

# **Pre-acquisition Compatibility Determination**

## **Title**

Pre-acquisition Compatibility Determination for Wildlife Observation and Photography on the Great Thicket National Wildlife Refuge (Pachaug-Ledyard Focus Area)

## **Refuge Use Category**

Wildlife Observation and Photography

## **Refuge Use Type(s)**

Wildlife Observation and Photography.

## **Refuge**

Great Thicket National Wildlife Refuge Pachaug-Ledyard Focus Area

## **Refuge Purpose(s) and Establishing and Acquisition Authority(ies)**

Purposes related to “the development, advancement, management, conservation, and protection of fish and wildlife resources” (Fish and Wildlife Act) and the Endangered Species Act (16 U.S.C. 1531) states that it is the policy of Congress that all Federal departments and agencies shall seek to conserve endangered and threatened species.”

Great Thicket National Wildlife Refuge (NWR, refuge, GTNWRPL focus area) is managed by the U.S. Fish and Wildlife Service (Service, USFWS) and the establishment and acquisition authorities for the refuge are: the Endangered Species Act of 1973 (16 U.S.C. 1534), as amended, and the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j), as amended.

## **National Wildlife Refuge System Mission**

The mission of the National Wildlife Refuge System, otherwise known as Refuge System, is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans (Pub. L. 105-57; 111 Stat. 1252).

## Description of Use

Is this an existing use?

No

This pre-acquisition compatibility determination is being developed in accordance with Service policy found in the Service policy chapter 603 FW 2 Compatibility section 2.17 paragraph A. This paragraph states in part “When we add lands to the National Wildlife Refuge System, the refuge manager assigned management responsibility for the land to be acquired, will identify prior to acquisition, withdrawal, transfer, reclassification, or donation of those lands, existing wildlife-dependent recreational public uses (if any) determined to be compatible that we will permit to continue on an interim basis, pending completion of the comprehensive conservation plan. The purpose of this policy is to inform the public, prior to acquisition, which pre-existing wildlife-dependent recreational public uses will be allowed to continue on newly acquired lands. Such decisions must be based on the compatibility standards and procedures outlined in 603 FW 2.”

These uses are consistent with the 2016 Great Thicket National Wildlife Refuge Land Protection Plan/Environmental Assessment and Finding of No Significant Impact of the Environmental Assessment, dated October 13, 2016.

What is the use?

The uses are wildlife observation and photography. Visitors access the refuge and conduct these uses by walking, hiking, snowshoeing and cross-country skiing.

Is the use a priority public use?

Yes

Wildlife observation and photography are priority public use of the Refuge System under the Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the Refuge System Improvement Act of 1997 (Public Law 105-57), when found to be compatible.

Where would the use be conducted?

Wildlife observation and photography would be allowed on all units of the Great Thicket NWR in the Pachaug-Ledyard focus area of Connecticut, encompassing up to 3,500 acres (see the focus area map, Figure 1, of this document).

These uses would be confined to established trails and observation platforms. Closed areas would generally not be open for these uses but may be utilized to

pursue them on a case-by-case basis, with the issuance of a special use permit (SUP), or in the company of a refuge staff member. Permittees would be required to follow the conditions outlined in the permit.

Allowable forms of access may include walking, hiking, snowshoeing and cross-country skiing. Entry to any or all portions of the Great Thicket NWR in the Pachaug-Ledyard focus area would be suspended in the case of unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety. Any closures would be accompanied by appropriate signage and notifications.

Areas that would be open to the public for these priority uses would be evaluated by staff on an annual and seasonal basis. Seasonal closures would vary year-to-year, based on wildlife use and habitat conditions. Signs would be erected to inform visitors to stay out of closed areas to minimize wildlife impacts. Updates on closures would be available at the Stewart B. McKinney NWR headquarters and on the refuge website. Visitors are expected to comply with area closures.

Pets would be allowed on specifically designated trails, and they would be required to be controlled by their owners at all times, on a leash of no more than 7 feet. Pet owners would be required to remove and properly dispose of pet waste left by the pet. The provision to allow pets on the refuge would be periodically evaluated for compatibility and checked for compliance.

#### When would the use be conducted?

Wildlife observation and photography would be allowed one ½-hour before sunrise to one ½-hour before sunset, every day.

#### How would the use be conducted?

Wildlife observation and photography would generally be self-guided activities. Visitors enter the refuge at designated public entry points.

Trail maps and information sheets would be updated regularly and made available to the public on the refuge website and at on-site kiosks, as available.

The existing infrastructure and amenities available to users on acquired lands would vary depending on the parcel. There may be existing, informal parking areas (pull-offs along roads) and access points. In order to improve access for wildlife observation, photography and other visitor activities in the future, parking lots or other support amenities may be developed on some sites to facilitate visitor activities.

Wildlife observation and photography opportunities would be reviewed annually, or as needed, to assess visitor services effectiveness.

## Why is this use being proposed or reevaluated?

The Refuge System Improvement Act identifies wildlife observation and photography as priority public uses that, if compatible, are to receive enhanced consideration over other general public uses. Offering wildlife observation and photography at the Great Thicket NWR in the Pachaug-Ledyard focus area lands in Connecticut would facilitate public enjoyment of and advocacy for the refuge, the Refuge System, and the Service mission. Allowing these priority public uses on the refuge would allow the Service to partially meet one of the refuge's purposes.

