

# Plum Tree Island National Wildlife Refuge Comprehensive Conservation Plan

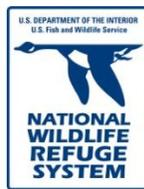
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## Scoping Summary



U.S. Fish and Wildlife Service  
Northeast Regional Office  
Eastern Virginia Rivers National Wildlife Refuge Complex  
Presquile National Wildlife Refuge  
11116 Kimages Rd  
Charles City, VA 23030

November 30, 2012



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## **Introduction**

This document summarizes the government and public scoping meeting to draft refuge vision, goals, and issues for the Plum Tree Island National Wildlife Refuge (Plum Tree Island NWR, the refuge) draft Comprehensive Conservation Plan/Environmental Assessment (CCP/EA). First, it details pre-planning activities and the U.S. Fish and Wildlife Service's (we, our, the Service) efforts to encourage involvement of the public and conservation partners: other Federal and State agencies, Federally recognized tribes, county and municipal officials, civic groups, non-governmental conservation and education organizations, and user groups. It then summarizes the comments of those attending agency and public scoping meetings or those providing written comment for public review on issues for consideration at the refuge.

This summary does not detail the dozens of meetings, events, and informal discussions the refuge manager and staff have had where the CCP was a topic of conversation. Those involved a wide range of audiences, including conservation groups, elected officials or their staffs, educators, refuge visitors and other interested individuals. During those discussions, the refuge manager and his staff would provide an update on CCP progress and encourage comments and participation.

## **Summary of CCP Scoping Process Steps**

### **Step A: Initial Planning**

We began preparing a CCP for Plum Tree Island NWR in January 2012. Initially, we focused on collecting information on the refuge's natural and cultural resources and public use program. We identified members of the CCP core team. We received confirmation of the Virginia Department of Game and Inland Fisheries (VDGIF) participation on January 11, 2012.

On June 27, 2012, the CCP core team of refuge staff, Virginia Field Office staff, Regional Office staff, U.S. Army Corps of Engineers (USACE) staff, one representative from VDGIF, and one representative from Shaw Environmental (consultant to USACE) held an internal scoping meeting to discuss existing information, draft a vision statement and goals, and prepare for upcoming public scoping meetings and a technical meeting of State and Federal partners.

### **Step B: Public Scoping**

We initiated the public scoping process when the notice of intent to prepare a CCP for Plum Tree Island NWR was published in the *Federal Register* on January 10, 2012 (77 FR 1500). Our first planning newsletter was distributed in late August 2012 to 416 parties on our mailing list (including media outlets) and was posted on the refuge's planning Web site. The planning newsletter included location, date, and time information about upcoming public scoping meetings that would serve to inform the public about current refuge management and elicit input on topics of interest to the public.

We hosted two public scoping meetings in Poquoson, Virginia, at the Poquoson City Hall Council Chambers. One meeting was held on September 13, 2012 from 6:00 to 8:00pm, and the second meeting was held on September 14, 2012 from 2:00 to 4:00 p.m. Both meetings were open houses. A total of 19 individuals attended these meetings. Planning team staff were also in attendance at both meetings, but not included in the participant attendance noted.

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To date, we have received 25 correspondences (i.e., emails, letters, scoping comment forms, faxes, and phone calls) containing comments from interested parties since our announcement to prepare a CCP was published in the *Federal Register* on January 10, 2012. We asked that comments be provided by October 15, 2012, but we continued to receive comments through November 27, 2012. All comments received to date are included in the summary below. General information inquiries and requests to be added to our mailing list are not included in the correspondence total.

**Steps C and D: Vision, Goals, and Alternatives Development**

We invited a total of 80 representatives from various local, State, and Federal agencies and 6 Virginia Indian Tribes to attend an agency scoping meeting held on September 13, 2012, from 10:00 a.m. to 3:00 p.m. The workshop was attended by 5 representatives from various State and Federal agencies, as well as the City of Poquoson Planning Department. Refuge and planning team staff were also in attendance at this workshop, but not included in the participant attendance noted. The purpose of the meeting was to identify issues, determine the significant resource values attributed to the refuge, and seek advice from technical experts on what resources of conservation concern in the refuge planning area should be a management priority. We will continue to consult with experts throughout 2012 and meet regularly with the core planning team, as we develop draft alternatives that incorporate the scoping comments detailed below.

**Comment Summary**

The core planning team members, refuge staff, state and federal agency staff, and concerned members of the general public identified numerous issues during project scoping. Comments have been sorted into broad categories to facilitate their consideration in the planning process.

The Service will continue to refine this list of issues as comments are received to determine significant issues to be addressed in the CCP. The planning team welcomes continued participation of organizations and the public. Additional opportunities for public comment will be provided in the upcoming months as the draft CCP is developed.

This document summarizes all of the substantive comments we received, grouped by subject. Unless noted otherwise, comments were submitted by the general public.

**Planning Process**

1. The U.S. Fish and Wildlife Service needs to limit initial participation to City of Poquoson residents.
2. "I believe you have a format that stops all public from getting together and hearing what each other has to say about this issue. I believe you have purposely set up a format that prevents full public discourse and comment on this subject in public. You attempt to make all public comment *sotto voce* and not heard by others. You have purposely set up formats in that style to try to dissuade any public from having any impact on what management wants to do. I think you need to remember you are public servants - get that servants, which means you fully support the public comment, not try to suppress it. Your format does suppress it. The format needs change. Let the public come out and speak to each other on this issue."

