly maintain all our trails. If we notice, or are notified, that a trail is not safe, we make every effort to perform whatever maintenance or correction is required.

Comment: Two commenters wished to know more about the rules for dogs on the refuge and the restrictions for pets.

Response: The Refuge System Administration Act, as amended by the Refuge Improvement Act, identifies six priority public uses: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. These uses are to receive enhanced consideration on refuges. Allowing access for dogs and other pets is not one of the priority public uses. As discussed in appendix B of the draft CCP/EA and final CCP, dog walking (on or off leash) has been found to be not appropriate at Supawna Meadows NWR. Dogs are therefore not allowed on refuge trails or in refuge facilities. Horseback riding has also been found to be not appropriate at Supawna Meadows NWR. Please see appendix B in this document or the draft CCP/EA for our justifications on why dog walking and horseback riding have been found not appropriate at the refuge. The Service has not received requests to allow other domesticated animals or pets on the refuge. Prior to authorizing access by these animals, Service policy (603 FW 1) requires us to complete a Finding of Appropriateness. If we find the use appropriate, the Refuge System Administration Act requires we complete a Compatibility Determination.

Comment: One commenter opposed the partnership with New Jersey Audubon and their ability to lead tours and charge money on land paid for by taxpayers (refuge land).

Response: The guided tours offered by New Jersey Audubon help facilitate wildlife observation, photography, and environmental interpretation, three of the Refuge System’s six priority public uses identified in the System Administration Act, as amended by the Refuge Improvement Act. Refuge admission remains free to all members of the public, the charge for New Jersey Audubon’s guided tours serve only to compensate this non-profit for its travel expenses, time, and expertise. We are in the process of completing the finding of appropriateness and compatibility determination for this activity and will make these available separately.

Comment: The New Jersey Division of Fish and Wildlife recommend that recreational furbearer trapping be instituted on Supawna Meadows NWR, as it is on other NWR’s in New Jersey. Recreational trapping is an effective, cost-efficient method for controlling furbearers (some of which are significant waterfowl nest predators) and is a centuries old tradition in this part of New Jersey. We also received one request to see the refuge open to coyote trapping.

Response: We agree that trapping can be an effective and cost-efficient method for controlling furbearers. We use this method at other refuges in the State and throughout the country to accomplish this management purpose; however, the U.S. Fish and Wildlife Service (Service) considers trapping to be an economic use because pelts are usually sold for profit by the trapper. According to 50 CFR 29.1, “We [the Service] may only authorize public or private economic use of the natural resources of any national wildlife refuge...where we determine the use contributes to the achievement of the national wildlife refuge purposes or the National Wildlife Refuge System mission.” As discussed in chapter 3 of the draft CCP/EA and in chapter 4 of the final CCP (under General Refuge Management, Controlling Animal Pests), we will consider opening the refuge to trapping if we determine it is needed to manage furbearers to achieve refuge purposes or the mission of the National Wildlife Refuge System. Prior to opening the refuge to trapping, we would need to determine if it is compatible and complete additional NEPA analysis, then include it as part of an approved Furbearer Management Plan.

Hunting and Fishing
(Letter ID#: 1, 2, 3, 4, 6, 9, 10)

Comment: We received several comments on the refuge’s deer hunting program. One commenter supported the archery-only deer hunt. Another commenter asked how we had staff to manage waterfowl hunting but not firearm deer hunting on the refuge.

Response: We appreciate the support of the refuge’s archery deer hunt. Prior to archery-only hunting on the refuge, we offered a firearm deer hunt program. Because of the potential for high demand, limited upland areas where hunters tend to concentrate, our policy to provide a quality hunt program, and to ensure the safety of neighbors, visitors, and hunters, we implemented permits, a lottery system, and refuge-specific orientation classes for the firearm deer hunt program. This intensive hunt program required much staff time to manage, so we were only able to open the refuge for a limited number of days. After the refuge was complexed with Cape May NWR, this intensively managed hunt was not feasible. Bow hunting was implemented as a safe means to allow a quality deer hunt and harvest a similar amount of deer without the added cost of implementation. In general, there is less demand for bow hunting and we have extended the refuge bow hunt to coincide with State regulations which decreases the daily concentration of hunters; therefore, it has not required the same level of management as the firearm deer hunt. Because waterfowl hunting occurs in the tidal creeks of the refuge, away from refuge neighbors and trails, there is less potential for conflicts with neighbors and other users. In addition, waterfowl hunters do not appear to concentrate in certain areas. For these reasons, we have not needed to intensively manage waterfowl hunting with permits, lotteries, and orientations, and refuge resources required to manage the waterfowl hunt are considerably less than those required to manage a deer firearm hunt.