These priority uses would provide opportunities for visitors to observe and learn about wildlife and wild lands in both structured and unstructured environments, and to observe wildlife in their natural habitats. These uses would provide visitors the chance to enjoy refuge resources and gain a better understanding and appreciation of fish and wildlife, wild lands ecology, the relationships of plant and animal populations in an ecosystem, and wildlife management. These activities would help visitors better understand how people affect wildlife and other natural resources and demonstrate the Service's role in conservation and restoration.

Photographers would gain opportunities to photograph wildlife in its natural habitat. These opportunities would increase the publicity and advocacy of Service programs. Photography would provide a safe, outdoor recreation in a scenic setting, and entice those who come strictly for recreational enjoyment to participate in the educational facets of our public use program and become advocates for the refuge and the Service.

## Availability of Resources

Visitors that come to participate in wildlife observation and photography would access the area via public roads. Parking lots and hiking trails may be present or developed in the future on some sites to facilitate these uses. Boundary markers would also be necessary to prevent inadvertent trespass on adjacent private land. The Great Thicket NWR Pachaug-Ledyard focus area in Southeast Connecticut is administered by staff from the Stewart B. McKinney NWR, which is part of the Silvio O. Conte National Fish and Wildlife Refuge Complex. Refuge staff time to administer the uses of wildlife observation and photography on the refuge would involve providing information to users, marking and maintaining trails and boundaries, annual review of the visitor services program, and other related duties, with costs estimated in Table 1.

**Table 1. Anticipated Annual Administrative Costs Associated with Wildlife Observation and Photography on Great Thicket NWR in the Pachaug-Ledyard Focus Area.**

<b>Refuge Operations</b>	<b>One-time Cost</b>	<b>Recurring Annual Expenses</b>
Refuge Staff Administration	\$0	\$10,000
Boundary Marking	\$0	\$3,000
Maintaining facilities such as trails, refuge signs, wildlife viewing and photography blinds, etc.	\$0	\$6,000
Informational brochures, Interpretation and waysides exhibits	\$0	\$6,000
<b>Total one-time expenses</b>	<b>\$0</b>	
<b>Total recurring annual expenses</b>		<b>\$25,000</b>
<b>Offsetting revenues</b>	<b>-\$0</b>	<b>-\$0</b>
<b>Total expenses</b>	<b>\$0</b>	<b>\$25,000</b>

**Anticipated Impacts of the Use**

The effects and impacts of the proposed use to refuge resources, whether adverse or beneficial, are those that are reasonably foreseeable and have a reasonably close causal relationship to the proposed use. This pre-acquisition CD includes the written analyses of the environmental consequences on a resource only when the impacts to the resource could be more than negligible and therefore considered an “affected resource.” Habitat/Vegetation, Threatened and Endangered Species, Geology/Soils, Air Quality, Water Quality, Cultural resources, Socio-economic will not be more than negligibly impacted by the action and have been dismissed from further analyses.

**Potential impacts of a proposed use on the refuge's purpose(s) and the Refuge System mission**

The uses outlined in this pre-acquisition CD are two of the six priority public uses outlined in the Refuge System Improvement Act. These uses support the mission of the Refuge System and the purposes for which the Great Thicket NWR was established. Under this pre-acquisition CD, these uses, Wildlife Observation and Photography, will be allowed if the use was occurring on the parcel prior to

acquisition by the Service, provided the use meets the stipulations outlined in this CD as well.

### Short-term impacts

This pre-acquisition CD continues wildlife observation and photography on parcels acquired by the Service provided they occurred at the time of acquisition. There could be some short-term impacts to wildlife which are described under long-term impacts for wildlife.

### Long-term impacts

**Wildlife:** Visitor uses on the refuge could have some short- and long-term adverse impacts to some wildlife populations. However, we would not anticipate any major, long-term impacts on wildlife from allowing these uses because projected levels of use are relatively low, and these uses would only be allowed in designated areas open to the public. Disturbances to wildlife would vary by wildlife species involved and the type, level, frequency, duration, and the time of year activities occur.

Disturbance can cause shifts in habitat use, abandonment of habitat, and increased energy demands on affected wildlife (Knight and Cole 1991). Miller et al. (1998) found bird abundance and nesting activities (including nest success) increased as distance from a recreational trail increased in both grassland and forested habitats. In this study, common species (e.g., American Robin) were found near trails and rare species (e.g., Blackburnian warbler) were found farther from trails. In some cases, there is a clear link between the extent of disturbance and either the survival or reproductive success of individuals (Schulz and Stock 1993), but in many cases disturbance acts in a more subtle way, by reducing access to resources such as food supplies or nesting sites (Gill et al. 1996).