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3. Concern that comments received after the close of the public comment period on October 15, 2012 would be rejected.
4. Who from the local government is on the core planning team?
5. What actions can be taken prior to the approval of a final CCP?
6. Provide a timeline taking actions (e.g., likely and unlikely public access changes, unexploded ordnance mitigation) so the public can have an understanding of what to expect next. Include information regarding any regulatory or legislative actions that are necessary to implement the actions.
7. How does the CCP process relate to the USACE process to investigate and remedy the unexploded ordnance?
8. The Service cannot proceed with the CCP if any dangers due to unexploded ordnance still exist.
9. When would the plan be implemented?
10. What is review process for CCPs? (Government Partners)
11. How can we appeal a decision regarding public access?

**Refuge Vision Statement**

*Regarding Wildlife and Habitat Management*

1. Leave the refuge alone, with no human intervention at all.
2. Include mention of diamondback terrapin. (Government Partners)

*Regarding Public Use*

1. "Nothing else needs considered. The fact this [*question about if there is anything else that should be addressed or considered in the refuge planning process*] is even being asked suggests development and we are not at all supportive of visitation. Visitation socializes discussion of habitation and with the [*U.S. Army Corps of Engineers*] already exploring human health risks and safety suggests the discussion has already started. Keep [*public access to the refuge*] restricted."
2. The refuge needs to be both used and protected. "I would hate to see its beauty spoiled, but I would like for everyone to have an opportunity to enjoy what I have."
3. "We understand there are concerns over wildlife habitat and unexploded ordnance, but we also all believe we can work a compromise that will be beneficial to all parties involved and allow for public use of the marsh."

**Landscape Scale/Ecosystem-wide Issues**

*Environmental Setting*

1. Where do the different agencies have jurisdiction and how does shoreline change affect that? (Government Partners)
  - a. How will CCP address jurisdiction issue?

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- b. Is submerged refuge land now State bottomland?
  - c. Does the Service have jurisdiction to mean low water?
2. What is the basis for considering land acquisition? What study or report is driving this requirement?
3. The refuge is located within the Back River Marshes Conservation Site, which has been given a biodiversity significance ranking of B3 (high significance). Natural heritage resources of concern include the northern harrier, sedge wren, and pretty dodder (historic), black skimmer, bald eagle, least tern, northeastern beach tiger beetle, a second species of tiger beetle (*Cicindela trifasciata*), piping plover, and Marl pennant. (Virginia Department of Conservation and Recreation, Division of Natural Heritage [VDCR-DNH])
4. There are no State Natural Area Preserves under the Virginia Department of Conservation and Recreation's jurisdiction in the refuge vicinity. (VDCR-DNH)
5. The CCP should address ongoing environmental threats. (Defenders of Wildlife)
6. The CCP/EA needs to reference studies from the Environmental Protection Agency and verify sources of pollution on land considered for acquisition. Soil samples should be depths that date back to 1950.
7. Air pollution from the Hampton/NASA steam plant (located in Hampton, Virginia) is another source pollution that is in the refuge sediment.
8. The CCP needs to include a process for the removal of abandoned boats and other debris. Storm surges cause crab pots to pile up at the tree lines within the refuge.
9. The CCP should include wildlife hazards, such as mosquitoes, deer fly, ticks, and poisonous snakes.
10. As Virginia lands continue to become more populated, hunting opportunities are dwindling rather fast. "I am afraid that my children will be left to bear the brunt of the residential encroachment."

*Climate Change*

1. The CCP must consider and analyze the impacts of climate change. We believe that climate change is among the most "significant problems" affecting plants and animals today, and thus the potential impacts of climate change should be a central consideration in the development of refuge CCPs. (Defenders of Wildlife)

Specifically,

- a. the vision should acknowledge the important role that climate change will play in shaping the future conditions of the refuge.
- b. Secretarial Order 3289 explicitly directs that climate change be considered in Department planning exercises. This should be expressed in the CCP.
- c. Describe current and historic temperature and precipitation, observed trends, and projected future conditions.

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- d. Incorporate information on how climatic changes could affect refuge resources.
2. Rising water and land sinking is probably the number one issue the EA and CCP needs to address because this island may have limited life.

*Socioeconomic Issues*

1. What benefit does the refuge provide to the City of Poquoson?
2. Plum Tree Island NWR is the city's most valuable resource.
3. "I support this effort to develop a CCP as long it does not influence my taxes and property value."
4. Why would private property owners be contacting each other about interest in selling/purchasing lands adjacent to the refuge?
5. The City of Poquoson should not bare any fiscal burden for implementing the refuge CCP.
6. The City of Poquoson should not be tasked with the management or control of mosquitoes, particularly those that breed in salt marshes.
7. When presenting the refuge operational needs and maintenance project list, identify which items the Federal government expects the City to pay for.
8. Substantially increasing public access to the refuge could have a positive economic impact on the City of Poquoson. For example, nearby marinas would benefit.
9. Hunters provide a substantial amount of funding for the refuge program and, when coupled with good management by the Service, have been able to conserve habitat and waterfowl while enjoying the tradition of hunting.

*Public Uses in the Refuge Vicinity*

1. The area surrounding the refuge is used for commercial fishing, recreational fishing, waterfowl hunting, boating, kayaking, wildlife viewing, and general tourism.
2. The City of Poquoson has established a series of Blueway trails adjacent to the refuge. The Blueway system relies on the refuge to be open and accessible to the public.
3. Any restrictions to the waters surrounding the refuge should be worded as the current USACE restrictions: floating above the restricted area is permitted, but disturbing the bottom is prohibited.
4. Only areas that have been identified as hazardous should be included in the restricted waters list.