Comment: The New Jersey Division of Fish and Wildlife has recommended in the past that Supawna Meadows NWR be opened to all the legal New Jersey deer seasons to better effect control of this species that can have detrimental impact on the ecosystem. This would also result in lessening agricultural damage, fewer deer/auto collisions, and increased wildlife-associated recreation. They still recommend that this be done, particularly as internal exceptions to the refuge are acquired over time.

Response: We agree that deer can cause serious degradation to wildlife habitat and agriculture through browsing, as well as present risks to human safety through deer and automobile collisions. Opening the refuge to a firearm season and opening more areas of the refuge to hunting were discussed during the planning process. Based on the discussions during planning, the planning team incorporated the following strategies under goal 4 in our preferred alternative (alternative B) of the draft CCP/EA: 1) We will rely on State hunting regulations to define hunting safety zones; 2) we are proposing to open additional areas of the refuge to deer hunting (see map 3.5 in the draft CCP/EA or map 4.2 in the final

CCP); and, 3) we will monitor the deer population and its effects on refuge habitats. If the herd needs to be further culled, we will work with the State to offer a doe-first season, a firearm season, or another method for taking more deer off the refuge. This preferred alternative, including these strategies, is expected to become our final CCP. As with opening the refuge to other types of hunting, we would need to conduct additional NEPA analysis before these new areas could be opened to deer hunting and before a firearm season could be re-established.

While we may open the refuge to a firearm season for deer sometime during the 15-year life-span of the CCP, we are not proposing to incorporate a firearm season at this time. Prior to archery-only hunting on the refuge, we offered a firearm deer hunt program. Several years ago, an incident occurred at Supawna Meadows NWR where a deer hunter shot and hit a neighboring residence. This precipitated a re-evaluation of the deer hunt program at this refuge. With limited upland areas where hunters tend to concentrate, our desire to provide a quality hunt program, and to ensure the safety of neighbors, hunters, and other visitors, we modified the firearm deer hunt by implementing refuge hunt permits, a lottery system, and refuge-specific orientation classes for the firearm deer hunt program. This intensive hunt program required much staff time to manage, therefore, we were only able to open the refuge for a limited number of days. After the de-staffing of the refuge, this intensively managed hunt was no longer feasible. In 2007, after coordinating with NJDFW, the archery-only hunt was implemented on the refuge as a safe means to allow a quality deer hunt and harvest a similar amount of deer without the added cost of implementation. The new program included lengthening the hunt season on the refuge to correspond with State regulations, yielding more hunting days. Since the archery-only hunt was initiated in 2007, refuge staff has received several positive comments supporting this hunt program.

If a decision is made to incorporate firearm deer hunting at Supawna Meadows NWR, we will work with the State to develop a system which will meet our shared objectives for safety, deer population control, and recreation.

Comment: The New Jersey Division of Fish and Wildlife has recommended in the past that hunting for upland game and wild turkey be permitted on Supawna Meadows NWR to increase the opportunity for wildlife-associated recreation and we continue to recommend that this be done. One commenter requested we open the refuge to coyote hunting.

Response: We appreciate the interest in expanding upland hunting opportunities, including coyote hunting, on the refuge. As we discussed in chapter 1 of the draft CCP/EA, under “Issues Outside the Scope of this CCP,” we did consider this recommendation. We eliminated this from detailed evaluation because of the small amount of upland area within the refuge and the potential conflicts with other priority public uses. However, we are willing to further discuss opening the refuge for the spring turkey season with assistance from the New Jersey Division of Fish and Wildlife. Many refuges are open to spring turkey hunting, and we agree that this action would provide an opportunity to facilitate this priority public use. To open the refuge to spring turkey hunting would require further detailed NEPA analysis and public involvement. With assistance from the New Jersey Division of Fish and Wildlife, we believe we could make progress on this matter this year.

