



U.S. Fish & Wildlife Service

# Silvio O. Conte National Fish and Wildlife Refuge

*Comprehensive Conservation Plan*

*January 2017*

*Volume 2B (Appendixes B through O)*



*Front and back cover:*

*Connecticut River*  
USFWS

*Front cover insets:*

*Hunting on the refuge*  
USFWS

*Conducting research on puritan tiger beetles*  
USFWS

*Canoeing on the Connecticut River*  
Kristen Sykes

*Enjoying the universally accessible trail  
on the refuge's Fort River Division,  
Massachusetts*  
USFWS

*Fishing along the Connecticut River  
near Hartford, Connecticut*  
USFWS



*This blue goose, designed by  
J.N. "Ding" Darling, has become  
the symbol of the National Wildlife  
Refuge System.*

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting, and enhancing fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service manages the National Wildlife Refuge System comprised of over 150 million acres including over 565 national wildlife refuges, thousands of waterfowl production areas, and marine national monuments. The Service also operates national fish hatcheries and ecological services field stations. The agency enforces Federal wildlife laws, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, administers the Endangered Species Act, and helps foreign governments with their conservation efforts. It also oversees the Federal Assistance Program which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state wildlife agencies.

Comprehensive Conservation Plans provide long-term guidance for management decisions on a refuge and set forth goals, objectives, and strategies needed to accomplish refuge purposes. CCPs also identify the Service's best estimate of future needs. These plans detail program levels that are sometimes substantially above current budget allocations and, as such, are primarily for Service strategic planning and program prioritization purposes. CCPs do not constitute a commitment for staffing increases, operational and maintenance increases, or funding for future land acquisition.

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## Appendix B



Bill Thompson

*Blackburnian warbler*

# Process for Establishing Priority Refuge Resources of Concern

- Introduction
- Process for Establishing Priority Refuge Resources of Concern
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## Introduction

This appendix describes the process we followed to establish priority resources of concern for Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge, the refuge). Priority refuge resources of concern are determined using a multitude of mandates, policies, purposes, and regional and national conservation plans. They also guide the development of refuge biological goals and objectives. These goals and objectives serve as the foundation for developing refuge Comprehensive Conservation Plans (CCPs), as well as, step-down plans such as Habitat Management Plans (HMPs) and Inventory and Monitoring Plans (IMPs).

Priority refuge resources of concern include flora and fauna that are of high conservation concern. The process results in selecting species which will benefit from refuge management and will also be the most effective ecological contribution within the Connecticut River watershed ecosystem and the National Wildlife Refuge System (Refuge System). The resources of concern and their associated habitats were identified during the CCP process following the guidelines and process discussed here.

## Process for Establishing Priority Refuge Resources of Concern

The CCP Planning Team used the procedure outlined in the U.S. Fish and Wildlife Service's (Service) guidance "Identifying Refuge Resources of Concern and Management Priorities: A Handbook" (Pavelgio and Taylor 2010) to establish priority refuge resources of concern. According to the Service policy on habitat management plans (620 FW 1), resources of concern include, "all plan and/or animal species, species groups, or communities specifically identified in refuge purpose(s), [Refuge] System mission, or international, national, regional, state, or ecosystem conservation plans or acts."

This team referred to Service mandates, compiled resource information, and consulted experts to create a comprehensive list of species and habitats that could be of management concern for the refuge. This list addressed a broad range and high number of conservation needs, and therefore, was reduced to include those species that were the highest priority for conservation, and whose core range was within the Connecticut River watershed. This list of priority resources of concern will be used to guide conservation and management efforts within the Connecticut River watershed. For each refuge unit and proposed Conservation Focus Area (CFA), we selected a subset of these resources to focus our management on (all existing refuge divisions are covered by a proposed CFA). Our discussion below corresponds to the steps listed in the handbook.

### 1.0) Collect information and data

#### 1.1) Mandates for management on refuges

Primary legal mandates and Service policies direct priorities for wildlife and habitat management on refuges, and guide the process for selecting resources of concern. Management mandates include policy and law that: (1) identify refuge purposes, (2) that govern management of refuges and Refuge System resources of concern, and (3) that directs management to achieve biological integrity, diversity, and environmental health on each refuge.