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5. Waterfowl hunting should be permitted in all waterways surrounding the refuge where it is not dangerous because of unexploded ordnance.
6. There are a couple private charter fishing boats operating in the refuge vicinity. We are not aware of any wildlife viewing charter boats. (Government Partners)

*Relationship to Other Programs, Plans, and Initiatives*

1. The City of Poquoson will initiate updating its Comprehensive Plan beginning in the summer of 2013 and is anticipated to be completed in 2014. Coordination with the Service is encouraged.
2. Formerly Used Defense Site (FUDS): Plum Tree Island Range
  - a. Will CCP make projections about the FUDS process over next 15 years? Will the CCP identify the mitigation of risks through time? (Government Partners)
  - b. The Department of Defense has polluted the site. It is amazing that any bird or animal can live on it.
  - c. Three years ago, the USACE blew up many of the unexploded ordnance. Is there a report available that state the level of success?
  - d. The USACE study seems to be taking a very long time to accomplish very little. Can resources be applied to accelerate this?
  - e. Make the detailed unexploded ordnance survey information public.
  - f. Concern that the restricted waters and land only includes areas that have the potential for hazards, and not just the areas that were at one time in the boundaries of a bombing range.
  - g. Restrictions should be based on real data, not just unsubstantiated fears.
  - h. Determine if, and when, munitions could be cleared from the site. (Government Partners)
  - i. With regards to munitions cleanups, no matter what is done out there, there will always be some small risk. There is never 100% confidence that all risks will be removed off the refuge or adjacent waterways. That is a very important point that people need to understand and consider as we think about future use and access opportunities. (Government Partners)
  - j. There are different risks associated with conducting activities that disturb the ground and those that do not disturb the ground. (Government Partners)
  - k. Contaminants concerns are still in discussion among USACE, the Service Virginia Field Office, and State offices. (Government Partners)
  - l. How is a "Danger Zone" defined? We need a better understanding of the description or definition for this site. The existing Danger Zone is located

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off the southern portion of the refuge and extends 300 feet from the shoreline. However, there are munitions outside of that Danger Zone, but there are no restrictions on activities outside of Danger Zone.  
(Government Partners)

- m. Current detection technology is good to find munitions in waist depth and shallower water. It is much more difficult to find ordnance in deeper water because the technology just isn't capable yet. Activities in shallower waters are the current focus. (USACE)
- n. Maintain water access as described in the 2005 USACE order.
- o. The signage delineating the Danger Zone in the water says "No Trespassing," and there has been a backlash from the public. The USACE is working with Virginia Marine Resources Commission on new signs that emphasize that disturbance of the bottom in the Danger Zone is prohibited. Now, there is a need to define "disturbance of the bottom." Crab pots are thought to not be a problem, but dropping an anchor is a problem. There was a public discussion that ensued about anchors used in commercial fishing and netting. (USACE)
- p. Virginia Department of Environmental Quality (VADEQ) has a concern about unintended groundings. A propeller could hit live munitions.
- q. Does management also construe liability? Is the refuge liable for explosions?
- r. Monthly email updates from the USACE study would be excellent outreach and would demonstrate better accountability.
- s. A letter from the Service (dated December 13, 1985) was addressed to a Poquoson waterfowler who was charged with illegally hunting on the interior portion of the refuge. According to the letter, an examination of the Service's realty file revealed that the land below mean low water belongs to the State of Virginia and can be hunted. All mudflats, marsh, and uplands above mean low water fall under the jurisdiction of the Service. There are parts of the refuge that should be open to public access since they are not part of the refuge. "We have hunted for years down there in a floating blind and the agreement was to stay in the boat, hunt below mean low tide and do not get up on the shore. This was fine until the Danger Zone markers were put up, and all public access was not permitted."
- t. "Currently there is a Danger Zone around the Southern portion of the refuge due to unexploded ordinance. However, this danger zone is open to commercial waterman to crab pot, haul seine, gill net, etc. If it is safe to allow that type of commercial use, then why is the rest of the public not permitted in this zone (including duck decoys)? This to me is a double standard and should be addressed immediately. The USACE has already set a double standard by allowing commercial interests to disturb the bottom in the so-called 'Danger Zone.' If these State owned bottom lands are safe enough for me to heavily disturb them as a commercial

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fisherman, then they are safe enough for me to lightly disturb them as a boater, fisherman, or hunter. Many local residents are stakeholders on many levels (e.g., commercial fishermen, boaters, hunters). It is absolutely unacceptable that I can use the State owned waters and bottom surrounding the refuge when I act as one stakeholder (e.g., commercial fishermen), but not when I act as a different stakeholder (e.g., boater). The USACE has essentially limited my choice of activity in the Danger Zone, but not my ability to enter it or even disturb the bottom. This is admitting (whether intended or not) that the area is safe to use, but that the USACE/Service wants to limit the activities allowed in that area.”