Comment: One commenter requested the Service close the refuge to deer hunting this year and for the refuge to be open to deer hunting every third year due to what appears to be a decline in the deer population associated with epizootic hemorrhagic disease (EHD).

Response: According to National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) and the Code of Federal Regulations (43 CFR 24.4(e)), Congress has required us to be consistent with State laws and regulations governing public use “to the maximum extent practicable.” At this time, there is no indication that the health of the State or regional deer population is at risk and the New Jersey

Division of Fish and Wildlife has chosen not to restrict hunting in Zone 63, the zone encompassing the refuge. We see no need to impose additional restrictions on deer hunting on the refuge at this time.

Comment: To avoid any potential future issues similar to those that have been of concern most recently at Wallkill NWR, the New Jersey Division of Fish and Wildlife would like bear hunting to be authorized under the CCP should it be necessary at some point in the future as New Jersey's bear population continues to grow.

Response: Currently, refuge staff is not aware of any black bears on or near the refuge. However, we are aware that New Jersey's black bear population is increasing, and it is possible that bears could appear on or near the refuge within the next 15 years. If the State changes hunting regulations to allow black bear hunting in bear hunt area 6, which includes the refuge, and there is interest, we will evaluate whether or not to authorize this activity on the refuge. Before opening the refuge to bear hunting, we would need to comply with NEPA, as amended. NEPA requires we thoroughly evaluate the effects of major Federal actions on natural resources and the socioeconomic environment. This process would include, among other things, completing additional analyses on the potential beneficial and negative effects of opening the refuge to bear hunting, providing opportunities for public review and comment, and making an announcement in the *Federal Register*. This level of analysis is not feasible at this time, since we cannot predict when or if black bear hunting will be proposed at Supawna Meadows NWR. We have included a statement discussing our willingness to evaluate opening the refuge to black bear hunting in the future, if warranted, in chapter 4 of the final CCP, under General Refuge Management, Priority Public Uses.

Comment: Currently, few snow geese use Supawna Meadows NWR although many of the nearby areas are heavily used (e.g., Mannington Meadow). The New Jersey Division of Fish and Wildlife appreciates that the Service acknowledges the population overabundance issue and that the refuge will continue to monitor the snow goose population on the refuge and open the refuge for snow goose hunting outside the "regular" waterfowl seasons if conditions warrant this action.

Response: Thank you, we appreciate your support in this effort.

Comment: One commenter would like to see the refuge closed to migratory waterfowl hunting. Another commenter was ethically opposed to any form of hunting on the refuge due to the conflict with other public uses and the lack of respect for animal rights. This same commenter was also opposed to deer hunting stating it negatively affects deer size and population health.

Response: Hunting is one of the six priority public uses to receive enhanced consideration on national wildlife refuges, according to the 1997 Refuge Improvement Act (Public Law 105-57; 111 Stat. 1253), which amended the National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668dd-668ee). We are therefore required by law to facilitate hunting on national wildlife refuges wherever hunting is compatible with refuge purposes and the mission of the National Wildlife Refuge System. We have found hunting both waterfowl and deer to be compatible at Supawna Meadows National Wildlife Refuge and therefore we will continue to allow it. For more information about appropriate and compatible uses, refer to appendix B of the final CCP.

Deer hunting is currently the most effective tool to manage the health of the deer population and sustain the integrity, diversity, and health of forest habitats on the refuge. If deer populations are allowed to progress unchecked by management, deer densities can become quite high. In addition to a general decrease in habitat quality, impacts of high deer densities include a decline in overall deer population health as evidenced by decreased body weights, increased occurrence of deformities, increased levels of internal and external parasitism, decreased body fat deposits, and increased disease transmission. For more details on deer density concerns, impacts to habitat quality, and deer population health, refer to the

benefits section of chapter 4, Public Use Management-Hunting, alternatives A and B of the draft CCP/EA.

Comment: Three commenters requested the existing buffer zone between the refuge and the five residential properties on Lighthouse Road remain closed to hunting to minimize potential trespassing by hunters and provide additional space to minimize other potential conflicts between hunters and refuge neighbors. Commenters also requested that the hunting closure signs remain and be maintained.