Bird flight in response to disturbance can lower reproductive success by exposing individuals and nests to predators. Evidence suggests that species most likely to be adversely affected are those where available habitat is limited thus constraining them to stay in disturbed areas and suffer the costs of reduced survival or reproductive success (Gill et al. 2001). Species that are sensitive to human disturbance with specialized habitat requirements include bald eagles, peregrine falcons, and American black ducks (Buehler 2000, Longcore et al. 2000, and White et al. 2002). Limiting or closing recreational use within the vicinity of nest sites during the breeding season will mitigate impacts to these species. Hammitt and Cole (1998) found white-tailed deer females with young are more likely to flee from disturbance than those without young. Some species, like warblers, would be negatively affected by disturbance associated with bird watching particularly during the breeding season. For songbirds, Gutzwiller et al. (1994) found that low levels of human intrusion altered the singing behavior of some species.

Disturbance may also affect the reproductive fitness of males by hampering territory defense, mate selection, and other reproductive functions of vocalizations (Arrese 1987). Disturbance, which leads to reduced singing activity, makes males rely more heavily on physical deterrents, which are time and energy consuming in defending territories (Ewald and Carpenter 1978).

Visitors in the company of pet dogs can affect wildlife by the presence of their dogs. Wildlife perceive dogs as predators; ground-nesting birds can be disturbed by dogs and may abandon or lose their nests. Dogs can also chase wildlife. However, the use of leash regulations can minimize these potential effects (CTDEEP – Responsible Recreation).

**Threatened and Endangered Species:** Indiana bats, Northern long-eared bats, piping plover and roseate terns have been documented on or in the vicinity of the proposed Great Thicket NWR in the Pachaug-Ledyard focus area. Wildlife observation and photography are expected to have no impact or minimal adverse impacts on these species given the location and closures which will be in place where these are conducted. Refuge staff will continue to monitor for the presence of threatened or endangered species on the refuge. If they are found on the refuge, closures or other restrictions may be implemented.

**Visitor Use and Experience:** The refuge would be open to other priority public uses of the Refuge System (hunting, environmental education, interpretation, etc.) where found compatible. Conflicts between persons engaged in wildlife observation and photography and hunters could occur, particularly where the uses previously occurred on the same parcel. A no-hunting safety zone would be established around trails to separate users and to keep the public safe. The refuge staff would monitor visitor use and, if circumstances warrant, modify public access such that conflicts are avoided (e.g., restricted hunting zones, enhanced outreach). Because hunting is generally a long-standing use in the area and is dispersed across a larger landscape, it is anticipated that there would be negligible impacts to those individuals participating in these other uses.

Walking leashed pets on designated trails of the refuge, as we propose, would have a minimal impact on resources. It is also consistent with other inland conservation lands and state wildlife management areas in Connecticut (CTDEEP – Responsible Recreation). Pet owners would be responsible for removing and properly disposing of pet waste left by the pet. The provision to allow pets on the refuge would be periodically reviewed and checked for compliance and compatibility.

## Public Review and Comment

This pre-acquisition CD was available for public review and comment for 14 days from February 10, to February 24, 2022. The public was made aware of the public review and comment period by a legal notice published in *The Day* newspaper

which ran in the February 10, 2022 edition. Additionally, on February 8, 2022, refuge staff sent the First Selectmen of the towns of Stonington and North Stonington a copy of the pre-acquisition CD and requested that they post copies of the compatibility determination at the town halls and by other mediums the towns use to reach their citizens. The Mayor of Ledyard and Town Manager of Groton were also sent copies of the pre-acquisition CD with a similar request. Refuge staff sent a copy of the pre-acquisition CD to Trust the Public Land (TPL) which is currently heading a project to acquire land in Stonington for the refuge (known as the Brewster Tract, which borders Al Harvey Road) with a request that TPL make the pre-acquisition CD available to any interested parties. A press release was sent to the following newspapers: *Norwich Bulletin*, *Willimantic Chronicle*, *Hartford Courant*, *The Day*, and to the *Westerly Sun* on February 9, 2022. The press release led to the publication of an article in *The Day* published on February 10, 2022 and the *Westerly Sun* on February 14, 2022. Both articles informed the readers how to access the draft pre-acquisition CD and how to submit comments. A hard copy of the document was made available through the refuge manager. Additionally, an electronic copy was posted on the Stewart B. McKinney NWR website, in a section designated for the Great Thicket NWR.

During the comment period, the refuge received 29 comments concerning wildlife-dependent recreation other than hunting. Most of the comments came via e-mail and two comments were received by phone. One of the telephone commenters requested their phone comment be replaced by a more formal written response. We have summarized all the comments received in Appendix A of this document.

## Determination

Is the use compatible?

Yes

### Stipulations Necessary to Ensure Compatibility

To ensure compatibility with refuge purpose(s) and Refuge System mission, wildlife observation and photography would occur at the Great Thicket NWR Pachaug-Ledyard focus area in accordance with refuge-specific stipulations to ensure that wildlife and habitat management goals are achieved, and that the visitor services program is providing a safe, high-quality experience for visitors. We would evaluate the visitor services program annually and if monitoring indicates that these uses, or any of their components are not compatible (materially interferes with or detracts from fulfillment of the Refuge System mission or the purposes of the refuge), we would curtail, modify, or eliminate the use or component.