- u. Why is commercial fishing allowed in the Danger Zone? Any restrictions to the waters surrounding the refuge should be applied to all members of the public equally. Remove the exception for commercial fishing activities.
- v. “The State regulatory code (section 4VAC-20-1065 et seq.) currently states that any access, excluding some commercial fishing activities, beyond the marked boundary of the Danger Zone is illegal. The USACE notice document from 2005 (the latest that is available on the web) only restricts activities which disturb the bottom such as anchoring, clamming, wading, (excluding some commercial fishing activities). Whereas state code section 4VAC-20-1065-30-B does allow activities performed with the permission of the Army Corps it is permitted and the Corps directive does allow entry into the area, one would assume that it is now permitted. The Service should work with the Virginia Marine Resources Commission to modify State regulatory code such that it is consistent with the latest directive from the USACE.”
- w. Support clearing the surrounding waters of ordnance so that some limited public access in State-owned navigable waters could be permitted. This would open up the area to kayaks, fishermen, hunters, and bird watchers.
- x. Remove the Danger Zone boundary on the southern end of the refuge because:
  - i. This will allow recreational activities to take place in the navigable waters surrounding the refuge. This includes fishing, hunting, bird watching, photography, boating, and other activities.
  - ii. “The USACE has already set a double standard by allowing commercial interests to disturb the bottom in the so-called ‘Danger Zone.’”
  - iii. “The USACE has admitted to this double standard, but doesn’t seem willing to correct it. They want the explanation of why it happened to excuse the mistake. Citizens and taxpayers have been treated unfairly for 9 years. This is too long and has to be resolved.”
- y. Prior to the finalization of the CCP, study the ecological health of the refuge, with particular attention to the chemical hazards to wildlife and humans associated with unexploded ordnance.

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- z. Is the Service familiar with the “Brownsville Act” regarding a former Navy bombing site in Brownsville, Texas? The site may be within a National Wildlife Refuge.

*Interagency Involvement and Coordination*

1. Emphasize the need for continued partnership and coordination on the FUDS among the USACE, the Service, and State regarding:
  - a. Jurisdiction of the water and subaqueous soil within, and around, the refuge.
  - b. Roles and responsibilities as they relate to the FUDS.
  - c. Management and enforcement issues associated with the Danger Zone.
  - d. Educating the Service personnel on safety and recognition training. (Government Partners)
2. The USACE can provide clearance or provide safety recommendations for individual construction projects that the Service proposes. (USACE)
  - a. Southern portion of island should really not be considered for additional public access in the near-term due to munitions. This will take 5 or more years to be resolved.
  - b. The State has asked for a more expedited approach to address/assess the risk for access to lands within the FUDS.
  - c. An expedited process could help refuge with management and help restore the functionality of the refuge to the Service.

**Refuge Administration and Operations**

1. How do you plan clean up the fence line after a storm? The marsh grass will be 3 feet high, 6 feet wide after a nor'easter, which would be a major fire hazard and a threat to filling in the existing salt marsh.
2. Consider a shared, interagency staff position. (Government Partners)
3. Consider a staff person dedicated to developing and coordinating partnerships. (Government Partners)
4. An environmental education program is desirable for both school children and researchers, but limited refuge staffing is a problem. The refuge could serve as a great classroom. Environmental education programming would be a great partnership opportunity. Consider working with National Oceanic and Atmospheric Administration’s National Estuarine Research Reserve System and Virginia Institute for Marine Science. (Government Partners)

**Biological Program**

*Draft Goal for Wildlife and Their Habitat*

1. The refuge is halfway between the James and the lower York River. Emphasis in the goal on the lower James might be too limiting. Might take it out or just mention “lower Chesapeake Bay,” instead of rivers. (Government Partners)
2. The phrase “Landscape Conservation Cooperatives (LCC) representative species” does not mean a lot to most people. Terminology does not resonate with the public. Maybe we could discuss the LCC representative species concept in an objective instead of in the goal. (Government Partners)

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3. Referencing native flora and fauna covers a lot of ground. Is the use of terms “native flora and fauna,” resources of concern, threatened and endangered species, and representative species, redundant? Consider consolidating those terms. (Government Partners)
4. Invasive species should be identified as a concern. (Government Partners)
5. Shoreline erosion is a concern. The USACE did a photographic analysis beginning with 1920 shoreline. Is there long-term shoreline monitoring going on now? (Government Partners)
6. Subsidence rate in this area and the greater Chesapeake Bay may be twice the rate of most shorelines, which is exacerbated by sea level rise. (Government Partners)
7. The ability of refuge staff to access and get out and study refuge has been an issue. Developing partnerships may be a way to get work done. (Government Partners)
8. This may be an opportunity for partnerships for shoreline protection. This may be a way to work with local communities to develop things, such as living shorelines (which serve as a sediment trap). (Government Partners)

*Water Quantity and Quality*

1. Include an assessment of water resources in the CCP. (Defenders of Wildlife)
2. Include an environmental water health assessment of interior ponds and its potential health risk to wildlife. (Government Partners)
3. Improve water quality for Plum Tree Island marshes and sounding tributaries using an improvement approach, such as oyster seeding.