Response: According to National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) and the Code of Federal Regulations (43 CFR 24.4(e)), Congress has required us to be consistent with state laws and regulations governing public use “to the maximum extent practicable.” Therefore, as stated in the draft CCP/EA and the final CCP, we intend to modify the previous “safety zones” to be consistent with New Jersey State regulations restricting hunting around occupied properties (see goal 4, objective 4.1). The original “safety zones” were established to ensure safety during the hunt season. However, we believe that State regulations are adequate for ensuring safety. New Jersey requires that all hunters, prior to obtaining their first license, complete a hunter education course, pass a written exam, and attend a field session. Hunting safety and regulations are a major component of this hunter education program.

We recognize that several refuge neighbors would like us to continue to post and maintain area closed signs to help ensure that hunters do not hunt within the restricted areas or on private property. As discussed above, all hunters are required by New Jersey State to complete a hunter education course, including passing a written exam, before obtaining their first license. Rules and regulations on hunter safety, including restrictions around occupied buildings and not trespassing on private property, are a major component of the hunter education courses. Therefore, every hunter has been notified that they have the responsibility to comply with State laws and regulations regarding restricted hunting around occupied buildings and not trespassing on private property. Because of this and to be consistent with management actions at Cape May NWR (which is in the same state and under the same refuge manager), we do not intend to post or maintain signs marking the restricted area. To address risks of hunters trespassing onto neighboring property, refuge staff will continue to post and maintain refuge boundary signs.

Comment: One commenter requested banning the use of lead shot and sinkers on the refuge because of potential health risks to wildlife (especially fish and birds) and people that consume harvested wildlife.

Response: As stated previously, whenever practicable we comply with State laws and regulations regarding public use, including hunting and fishing. Currently, New Jersey State waterfowl hunting regulations and Federal waterfowl hunting regulations (50 CFR 20.108) require the use of non-toxic shot and deer hunting is bow hunting only on the refuge. Therefore, lead shot is not permitted for deer or waterfowl hunting on Supawna Meadows NWR. New Jersey State has jurisdiction over open tidal waters in the State, where most fishing occurs. In refuge waters, we currently follow State regulations and lead sinkers are currently permitted for fishing. We have noted the comment and will reevaluate the use of lead sinkers in refuge waters when we revise our fishing plan.

Comment: One commenter requested that there be a policy or regulation for hunters to remove temporary stands for hunting each day because they are sometimes left up for the entire hunting season.

Response: We understand the interest in ensuring fair access to hunting areas on the refuge. It is not our intent for hunters to leave portable stands in place on the refuge throughout the hunting season. However, as stated previously, according to National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) and the Code of Federal Regulations (43 CFR 24.4(e)), Congress has required us to be consistent with State laws and regulations governing public use “to the maximum extent

practicable.” Current State regulations do not require hunters to remove portable stands daily in Hunt Zone 63, and we believe it is practicable to comply with State regulations. In addition, it would require additional law enforcement for us to implement this type of regulation.

Comment: One commenter requested clarification on whether hunting would be allowed on any new properties under the chosen alternative.

Response: As described in the chapter 4, goal 4 (see also map 4.2, page 4-52), we intend to open the Tract 48 (AID) property and refuge lands in Mannington Meadows (east of Route 49) to hunting and fishing. We intend to open any additional lands acquired to deer hunting. Before we can open any new lands to hunting, we must complete additional analyses and provide opportunities for public review and comment to comply with NEPA.

Comment: One commenter suggested we are “focusing time” attracting hunters instead of focusing on attracting wildlife observation when wildlife observers outspend hunters significantly.

Response: The six priority public uses for the Refuge System include both consumptive (hunting and fishing) and non-consumptive (wildlife observation, photography, and environmental interpretation and education) activities. The Refuge System Improvement Act does not specify a priority order to the six priority uses. It is established in Service policy (603 FW 2) that the refuge manager must evaluate the compatibility of these priority activities in developing refuge programs. The process to make compatibility determinations is defined in this same policy. It considers the impacts of the activities on refuge resources and the impacts among and between other uses on the refuge. The consideration of how much a particular use contributes to the local economy is not part of the evaluation.