The following stipulations would be necessary to ensure compatibility:



1. The refuge is open for wildlife observation and photography one ½-hour before legal sunrise to one ½-hour after legal sunset.
2. Visitors must stay on designated trails and refuge roads at all times.
3. Groups of 20 or more people require a special use permit from staff at Stewart B. McKinney NWR.
4. Organizations cannot conduct wildlife observation and photography programs while charging a fee to participants, unless done through a commercial use permit or a formal agreement with the Service.
5. Pets are allowed on designated trails only. Pets must be held by their owners at all times on a leash no longer than 7 feet. Pet owners are required to remove and properly dispose of pet waste.
6. Vehicles and bicycles are restricted to roads and parking areas only.
7. The refuge is a “leave-no-trace, carry-in-carry-out” out facility. All food containers, bottles, and other waste and refuse must be taken out by users.

### **Justification**

Wildlife observation and photography are priority wildlife-dependent uses for the Refuge System through which the public can develop an appreciation for fish and wildlife (Executive Order 12996, March 25, 1996 and the System Administration Act of 1966, as amended by the Refuge System Improvement Act of 1997 (Public Law 105-57)). The Service’s policy is to provide expanded opportunities for these uses when they are compatible and consistent with sound fish and wildlife management and ensure they receive enhanced attention during planning and management.

These uses should not materially interfere with or detract from the fulfillment of the Refuge System mission or refuge purposes. Area closure limitations outlined in this determination provide maximum protection to sensitive wildlife and habitats. Likely visitor impacts are expected to be minimal as long as participants follow refuge regulations and respect closed areas. Bringing leashed pets on designated trails, with owners responsible for cleaning up after them, is expected to have minimal impact on resources. Participants are expected to gain a greater awareness and appreciation of these sensitive wildlife areas and the importance they have to wildlife and to the Refuge System.

## Signature of Determination

Refuge Manager Signature and Date

## Signature of Concurrence

Assistant Regional Director Signature and Date

## Mandatory Reevaluation Date

This pre-acquisition CD will be revisited by January 31, 2027.

## Literature Cited/References

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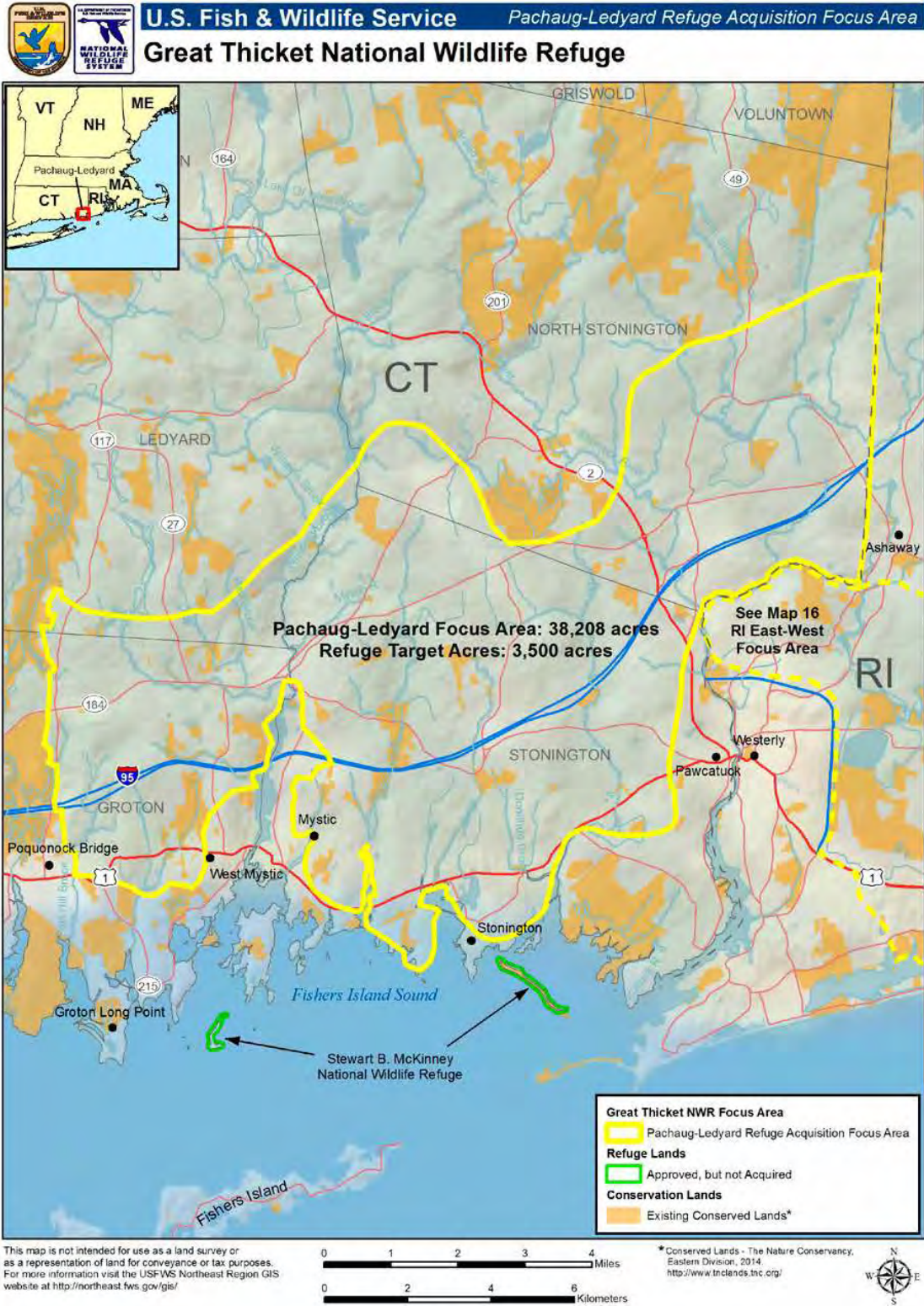
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Figure (1)