*Habitat and Wildlife Management*

1. Conducting baseline biological surveys is a priority. (Government Partners)
2. Include an environmental soils and vegetative health assessment and its potential health risk to wildlife. (Government Partners)
3. Has a submerged aquatic vegetation survey been done? (Government Partners)
4. A primary opportunity is that the refuge is one large block of salt marsh that has been inadequately surveyed given the unexploded ordnance issue. Getting a better handle on the avian marsh community would be of primary interest. (VDGIF)
5. New and updated information is continually added to VDCR-DNH's Biotics files. Contact VDCR-DNH for an updated on natural heritage information if a significant amount of time passes before it is utilized. (VDCR-DNH)

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6. Recommend conducting an updated survey for rare, threatened, and endangered species and natural communities prior to developing management plans for these resources. The VDCR can offer biologists to conduct inventories and, based on the survey results, provide specific protection recommendations for documented resources. (VDCR-DNH)
7. Due to the legal status of the bald eagle, northeastern beach tiger beetle, and the piping plover, coordination with Virginia's regulatory authority and FWS (as needed) for the management and protection of these species to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563-570) and Endangered Species Act of 1973 is encouraged. (VDCR-DNH)
8. Survey results related to state-listed threatened and endangered plant and insect species should be coordinated with VDCR-DNH and FWS. (VDCR-DNH)
9. VDGIF maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in the VDCR-DNH comment letter. (VDCR-DNH)
10. Outline a strategy for improving habitat connectivity. (Defenders of Wildlife)
11. Support for the protection and enhancement of the natural heritage resources and associated habitat documented at the refuge. (VDCR-DNH)
12. Support for the active control of invasive species within the refuge. (VDCR-DNH)
13. The CCP needs to address indigenous Plum Tree Island plants. There are new types of grasses, aggressively over taking the traditional salt marsh grass.
14. Tree diseases are an issue.
15. There are particular species of interest for this property:
  - a. DGIF has recently approved listing of the black rail, which will go into effect on January 1, 2013. Although black rail surveys were conducted in the vicinity of refuge boundaries in 2008, there may be additional habitat on refuge property that was inaccessible at the time and therefore unsurveyed. (VDGIF)
  - b. Northern Harriers have also been known to breed on and around the refuge in the 1990s. We identify this species as a Tier III Species of Greatest Conservation Need in the Virginia Wildlife Action Plan. Although no targeted surveys have been conducted for harriers in recent years, the refuge is one place to look if we do devote future resources to the species. (VDGIF)
16. Identify the refuge as a bald eagle nesting area.
17. "I don't know how you gauge the success of a wildlife refuge, but I would call this a success: Just today there was an eagle and an osprey fighting over territory, a common site in the summer time; winter time many more birds of prey reside in the area; and golden eagle sightings are not uncommon."

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18. Reintroduce wild turkey on the refuge.
19. Establish an otter and turtle management program.
20. Feral cats are a problem. They killed the last of the bobwhite quail 4 years ago.
21. The dragon fly hatch (late May – July) is nothing short of amazing. When the dragon fly season ends, the mosquito's population increases. Bat boxes may be an acceptable form of mosquito control.
22. What are the sensitive times of year for refuge wildlife – aside from the tiger beetle? (Government Partners)
23. The CCP should outline an Inventory and Monitoring Plan related to climate change variables and trends. (Defenders of Wildlife)

**Cultural Resource Program**

1. In consultation with the State, the Service could determine if the fencing, concrete bunkers, and any other structures on the refuge are considered historic and subject to Section 106 of the National Historic Preservation Act. (Government Partners)
2. Two observation towers on the refuge were taken down because they posed a safety concern and were an eyesore. A concrete pillbox bunker remains on-site and is considered an eyesore. Could the FWS consider taking it down? (Government Partners)
3. Prior to removal, a tower on the refuge was used by many people as a landmark for navigating. However, the Coast Guard determined it was not necessary for navigation. (Government Partners)

*Chesapeake Bay Waterman and Hunting Heritage*

1. "I am a resident of Poquoson with a deep family heritage of the area. My fore fathers were all watermen, hunters, and farmers of the surrounding lands, waters, and marshes including those of the refuge. I am a fisheries biologist, commercial fisherman, U.S. Coast Guard licensed captain, and small business owner. My children are enjoying learning about their heritage. Plum Tree Island NWR and the surrounding waters and marshes are a very important part of our daily lives. I understand the need to preserve this resource and also the traditional uses that occur around this piece of property."
2. "As a 3rd generation waterfowler, I have gained priceless memories, a deep passion for the outdoors and appreciation for our beautiful State as a whole. I feel this is something we are losing by the day. The more land available for waterfowl hunters, the more awareness that is generated for the need of refuges. The sheer number of young adults, like myself, are staggering and we all owe it to those before us that fought to preserve a piece of American heritage and lands for us to be able to enjoy a long time tradition."

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**Public Uses**

*Draft Goal*

1. Can environmental education be separated out as a separate goal, similar to what was done in Presquile NWR's CCP? Or, could environmental education be emphasized in the partnership goal, since it will likely be through partners that education programs would best be implemented? Need to clarify if education is the goal or the tool used to achieve our other goals. (Government Partners)

*Refuge Access and Uses*

1. No public use on the refuge should be permitted.
2. Public use should be permitted on this refuge.
3. Substantially increase public access to the refuge.
4. Applicable government agencies should create a plan for providing open space access to the beaches and waterways while maintaining a safe experience.
5. There is a real concern with people picking up munitions and taking them back or keeping them as a souvenir. People don't understand how long these munitions are live. They think since they've been underwater that they have lost their punch. These things are surfacing all the time. It's a very dynamic environment, and there are risks out there. (Government Partners)
6. Determine what public uses can be allowed and how to manage them on and near the refuge.
7. Within the refuge, areas designated as closed due to unexploded ordnance issues identified by the USACE report should be "kept to a minimum."
8. Any changes to refuge access or use of the waters surrounding the refuge should not reduce the existing public uses in the refuge vicinity (e.g., recreational crabbing, clamming, fishing, hunting), even if there are minor negative impacts on wildlife. These activities have been a tradition in Poquoson for hundreds of years.
9. Support for maintaining existing, and creating new, public access to the refuge and its surrounding waterways.
10. Identify and designate vessel (e.g., kayaks, row boats) beaching locations on the refuge to allow visitors to rest and observe nature for short periods of time.
11. Designate some areas in the refuge as kayak "break" areas at 2-mile intervals, which would be consistent with the surrounding Blueway and support novice long-distance paddlers. The Blueway trail that goes around the refuge is a 10-mile stretch that does not have a designated launch/rest area. Outside of the refuge, the longest distance between designated launch/rest areas is approximately 2 miles.