#### Refuge Purposes

Conte Refuge was established under the Silvio O. Conte National Fish and Wildlife Refuge Act, which lists the following refuge purposes:

- (1) To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants fish and wildlife.
- (2) To conserve, protect, and enhance the natural diversity and abundance of plant, fish, and wildlife species and the ecosystem upon which these species depend within the refuge.
- (3) To protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act (ESA) of 1973 as amended (16 U.S. 1531 *et seq.*).
- (4) To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- (5) To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- (6) To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

**Table B.1. Summary of the Establishment of Conte Refuge**

State	Division/Unit	Year Division or Unit Established	Resource Values Identified at Acquisition
VT	Nulhegan Basin Division	1999	Extensive contiguous forest for breeding migrant landbirds and wetland habitat for nesting waterfowl. A viable population of spruce grouse and at least 13 rare plant and animal species occur on site. Important deer wintering area.
	Putney Mountain Unit	1999	Northeastern bulrush, a federally listed species, occurs within this unit.
MA	Third Island Unit	1997	Riparian habitat provides spawning areas for American shad, blueback herring, and shortnose sturgeon. Bald eagle nest site, largest fresh water mussel population, and 30 rare plant and animal species occur.
	Honeypot Road Wetlands Unit	1999	A complex of vernal pools and scrub/shrub wetlands and hosts three rare vertebrates and two rare invertebrate species.
	Wissatinnewag Unit	2001	Steep, hardwood forest on south facing slope that provides important migratory bird stopover habitat in the spring and nesting passerine birds.
	Mount Tom Unit	2002	A large block of contiguous forest that hosts a diversity and abundance of migrant land birds and raptors. Bald eagles nest in this area, and over 30 rare plant and animal species occur.
	Mount Toby Unit	2003	Extensive contiguous forest and small wetlands provide breeding habitat for migrant landbirds. About 20 rare plant and animal species occur here.
	Fort River Division	2005	Riparian forest and a large block of contiguous grassland habitat for upland sandpipers, grasshopper sparrows, savannah sparrows, and bobolinks. Dwarf wedgemussel, a federally listed species, occurs in the Fort River.
	Mill River Division	2007	Floodplain forest that is key stopover habitat for migratory landbirds and waterfowl during spring and fall.
	Dead Branch Division	2011	This area includes riverine and riparian habitat for spawning blueback herring, American shad, sea-run Atlantic salmon (naturally reproducing population).
	Westfield River Division	2013	Over 1,000 feet of key riparian habitat, mixed hardwoods that benefit breeding migratory birds, vernal pools. Part of an unusually large expanse of minimally fragmented forest.
	Hatfield Unit	2014	Floodplain herbaceous wetland complex that is key stopover habitat for migratory landbirds and waterfowl during spring and fall. This wetland complex is listed as Core Habitat and a Priority Wetland and Aquatic Core by the Massachusetts Natural Heritage and Endangered Species Program.
	Fannie Stebbins	2015	This unit includes swamps, ponds, herbaceous wetlands, grassy meadows, hardwood forest, sandbars, and an island. It encompasses one of the largest remaining patches of floodplain habitat along this heavily human-impacted section of the Connecticut River. The wetlands provide breeding habitat for marsh birds and stop-over habitat for migratory waterfowl. During summer and fall the shoreline offers shallows and sandbars for resting and feeding gulls, raptors, shorebirds, and herons. The woodlands and brushy areas provide important habitat for many species of breeding, migratory, and wintering land birds.