## Appendix A

### Comments Received Concerning the Pre-acquisition Compatibility Determination for Wildlife Observation and Photography, and the Service Response

The refuge received 50 comments during the comment period for the three pre-acquisition CDs that we released (interpretation/environmental education, wildlife observation/photography and hunting). Forty-nine of those comments were from the general public, and one was from the State of Connecticut.

After review of all 50 comments, 29 comments were determined to be relevant to wildlife-dependent recreational uses other than hunting in the Pachaug- Ledyard focus area of Great Thicket NWR. All 50 comments are addressed in the pre-acquisition CD for hunting.

As stated in the Public Review and Comment section of this pre-acquisition CD, the 29 comments are summarized below, with responses included.

The table below shows the name of the commenter with an assigned comment number that is used to organize the Service's response to each comment received. In the Service response to comments in the section below, the comment number is included in parenthesis to identify the author of the comment.

Comment: Number	Commenter Name
1	A. Roberts-Pierson
2	R. Polo (Response found in hunting pre-acquisition CD)
3	B. Littman
4	R. Newton
5	J. Friedlander
6	K. Worthington (Response found in hunting pre-acquisition CD)
7	S. Surova (Response found in hunting pre-acquisition CD)
8	T. Downie and D. Motycka Downie
9	M. Burton
10	H. Picazio (Response found in hunting pre-acquisition CD)
11	M. Urgo
12	K. Tomlinson (Response found in hunting pre-acquisition CD)
13	J. Cranfill
14	R. Hunter (Response found in hunting pre-acquisition CD)
15	J. Morris (Response found in hunting pre-acquisition CD)
16	P. McDonald (Response found in hunting pre-acquisition CD)
17	J. and J. Fingerut

18	J. Welch (Response found in hunting pre-acquisition CD)
19	B. Sullivan
20	B. Winholtz (Response found in hunting pre-acquisition CD)
21	S. Cook (Response found in hunting pre-acquisition CD)
22	L. Dunn (Response found in hunting pre-acquisition CD)
23	R. Taylor (Response found in hunting pre-acquisition CD)
24	B. DeMario (Response found in hunting pre-acquisition CD)
25	B. Tassias (Response found in hunting pre-acquisition CD)
26	J. Watson
27	T. Przybysz (Response found in hunting pre-acquisition CD)
28	A. Cravitz (Response found in hunting pre-acquisition CD)
29	N. Doherty
30	T. Albin
31	N. Hackin (Response found in hunting pre-acquisition CD)
32	D. Pollock
33	S. Pollock
34	K. and L. Cassidy
35	A. DeFreitas
36	S. Raffetto
37	J. Guarnaccia
38	J. Fitzpatrick
39	P. Burmahl
40	F. Wiehn
41	T. Pollock
42	F. Ball and M. Gruenfelder
43	J. Swenarton
44	A. Pollock
45	A. Alexander and K. Costello
46	D. Janus
47	J. Hinkle (Response found in hunting pre-acquisition CD)
48	P. DaPhelps (Response found in hunting pre-acquisition CD)
49	T. Phelps (Response found in hunting pre-acquisition CD)
50	Connecticut Department of Energy and Environmental Protection

The purpose of this pre-acquisition CD for wildlife observation and photography is to establish a framework to allow a wildlife-dependent use already occurring on the property prior to acquisition to continue when the property is acquired as part of the Great Thicket NWR in Southeast Connecticut (Pachaug-Ledyard focus area) and until a management plan can be put in place.

Of the 29 public comments which were received concerning the pre-acquisition CD for wildlife observation and photography, 27 concerned lands with frontage along Al Harvey Road in Stonington, CT. Currently, there is a land conservation project being led by the Trust for Public Land to conserve 220 acres of forest habitat (known as the Brewster Tract). Approximately 120 acres would be purchased by the

Town of Stonington and Aquarion Water Company and managed by Avalonia Land Conservancy. The remaining approximately 100 acres would be managed by the Service, as part of the Great Thicket NWR in Southeast Connecticut.

The wildlife observation and photography pre-acquisition CD is designed to encompass all areas which may be acquired for the refuge in the Pachaug-Ledyard focus area. However, we received only two comments concerning the whole focus area.

**1. Comment:** (50) The Director of the Wildlife Division of the Connecticut DEEP supports the Service plans to provide wildlife-dependent recreation on lands acquired as part of the refuge for the benefit of the citizens of Connecticut. DEEP further pointed out that Connecticut is ranked as the 5th highest state in the nation when it comes to hunting safety.

**Response:** We thank the Department for their support of the Service's goal of making refuge lands available for wildlife-dependent recreation to the American people.