Land Acquisition (Letter ID#: 1, 2)

Comment: One commenter requested information about the status of the acquisition of the Sinnickson property including when the Sinnickson property was going to become part of the refuge and if the \$54,000/acre for 14,500 acres was worth the price.

Response: To date, the property generally referred to as the Sinnickson property has not been acquired by the Service. The property is currently in the ownership of The Conservation Fund, a non-profit organization devoted to the protection and conservation of valued wildlife habitat and open space. The Conservation Fund is in the planning process for restoring wetland and grassland habitat on this property with the intent that the property will be deeded over to the U.S. Fish and Wildlife Service as part of Supawna Meadows NWR upon completion of the restoration project. Acquisition of lands by the Service is based on appraised values established at the time of the land purchase agreement. We may acquire lands for less than the appraised market value if the owner is willing, but Federal law prevents us from acquiring lands or interests for more than their appraised market value.

Comment: One commenter asked how the Service intends to acquire property west of Highway 49 and asked if eminent domain would be used.

Response: As specified in chapter 3 of the draft CCP/EA and chapter 4 of the final CCP, the Service will continue to acquire property and interests in property only from willing sellers. This would apply to all lands within the approved acquisition boundary. We will not buy lands or easements if the owners are not interested in selling, and so do not use eminent domain except occasionally, when, with the agreement of the landowner, it may be used as a legal mechanism to clear up a defect in legal title and permit a sale from an otherwise willing seller.

Comment: One commenter wanted to know if there were any plans to expand the current acquisition boundary.

Response: At this time, we have no plans to expand the current acquisition boundary. As stated in alternative B of the draft CCP/EA and in the final CCP (goal 2, objective 2.1), we intend to re-evaluate the refuge's current acquisition boundary because much of what is currently within the refuge boundary will likely be under water in the next 50 to 100 years. Any proposed changes to the refuge's acquisition boundary resulting from this process would be subject to further analysis and review under NEPA.

Comment: One commenter opposed any additional land acquisition because of the refuge's current difficulty of managing the existing acreage.

Response: We respectfully disagree. Habitat loss continues to be one of the greatest risks to sensitive species. Once land is developed, it is difficult to reestablish it as valuable habitat for plants and animals. While many lands would benefit from additional habitat management, including refuge lands, we believe that conserving natural areas and ecosystem functions through land protection is beneficial to fish, wildlife, plants and people.

Comment: One commenter suggested that Supawna Meadows NWR be administratively complexed with John Heinz NWR at Tinicum, primarily because it is geographically closer to Supawna Meadows NWR.

Response: Comment noted. In the past, Supawna Meadows NWR was administratively complexed with John Heinz NWR. Decisions about which refuges will be complexed and how refuges will be complexed are based on a variety of factors including staffing, budget constraints, proximity to other refuges in the complex, State jurisdictions, and others.

Alternatives

Alternative B **(Letter ID#: 1, 8)**

Comment: One commenter would like to know what species in alternative B are the focuses of conservation.

Response: The priority focal species are based on the establishing purposes of the refuge as outlined in chapter 1 of both the draft CCP/EA and final CCP, which identifies the refuge as a use an inviolate sanctuary for migratory birds [Migratory Bird Conservation Act (16 U.S.C. 715 D)]. The primary species that are the focus of conservation under alternative B of the draft CCP/EA are Pea Patch Island colonial-breeding wading birds, secretive marsh birds, migratory waterfowl, shorebirds, and other birds of conservation concern. Examples of such birds include great blue heron, glossy ibis, great egret, and American black duck. For more detailed information of focal species by habitat, refer to the habitat management goals 1, 2, and 3 in the final CCP in Chapter 4, Management Direction and Implementation. Please refer to appendix A of the final CCP for a more complete list of species of concern for Supawna Meadows NWR.

Comment: Two commenters supported alternative B. One commenter would like to see alternative B with emphasis on environmental education.

Response: We appreciate the support for alternative B, our preferred alternative. We have noted the interest in emphasizing environmental education. In 2006, the Service completed a visitor services regional analysis to help refuges address providing opportunities for the six priority public uses identified in the Refuge Improvement Act. This analysis identified wildlife observation and photography

as the areas of emphasis for Supawna Meadows NWR. While these priority uses will continue to be emphasized, we agree that environmental education at the refuge is important. We outline how we plan to increase environmental education efforts under goal 4, objective 4.4 in the final CCP.