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12. Consider access to the refuge via unmanned aerial vehicles and remote piloted boats.
13. Offers of public support for promoting expanded public access to marshland and nature areas.
14. Pending the results of the USACE survey for unexploded ordnance, open beach access in certain areas that are not directly in conflict with the tiger beetle or other protected resources. Consider using seasonal closures, as is done on other salt marshes owned by Virginia, to provide some opportunity for beach goers to enjoy the refuge.
15. The northern portion (approximate southern boundary would be WhaleBone island) of the refuge should be opened up for multiple recreational uses (e.g., education, fishing, hunting, bird watching, photography) because:
  - a. There is less risk of unexploded ordnance in this area makes this feasible. Foot traffic would be allowed.
  - b. It would allow multiple recreational uses of the refuge while preserving the southern portion of the refuge for “wildlife first.”
16. Allow beach access on the southern end of the refuge and on Cow Island.
17. Establish a public beach area along the southern shore of the refuge by:
  - a. Clearing ordnance from an area including the waters and upland areas several hundred feet inland from the shore along the southern shore from the point southwestward to the first major creek or to Bell’s oyster gut.
  - b. Erect a boundary fence or series of indicators which state that the area beyond has not been cleared of unexploded ordnance.
  - c. If necessary include a set of markers restricting access for wildlife reasons, i.e. beach access allowed but no access in vegetated areas.
  - d. Allow beach access along the southern shore in a manner similar to that allowed at Factory Point.
  - e. By clearing an area several hundred feet inland, erosion induced movement of the shoreline will not cause year-to-year changes to the accessible shoreline area.
18. There is concern about waterman using waters, especially in nearshore area, in the Danger Zone. Violations are occurring.
19. The concern with trespassing at the site relates to safety and natural resource disturbance. (Government Partners)
20. During site visits, the USACE has found evidence that people are trespassing on the refuge as evidenced especially on the southern end where people were walking on the beach, as well as evidence of fires and camping. (USACE)
21. Is there potential to acquire other lands where public access could be accommodated? For example, could the Service purchase a site for environmental education and/or public access, even if it doesn’t have resource values? (Government Partners)

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22. Expansion of the refuge boundary was envisioned as a means for the refuge to allow for public access to the beaches, wildlife areas, develop a learning center, as well as biking and nature trails. All of these activities could take place outside the areas of the previously used bombing range.
23. Support for allowing the following activities on the refuge land: interpretation, environmental education, birding, nature observation and photography, hiking, biking, fishing, waterfowl hunting, deer hunting, recreational crabbing and clamming, and landing vessels (e.g., kayak, canoe, row boat, sailboats, motorized boats) on beaches.

*Hunting*

1. Opposed to offering hunting on all refuges, including Plum Tree Island NWR.
2. Opposed to allowing waterfowl hunting on Plum Tree Island NWR because:
  - a. taxpayers do not want to risk any one hurting themselves.
  - b. taxpayers do not want to assume liability for injured parties.
  - c. there are other sites open to waterfowl hunting where there is no public safety risk.
3. Waterfowl hunters are using both float blinds and some stationary blinds outside the Danger Zone. (Government Partners)
4. Some people don't understand why adjacent lands are open to waterfowl hunting from blinds by the State, but the refuge is not. Currently, there are privately-owned blinds located 1-2 feet off the refuge shore. (Government Partners)
5. Maintain the existing waterfowl hunting opportunity on Cow Island, and nothing more. "To suggest other public visitation is to open the dialogue on tourism and then public habitation. Let it remain a natural habitat."
6. Waterfowl hunting should be one of, if not the primary, public use allowed on the refuge.
7. In the short-term, allow new hunting opportunity in the waters either in, or adjacent to, the refuge.
8. In areas not restricted due to specific unexploded ordnance issues, open the refuge to duck hunting.
9. Open the refuge marsh to waterfowl hunting to provide the Hampton Roads community additional recreational means to get involved in the outdoors, and experience the natural beauty and vibrant wildlife the salt marsh supports. Waterfowl hunting requires very few resources and funding, yet provides a simple and effective means of increasing the public use.
10. Install blind stakes to tie floating blinds.
11. Use a quota hunt to allow only a certain party to use a certain stake during a particular time period (e.g., day of the week, time of day).

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12. Northern (north of Whalebone) and southern (south of Whalebone) portions of the refuge should not be opened for a State lottery-type hunt for these reasons:
  - a. logistics with no on-site refuge manager;
  - b. logistics of establishing hunting locations would be almost impossible due to changing environmental conditions on a daily basis;
  - c. very limited access;
  - d. dangerous and harsh environment/area to hunt for those without local knowledge. Liability is key (personal observation in regards to the Cow Island tract, which is much easier to access than the rest of the refuge); and
  - e. the Cow Island portion of the refuge is already being used as a lottery hunt area.
  