**2. Comment:** (1) We received one comment which supports the Service's mission and the ability to pursue wildlife-dependent recreation as part of future refuge operations on the Great Thicket NWR in Southwest Connecticut (Pachaug-Ledyard focus area). The commenter did oppose hunting in the focus area. Comments received concerning hunting are addressed in the pre-acquisition CD for hunting on the Great Thicket NWR, that was also available for public comment during the same time period.

**Response:** We thank you for your support. By allowing the public to continue to engage in wildlife-dependent recreational activity, including wildlife observation and photography, the public will gain a greater awareness and appreciation for these sensitive wildlife areas and the importance they have to wildlife, the Refuge System, and to the American people.

**Note:** We received 27 comments concerning wildlife-dependent recreational activity other than hunting associated with the Brewster Tract with frontage along Al Harvey Road in Stonington, CT. These comments are addressed below.

**3. Comments** (5, 11, 35, 36, 37, 38, 39, 40, 45, 46) We received 10 comments which expressed general support for the Service to obtain approximately 100 acres of the Brewster Tract with frontage along Al Harvey Road in Stonington, CT.

**Response:** We appreciate the support and believe the acquisition of the Brewster Tract will assist the Service in fulfilling the purpose of the Great Thicket NWR.

**4. Comment:** (3, 9, 17, 29, 32, 33, 34, 41, 43) We received nine comments which supported wildlife-dependent recreational activities that would occur on the Brewster Tract with frontage along Al Harvey Road in Stonington, CT. Eight of the

comments opposed using the property for hunting activities. One supported hunting; however, limiting the methods used. Comments received concerning hunting are addressed in the pre-acquisition CD for hunting on the Great Thicket NWR, which had the same comment period.

**Response:** We thank you for your support. By allowing the public to continue to engage in wildlife-dependent recreational activity, including wildlife observation and photography, the public will gain a greater awareness and appreciation for these sensitive wildlife areas and the importance they have to wildlife, the Refuge System, and to the American people.

**5. Comment:** (4, 8, 13, 19, 26, 30, 43) We received seven comments which supported wildlife-dependent recreational activities including hunting on the Brewster Tract with frontage along Al Harvey Road in Stonington, CT. Comments concerning hunting are addressed in the pre-acquisition CD for hunting on the Great Thicket NWR, which had the same comment period.

**Response:** We thank you for your support. By allowing the public to continue to engage in wildlife-dependent recreational activity, including wildlife observation and photography, the public will gain a greater awareness and appreciation for these sensitive wildlife areas and the importance they have to wildlife, the Refuge System, and to the American people.

**6. Comment:** (42, 44) We received two comments concerning safe access to the Brewster Tract from Al Harvey Road.

One comment received stated there have been automobile accidents along Al Harvey Road, and in one case, the accident led to the loss of life. Additionally, the commenter indicated that the operators of vehicles along Al Harvey Road “regularly and dangerously exceed the posted speed limit” and that our providing a parking area may further affect safety concerns along the roadway due to the possible increase in traffic flow. The commenter pointed out there is already heavy use of the road by bicyclists and pedestrians walking along the roadway, which adds to safety concerns.

The commenter pointed out that the pre-acquisition CD calls for persons engaging in wildlife-dependent recreational activities to use informal parking such as the shoulder of the road, which they believe is a safety concern. In addition, there was a concern for the safety of wildlife crossing the road. The commenter questions what organization would field complaints regarding observed infractions and related safety concerns.

**Response:** Al Harvey Road in Stonington, CT is a major secondary road that connects State Highway CT-184 and State Highway CT-234. Both State Highways are primary roads allowing east-west travel with intersections on interstate I-95. Responsibility for traffic enforcement on Al Harvey Road is within the authority and



jurisdiction of the Town of Stonington and the State of Connecticut. If safety concerns develop from visitation to refuge land occurs, the refuge manager can be contacted. In coordination with local officials, the refuge manager will work to address those safety concerns.

There is already an informal access point located along Al Harvey Road which has been used by the public to access the Brewster Tract. The shoulder of the road in the immediate vicinity of the informal access site is wide enough to park a vehicle completely off the roadway and onto the shoulder of the street. This informal parking area allows access to a well-developed trail system on the Brewster Tract. To improve the site for all visitor access, the Service may construct a small formal parking facility to accommodate off-street parking. If any safety issue arises due to public use of informal parking, the refuge manager would work with local authorities to address the safety concerns.

Because Al Harvey Road is a well-used secondary route within the Town of Stonington, we do not anticipate residents of the area would notice any increase of traffic due to visitors visiting the refuge lands. Due to the location of the access point on Al Harvey Road, we do not anticipate any increase in use of the road by bicyclists or pedestrians to be prompted by refuge visitation.

One of the commenter's safety concerns regarding Al Harvey Road access was that Avalonia Land Conservancy would be acting as the "refuge manager." This statement is incorrect. Lands added to Great Thicket NWR in southeast Connecticut would be managed by the Service, specifically the staff and refuge manager of the Stewart B. McKinney NWR in Westbrook, CT.

**7. Comment:** (42) The commenter was concerned about Avalonia Land Conservancy's responsibility for policing and enforcing the stipulations in the pre-acquisition CD.