Alternative C
(Letter ID# : 2, 3, 4, 7, 8)

Comment: Several commenters opposed alternative C. Friends of Supawna Meadows NWR commented that “[alternative C] does not meet the mission of the refuge system and even though [the draft CCP/EA] states that it ‘partially’ meets the purpose for the agency, we feel that ‘partial’ is the same as failure.” Another commenter asked why we even included alternative C.

Response: We agree that alternative C does not best meet the mission of the Refuge System. It would at least partially meet the refuge’s purposes and vision, but would fail to meet a majority of the goals and does not best respond to issues raised during public scoping and comment periods. As discussed in chapter 3, alternative C of the draft CCP, we included this alternative because budget constraints could force its selection.

Comment: One commenter supported alternative C (closing the refuge) until more funding became available to manage it.

Response: As discussed in chapter 4 of the draft CCP/EA, closing the refuge and ceasing all management as proposed under alternative C would have substantial negative effects on refuge habitat and wildlife and would eliminate opportunities for wildlife-dependent recreation on the refuge. Invasive species would be allowed to spread unchecked, early-successional habitat would be lost through succession, and the refuge would be more vulnerable to trespassing, poaching, and vandalism. As stated above and in chapter 3 of the draft CCP/EA, we believe alternative C would fail to meet the majority of the goals identified in our purpose and need for agency action (that is, developing a CCP). Please see chapter 4 of the draft CCP/EA for a more thorough discussion of the effects associated with implementing alternative C.

Refuge Administration

Administrative
(Letter ID#: 2, 4)

Comment: Two commenters were concerned about funding and stated that additional funding would be needed if alternative B were to be implanted. One commenter asked where funding comes from.

Response: We agree that funding is critical to the successful implementation of alternative B. Funding is allocated to the Service, as well as other government agencies, by the U.S. Congress on an annual basis as part of the Federal Government’s appropriations process. These allocations are distributed to all the regions of the Service and further distributed by the Refuge System’s Regional Headquarters to individual refuges. Any additional funding would come from the annual allocations by Congress or redistribution of funds within the region from the Refuge System program.

Comment: One commenter requested clarification on whether the new maintenance worker was part of the proposed staffing, especially in regard to habitat management needs (e.g., grassland mowing).

Response: As specified in chapter 3 of the draft CCP/EA, alternative B, and in appendix C of the draft CCP/EA and the final CCP, a new maintenance worker is part of the proposed staffing for Supawna Meadows NWR. Filling this position is depended on funding.

Facilities

(Letter ID#: 2)

Comment: One commenter wished to know more about the plans for the house off Lighthouse Road and for the barn.

Response: As discussed in chapter 4 of the final CCP, we intend to demolish all buildings with the exception of the refuge office, associated garages, the (bat) barn, the intern house on Route 49, and Finns Point Rear Range Light. It is our understanding that the two buildings referred to by the commenter are what we call the Yerkes House and the (bat) barn. Because of its value as a roosting site for bats, we intend to maintain the bat barn. Because of its extreme state of disrepair and vulnerability to vandalism, we intend to demolish the Yerkes House. We will continue to work with the New Jersey Historic Preservation Office and the Service's regional archaeologists to ensure compliance with section 106 of the National Historic Preservation Act and all other applicable State and Federal laws and regulations.

Comment: One commenter suggested investigating whether chemical companies and the U.S. Army Corps of Engineers are polluting the refuge.

Response: We are unaware of any illegal activities by the U.S. Army Corps of Engineers or chemical companies that would affect refuge resources. We would need more specific information to pursue any kind of investigation.

Planning Process and Policy

CCP Process

(Letter ID#: 1, 2, 3, 8)

Comment: There were a few comments related to the CCP process requesting clarification on the next steps including the approval process.