13. In the northern portion of the refuge (north of Whalebone), allow waterfowl hunting over State owned bottom as in years past by:
  - a. “Grandfathering” in the several duck blinds located in the northern portion of the refuge on State owned bottom. Exercising riparian rights. Posting duck blind licenses on the shores, but not exercise the right to build a blind. *or*
  - b. Installing floating blind stakes similar to what's done at Princess Anne Wildlife Management Area to allow some limited use of the refuge to the public.
  
14. In the southern end of the refuge (the current “Danger Zone”), allow waterfowl hunting in the navigable waters by:
  - a. Coordinating with the VDGIF regarding waterfowl blind laws.
  - b. Exercising riparian rights and placing blind licenses around the refuge boundaries, but would not build a blind by November 1. This in turn would allow hunting from licensed floating blinds around the property.
    - i. By placing blind licenses around the boundary, licensed hunters are kept from exercising their public rights and building permanent blinds within 500 yards of the refuge.
    - ii. Once November 1 is reached and a blind is not built by the Service, the blind license is rendered invalid.
    - iii. Hunters with licensed floating blinds are then able to hunt the navigable waters surrounding the refuge (because no permanent blind licenses can be bought after Nov. 1) on a first come–first served basis.
    - iv. Any person who holds a current legally licensed blind in the northern section of the refuge (adjacent to the Danger Zone) should be grandfathered in and allowed to retain that license until it is either transferred to another licensed hunter or until it is not renewed.
    - v. No new permanent blinds (exercised public rights) should be allowed around the refuge boundaries and no foot traffic on the refuge. This scenario has many positives – the Service would be:
      1. accomplishing their mission of wildlife first by preserving the southern end of the refuge as a resting area/refuge for wildlife;

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2. accomplishing mission of allowing hunting (traditional recreational use) in navigable waters surrounding the refuge; and
  3. limiting liability in regards to unexploded ordnance on the southern end of the refuge.
15. Adjacent private landowners should not be affected by refuge objectives/goals related to waterfowl hunting because:
- a. There are adjacent private landowners that use their lands for traditional recreational uses (i.e., hunting).
  - b. As private landowners, they should be allowed to use their land as they see fit.
16. Open the refuge to public deer hunting.

*Fishing*

1. Support for continued use of the waters for recreational crabbing, clamming, and fishing from boats and while wading.
2. Open the refuge marsh to fishing to provide the Hampton Roads community additional recreational means to get involved in the outdoors, and experience the natural beauty and vibrant wildlife the salt marsh supports. Fishing requires very few resources and funding, yet provides a simple and effective means of increasing the public use.
3. Open the refuge to fishing and crabbing from the refuge shore.

*Wildlife Observation*

1. Wildlife viewing opportunities on the refuge are limited.
2. Open the refuge to wildlife observation along Black Walnut Ridge.

*Environmental Education*

1. Include information on climate change. (Defenders of Wildlife)
2. Poquoson Boy Scouts and Cub Scouts, as well as the 14 Boy Scout Troops of York County and Gloucester, would like to access the refuge for educational purposes.
3. The public would like to know more about the animals and plants of the refuge. Please consider developing a film documentary suitable for public TV. Consider taking video from a balloon.

*Interpretation*

1. Explore how to expand interpretive opportunities, both on- and off-refuge.
2. Identify establishment of interpretive trails as a goal of the plan.

*Other Uses*

1. Open the refuge to hiking and jogging along Black Walnut Ridge.

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2. Explore canoeing, kayaking, paddle-walks. (Government Partners)
3. Factory Point (a peninsula separating the Back River and the Chesapeake Bay) is a place for young families, is accessible by boat, and is very popular. Not really sure all that is currently allowed there, but some activities are occurring there (e.g., camping, fires) that are not allowed. The refuge is used by young people trying to get away from the crowded areas and is more isolated than Factory Point.

*Facilities Supporting Public Uses*

1. Are there plans to develop a visitor center/headquarters on this refuge?
2. Many things have been built over old landfills, and there is a landfill off Ridge Road that would make a great entry into a visitor/student learning center. There is also an unused NASA site off Ridge Road that has a dirt road going well into the marshland.
3. The nature of refuge resources themselves makes it difficult to develop infrastructure. Off-refuge partnerships and use of others' lands may be needed to support public use. (Government Partners)
4. Even with wildlife and ordnance issues, the fact it is mostly salt marsh makes access difficult without building some infrastructure. How much is really accessible? (Government Partners)
5. "I'm not a fan of docks in the marsh, the seasonal weather will tear them apart, not cost effective. If you choose this as a means of public access, the cost of maintaining docks/walk ways is a federal requirement."
6. Flooding is an issue, northeast exposure will be harsh, so make sure any infrastructure on the north end is hurricane strength. (Government Partners)
7. Consider establishing trails, both raised and at ground level. Ground level trails could be established where there is no safety hazard due to unexploded ordnance. Raised trails with substantial handrails could be used in areas adjacent to areas with unexploded ordnance.
8. Consider the following construction projects:
  - a. Construct a boardwalk further north and building a platform into marsh for wildlife viewing. The northern portion of the refuge might be less sensitive and would avoid luring people to the beach. However, it is a pretty harsh environment in this location, so it might not last long or be a maintenance nightmare if located offshore.
  - b. Construct a boardwalk on the westside of the refuge, near the old city dump site, to provide land access.
  - c. Acquire and develop hiking/jogging trails with nature observation points along the length of Black Walnut Ridge.
  - d. Construct a platform/boardwalk near the boat access at Messick Point.
  - e. Establish a connection to Blueway trail system on the westside, especially if it would be an elevated site for wide viewing opportunities, as compared to one at water level (where viewing wouldn't be so good).