**Response:** As stated above, the approximately 100 acres of the Brewster Tract purchased by the Service would be managed as a unit of the Refuge System with local management provided by the refuge manager and staff stationed at Stewart B. McKinney NWR in Westbrook, CT. The Service has Federal Wildlife Officers, with law enforcement and arrest authority, who would patrol the land. The stipulations within the pre-acquisition CD do not apply to lands that would be managed by Avalonia Land Conservancy.

**8. Comment:** (42) The commenter was concerned about the accuracy of the annual administrative costs associated with managing the activities outlined in the pre-acquisition CD, and the availability of funding for refuge management purposes.

**Response:** The amount of \$25,000 was determined by comparing the cost of similar activities which have been conducted on the Stewart B. McKinney NWR. Because this same type of activity occurs at the McKinney NWR, and due to the pace of land

acquisition for the refuge, we believe this is a realistic cost estimate to use. The Service, as a Federal agency, receives budget allocations through an act of Congress.

**9. Comment:** (41) The commenter does not believe it is clear within the pre-acquisition CD what agency would be responsible for the acquisition and long-term management of the refuge. Additionally, the commenter believes waiting 5 years to address concerns of ongoing refuge operations would be too long to address pressing issues.

**Response:** As stated in the “Refuge Purpose(s) and Establishing and Acquisition Authority(ies)” section of the pre-acquisition CD, “Great Thicket NWR is managed by the U.S. Fish and Wildlife Service.” Specifically, Great Thicket NWR will be managed by the refuge manager and other Service staff located at the Stewart B. McKinney NWR in Westbrook, CT. Anyone concerned about the operations of the refuge should address those concerns to the refuge manager. The reference to 5 years is for the purpose of developing a new compatibility determination for activities on the refuge. However, as indicated in the pre-acquisition CD, the refuge manager can make immediate changes to address operational necessities, resource, and safety concerns. There is no requirement to wait 5 years to address these immediate concerns.

**10. Comment:** (42) The commenter indicates that in the pre-acquisition CD for wildlife observation and photography that some statements within the document are not “relevant to this area and/or appear to be incorrect information.”

**Response:** As stated above, this pre-acquisition CD is for the entire focus area and not just for the Brewster Tract with access along Al Harvey Road in Stonington, CT. However, the document does establish the framework the Service will utilize to continue wildlife-dependent recreation on the Brewster Tract after the Service acquires the property. In that context, the document is accurate.

**11. Comment:** (42) The commenter pointed out that one of the stipulations stated that no pets were allowed on the refuge. The commenter further explained that people in the area (southeast Connecticut) are allowed to bring their dogs with them while outdoors at most public lands. The commenter believes the stipulation not allowing pets would be “unduly harsh, unreasonable, and discriminatory.” The commenter also pointed out that conserved lands usually require pets to be leashed.

**Response:** Upon further research, the Service determined that all state conserved lands within the Pachaug-Ledyard focus area allow dogs that are physically controlled by leash no greater than 7 feet. DEEP, which manages those state lands, acknowledges that pets do have effects on wildlife. These effects could include “dogs... are perceived by wildlife as predators, no different than foxes or coyotes.

Ground-nesting birds are easily disturbed by dogs and may abandon or lose their nests if constantly disturbed. Dogs also chase wildlife."

In order to minimize the effect dogs have on wildlife, DEEP has leash regulations for all state forests, state parks and wildlife management areas. Visitors to state conservation areas listed above must have their dog on a leash no greater than 7 feet and must remove and properly dispose of any pet waste (the leash regulation does not apply to dogs actively being use in hunting activities on State wildlife management areas). There are only four State parks that ban all dogs from the property. These parks are shoreline parks which provide nesting habitat for shorebirds. The focus area does not include nesting habitat for shorebirds.

In order to be consistent with other conserved lands in the focus area, the refuge will adopt the same leash regulations that are currently in effect on state lands to protect the wildlife resources on lands to be acquired for the Great Thicket NWR in the focus area. Please see the stipulations section of this pre-acquisition CD for further information.

**12. Comment:** (4) One commenter would like to see the modification of the requirement that organizations charging a fee would have to get a commercial use permit. The commenter points out that non-profit organizations that run summer camps that have fees would most likely visit these properties.

**Response:** It is not the intent of the Service to charge a commercial use permit fee to non-profit organizations operating outings for their membership. A commercial use permit fee would be for organizations or individuals charging a direct fee for services related to wildlife-dependent recreational activities on refuge property, such as acting as a wildlife guide.

**13. Comment:** (42) One commenter asked multiple questions and made additional comments in an electronic version of the draft pre-acquisition CD by editing the file with red text to leave a comment or ask a question.

**Response:** The following are responses to the comments and questions raised within the draft pre-acquisition CD.

a. **Comment:** Where is the location and how do we contact the visitor services management?

**Response:** Please see response to comment number 9, above.

b. **Comment:** For the tract, how are trails going to be constructed? How many miles are anticipated?

**Response:** As stated above, this pre-acquisition CD is for all lands that may be acquired in the entire Pachaug-Ledyard focus area. When there is a need to construct or repair trails, we will follow industry standards. For the Brewster Tract, there is already a well-developed trail system which would be utilized to

support wildlife-dependent recreation.

c. Comment: Are there going to be multiple kiosks or just one at the parking area?