Response: The planning team reviews and responds to all of the substantive comments submitted on the draft CCP/EA. The planning team then decides on any changes that need to be made to the document. We submit the document with our recommendation on the preferred alternative to the U.S. Fish and Wildlife Service's Regional Director. In this case, the preferred alternative is alternative B. The Regional Director then reviews the document, the public comments, and the planning team recommendation. After reviewing this information, the Regional Director decides which alternative, or parts of the alternatives, to select as the final CCP. Based on the Regional Director's decision, the planning team prepares the final CCP, and a NEPA decision document, a Finding of No Significant Impact. A Notice of Availability is published in the *Federal Register* when the NEPA decision document has been signed and the final CCP is ready for distribution. We notify stakeholders when the final CCP is available through the *Federal Register* notice, a newsletter, and through the Supawna Meadows NWR planning Web site. The final CCP will be ready to implement 30 days after the Notice of Availability is published in the *Federal Register*.

Comment: The same commenter asked, once an alternative is selected, can the Service later switch to another alternative and what would be the process for that?

Response: The Service can decide to re-evaluate the CCP at any time provided changes are advisable, but CCPs need to be re-evaluated at least every 15 years. Minor revisions likely would not require additional public notification. If major changes are proposed, a separate EA or Environmental Impact Statement (EIS) on the specific changes, or a complete revision of the CCP would need to be conducted.

Complete revisions of the CCP would go through the same process of scoping, issues identification, developing alternatives, etc.

Comment: One commenter expressed that public comments are not taken into consideration for the final draft of NEPA documents and in Service policies.

Response: The Service is committed to involving the public, state agencies, our partners, other Federal agencies, Tribal governments, and other organizations in developing CCPs for national wildlife refuges. We make every effort to identify issues during our scoping process so they can be addressed in the CCP. We considered and respond herein to every substantive comment we received during the comment period. After considering comments, we have made changes to the final CCP where deemed appropriate. A summary of the substantive changes we have made to the document is presented at the beginning of this appendix. Where we have not implemented recommendations we have explained the reasons, whether rooted in law, regulation, policy, or other management consideration, for not doing so.

Comment: There were two comments regarding the public meeting. One commenter wanted to know if we were legally required to hold one or more public meetings. One commenter opposed the location, viewing it as biased towards a particular interest group.

Response: Public participation is crucial to the planning process and legally required under the Refuge System Improvement Act and NEPA. Public participation can take many forms. We are not legally required to hold public meetings, we believe holding one or more meetings facilitates public involvement with the CCP process, including comments on the draft CCP/EA. Public meetings assist the planning team in identifying any additional concerns of the public with the management of the refuge and allows for modifications in the plan as warranted. Please refer to chapter 2 of the final CCP for more details regarding our planning process. We respectfully disagree that our choice for the public meetings was biased towards any interest group. The locations chosen for public meetings are based on proximity to the community near the refuge, site availability, handicap accessibility, and facility accommodations. This venue fulfilled all of these requirements.

Comment: One commenter expressed concern over the use of outdated material for research in documenting our rationale for our hunt program.

Response: The Service is directed by the Department of Interior Information Quality Guidelines as published in the *Federal Register* (67 FR 8452) to use the best available science and supporting studies conducted in accordance with sound and objective scientific practices, including peer-reviewed studies where available. We believe that we have used the best available science and our best professional judgment to develop and manage our hunt program to protect wildlife and habitat first and to provide a quality hunt experience second. For specific information on our hunt program and effects, please refer to chapter 4, goal 4.1 in the final CCP, Chapter 4, Environmental Consequences in the draft CCP/EA, and the compatibility determinations in appendix B in the final CCP.

Attachment 1-Letter ID Numbers and Respondents

Letter ID Number	Name or Public Meeting Date and Time
1	October 12, 2010 2-4 p.m. meeting
2	October 12, 2010 6-8 p.m. meeting
3	Ms. Barbara Sachau
4	Mr. Nicholas C. Mesogianes
5	Mr. Stan Kite
6	Mr. John Jaeger
7	Ms. Judy Orshipp
8	Mr. John Wilmot-The Friends of Supawna Meadows NWR, Inc.-President
9	Director David Chanda, New Jersey Department of Environmental Protection (DEP), Division of Fish and Wildlife
10	Ms. Deidre Meehan
11	Ms. Meghan Mac Williams Barrata, New Jersey DEP Historic Preservation Office