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- f. Construct a launch facility for small (hand launch) vessels, such as kayaks.
- g. Restoring the pier in the Great River. It is not connected to the land now, but it is in the vicinity of the beach and might draw people to that sensitive area.
- h. Construct a fishing pier at the end of Ridge into Lloyds Bay for recreational fishing and kayak landing.
- i. Construct nature observation platforms (i.e., 6-20 feet above the ground) both in connection with the walking trails and connected to water-based access points.
- j. A platform that is elevated over State waters could be used by many people (e.g., visitor wildlife observation, researchers) in partnership with the State. (Government Partners)

**Community Relations/Outreach/Local**

*Partnership Goal*

- 1. Should partnerships remain a separate goal or possible strategy? (Government Partners)
- 2. Revisit the partnership goal and expand on it. The goal is not the partnership...the goal is the outreach and education. (Government Partners)
- 3. Both education and partnerships are intrinsic to all that the Service does. We might want to highlight partnerships at the goal level. (Government Partners)
- 4. The biggest role of the refuge should be in conserving habitat. First, identify partners that could help with biological goal - that should be a priority. Use partners to do education and outreach because limited refuge staff is needed to maintain the refuge. The CCP should help guide how to reach out to and identify partners. (Government Partners)
- 5. Consider developing partnerships among existing refuge managers. We could explore sharing more resources in the biological and education realm. (Government Partners)
- 6. Given that the CCP is a 15-year plan, it is possible to put in something that might not be achievable now, but could be achieved later if additional resources become available. Just needs to be reasonable, although may be a stretch now given current resources. We try to think creatively, but reasonably. (Government Partners)

*Potential and Existing Partnerships*

- 1. Maintain existing partnership with the National Park Service regarding the Captain John Smith Chesapeake National Historic Trail for public access opportunities, education, and interpretation of refuge resources and landscapes. The cultural history of the vicinity is rich. (Government Partners)
- 2. Partner with State universities, such as the nearby Christopher Newport University and College of William and Mary. (Government Partners)

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3. Work with the National Oceanic and Atmospheric Administration because the refuge is a National Marine Protected Area, much like other refuges (e.g., Parker River, Prime Hook). (Government Partners)
4. Consider working with an existing museum to include a recorded message that mentions the refuge and its resources. (Government Partners)
5. Explore partnership opportunities with the Poquoson Museum. They could help with education and outreach materials. It has been attempted in the past to work with them, but we should explore that again. (Government Partners)
6. Explore World War I and World War II military history in education and outreach materials. (Government Partners)
7. Work with Ducks Unlimited and other hunter groups because the refuge serves as an important breeding ground for hunted species. They could help with outreach and education to their members. (Government Partners)

*Communications and Outreach*

1. Additional information about the refuge history and current management is requested because it is not available on the refuge's website.
2. Public brochures, newsletters, and simple publications would be best first contact about refuge in local community. Get this information into schools, libraries, and community and city offices with broad distribution. (Government Partners)
3. Local community members field questions from area visitors about where to access the refuge.
4. Monthly email updates from the USACE study and the Service would be excellent outreach and would demonstrate better accountability.
5. Interest in volunteer opportunities.
6. We don't want to post too much signage (with small font) on the refuge shoreline because people will be tempted to pull up by boat to read it and put themselves in harm's way. (Government Partners)
7. If trails and/or platforms are built with an information kiosk, then FUDS and refuge information could be communicated. (Government Partners)
8. The Service will need to figure out how to work with local community to get exposure of the refuge. Consider use of beacons/phones to call in to get information on the refuge. Also, should think about getting information on the ferry, as is being considered by the National Park Service for communicating Captain John Smith Chesapeake National Historic Trail information to ferry riders. (Government Partners)
9. Does the City of Poquoson have an FM radio station or other way to get the word out about the City's resources? (Government Partners)

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*Coordination with Adjacent Private Property Owners and Communities*

1. Is there any movement from the Service for relocation assistance as part of a Plum Tree Island expansion or continued preservation of future wetlands?
2. The owner of a new marina coming to Front Cove of Back River in Poquoson is very interested in participating in the CCP process and seeing where the planned new marina may assist the Service in its efforts to achieve the refuge's goals, including the opportunity to place a learning center there.
3. Substantially increasing public access to the refuge could foster a better sense of cooperation between the FWS and the local community.

*Coordination with Non-governmental Entities*

1. The Poquoson Museum has gone through some of the problems the refuge will face regarding the development of the refuge.

*Coordination with Other Government Agencies*

1. Coordinate avian wildlife activities with the Department of Defense. (Government Partners)
2. My only concern is that the wrong people will get a hold on this and destroy the natural setting. I do not believe the Fish and Wildlife Service will do this, but I have been in on meetings that the City held with hopes of opening this refuge up to wholesale public access including public beaches.
3. Support City's development of Blueway from Messick Point to Bennett Creek.
4. Meet with the City of Poquoson's Parks and Recreation Advisory Board to discuss future refuge access and plans.
5. Consider partnering with the City of Poquoson, National Park Service, and others to locate an information/contact facility in the area; it might not have to be staffed. (Government Partners)