Response: As stated above, this pre-acquisition CD is for all lands that may be acquired in the focus area, so the number of parking lots and kiosks which would be needed to facilitate visitation is not known. Where appropriate we provide informational signage at points near existing and future parking areas and pedestrian access points. This signage would provide information upon entering the refuge, including information visitors may need to safely enjoy their visit.

d. Comment: Al Harvey Road is a narrow scenic road with no shoulders and pull-offs would be dangerous and invasive to the local area.

Response: Please see the response to comment number 6, above.

e. Comment: The commenter asked if there were going to be multiple entrance points or a single one for all activities.

Response: As stated above, this pre-acquisition CD is for lands that may be acquired in the focus area, so the number of parking facilities cannot be determined at this time. For the Brewster Tract, we would anticipate only providing one parking area.

f. Comment: Can the parking lot be only for cars and SUVs? Parking for buses would be totally out of character for this area.

Response: As stated above, this pre-acquisition CD is for all lands that may be acquired in the focus area, so the number, size or capacity of future parking has not been determined. For the Brewster Tract, a formal parking facility would depend on visitor demand and refuge operational needs. However, it is not anticipated that a future parking facility would accommodate more than ten vehicles.

g. Comment: The commenter asks what amenities may be provided to visitors.

Response: As stated above, this pre-acquisition CD is for all lands that may be acquired in the focus area, so the types of amenities depend on the operational needs of the refuge, including interpretive and environmental education goals. Common amenities that might be provided include wildlife viewing blinds, kiosks, wayside exhibits, viewing scopes, self-guided nature trails, etc.

h. Comment: The commenter inquired who is a visitor service manager, where is this job located, and what is the role?

Response: Please see the response to comment number 9, above. A visitor services manager assists the refuge manager in providing wildlife-dependent

recreation, including wildlife observation and photography, to refuge visitors and partners on units of the Refuge System. The position is located in Westbrook, CT.

i. Comment: The commenter believes that wildlife observation and photography should be prioritize over hunting.

Response: The Refuge System Improvement Act of 1997 (Public Law 105-57) does not prioritize the six wildlife-dependent recreational activities.

j. Comment: The commenter stated the anticipated annual administrative cost seems to be outdated and generally low.

Response: Please see the response to comment number 8, above.

k. Comment: The commenter does not feel hunting is compatible in this area while wildlife observation and photography activities are occurring at the same time and on the same tract of land.

Response: As indicated in the pre-acquisition CD, a “no hunting safety zone” would be established around trails to separate user groups. To keep the public safe, refuge staff would monitor visitor use and, if the circumstances warrant it, take action to protect the public and reduce conflicts between user groups by restricting hunting, enlarging safety zones, increasing signage, or enhancing outreach to visitors.

l. Comment: The commenter requests additional information about the refuge staff that would be managing the Great Thicket NWR in Southeast Connecticut.

Response: Service staff stationed at Stewart B. McKinney NWR will have the responsibility of managing Great Thicket NWR in Southeast Connecticut. The staff includes the refuge manager, visitor services manager, wildlife biologist, facilities assistant and an administrative assistant. These are all full-time positions. During the summer months, staffing is augmented by interns and seasonal staff.

m. Comment: The commenter states that the area has not been opened to hunting for the last 50 years.

Response: As stated, above this pre-acquisition CD is for all lands that may be acquired in the focus area. Hunting is occurring on both private and State-owned land in Southeastern Connecticut. For further information, see the hunting pre-acquisition CD - Appendix A - comment and response section.

n. Comment: The commenter stated that many people with families are afraid to go to nearby trail areas during the fall hunting season as they are afraid of the possibility of a hunting accident.

Response: As stated in the letter from the Director of the Wildlife Division of the

Connecticut DEEP, the State of Connecticut is ranked the 5th safest state in the union to pursue hunting activities. Stewart B. McKinney NWR has had a hunting program for the last 15 years and has used the techniques described in this pre-acquisition CD to separate user groups. We have not received any reports of accidents associated with hunting activity on the refuge.

o. Comment: The commenter requests that we identify potential partners and what their roles may be.

Response: As stated above, this pre-acquisition CD is for all lands that may be acquired in the focus area. We are at the beginning of the development of the Great Thicket NWR in Southeast Connecticut, and will continue to build partnerships to help us grow the refuge. These include non-profit organizations, refuge friends' groups, other local, State and Federal agencies and individual volunteers. The roles of partners can vary depending on their expertise and interests.

p. Comment: The commenter wanted us to identify who would be performing law enforcement patrols as stated in the pre-acquisition CD.

Response: Patrols would mainly be conducted by Federal Wildlife Officers of the Service. Patrols may also be conducted by state or local officers.

q. Comment: The commenter requested the identification of the document described as the visitor services program.

Response: This pre-acquisition CD is the document which is used to direct the visitor services program until it is replaced by additional management plans. When those management plans are developed, the public will have an opportunity to provide input on the draft plans.

r. Comment: The commenter states that there should be no trashcans on the parking lot if the refuge is a leave-no-trace, carry-in-carry-out facility.

Response: This is correct.