State	Division/Unit	Year Division or Unit Established	Resource Values Identified at Acquisition
NH	Pondicherry Division	2000	This area includes a wetland complex that provides habitat for great blue heron (rookery), and stop-over habitat for waterfowl including wood ducks, ring-necked ducks, and black ducks.
	Blueberry Swamp Division	2007	Extensive area of pasture, hayfields, and old fields reverting to shrubs and forest. Also includes small fens and swamps. Breeding habitat for marsh hawks (northern harriers) and grassland birds, and hosts 10 rare plants.
	Saddle Island	2015	Unique physical environment, habitats, and vegetation. The alluvial deposition of cobbles, sand and silt during high spring flood events created the island, and annual flooding across the island have created a gradient of substrate types and therefore unique habitats and vegetation. Supports a federal listed plant species.
CT	Deadman's Swamp Unit	2005	This area includes alluvial floodplain forest and freshwater marsh. Floodplain forest provides breeding habitat for migrant landbirds, and the marsh is used by wading birds and waterfowl. Sora rail, black rail, and yellow-breasted chat have been recorded, and the federally threatened Puritan tiger beetle occurs on this site. Last species discovered after the refuge's 1995 Final Environmental Impact Statement (FEIS).
	Roger Tory Petersen Unit	2012	This area includes a tidally influenced riverine habitat important for spawning blueback herring, alewives, and sea-run Atlantic salmon (naturally reproducing population).
	Salmon River Division	2009	This area includes a tidally influenced riverine habitat important for spawning blueback herring, alewives and sea-run Atlantic salmon (naturally reproducing population).

\*Special Focus Areas may cover a larger area than the current refuge units/division acreages

**Table B.2. Summary of Species and Habitats Identified in Silvio O. Conte National Fish and Wildlife Refuge Act Establishment Purposes**

Species, Species Group, or Habitat	Life History Requirements and Supporting Habitat Type(s)
Atlantic salmon	<i>Migration and Spawning:</i> Connecticut River and tributaries.
American shad	<i>Migration and Spawning:</i> Connecticut River and tributaries.
River herring	<i>Migration and Spawning:</i> Fast moving, shallow water in the Connecticut River and tributaries.
Shortnose sturgeon	<i>Migration and Spawning:</i> Connecticut River main stem.
Bald eagle	<i>Nesting:</i> Mature forests adjacent to open water habitats. <i>Foraging:</i> Open water, including Connecticut River main stem. <i>Wintering:</i> Lower Connecticut River main stem and estuary.
Peregrine falcon	<i>Nesting:</i> Cliff and talus systems. <i>Foraging:</i> Open water habitats and associated herbaceous wetlands.
Osprey	<i>Nesting:</i> Mature Forests or elevated platforms adjacent to open water. <i>Foraging:</i> Open water including Connecticut River main stem.
American black duck	<i>Breeding and Migrating:</i> Herbaceous and forested wetlands, shallow lakes with emergent vegetation, bogs in boreal forests. <i>Wintering:</i> Open water, such as, estuaries, coves or bays with submerged aquatic vegetation, mollusks and crustaceans for foraging, as well as tidal wetlands.

Species, Species Group, or Habitat	Life History Requirements and Supporting Habitat Type(s)
<p>Federally listed and candidate species</p>	<p><b><u>Current federally listed and candidate species within watershed:</u></b></p> <p><b>Dwarf wedgemussel</b>–<i>Year-round</i>: Connecticut River and tributaries.</p> <p><b>Puritan tiger beetle</b>–<i>Year-round</i>: Sandy beaches of the Connecticut River and tributaries.</p> <p><b>Jesup’s milkvetch</b>–<i>Year-round</i>: Riverside outcrops and ledges of the Connecticut River.</p> <p><b>Northeastern bulrush</b>–<i>Year-round</i>: Herbaceous wetlands.</p> <p><b>Small-whorled pogonia</b>–<i>Year-round</i>: Hardwood forests.</p> <p><b>Canada lynx</b>–<i>Year round</i>: Spruce-fir forests.</p> <p><b>Northern bog turtle</b>–<i>Year round</i>: Open wetlands</p> <p><b>Rufa red knot</b>–<i>Breeding</i>: Sandy beaches at the mouth of Connecticut River.</p> <p><b>Northern long-eared bat</b>–<i>Breeding and Roosting</i>: Mature forests. <i>Wintering</i>: Caves.</p> <p><b>Indiana bat</b>–<i>Breeding and Roosting</i>: Mature forests. <i>Wintering</i>: Caves.</p> <p><b>Piping plover</b>–<i>Breeding</i>: Sandy beaches at the mouth of the Connecticut River.</p> <p><b>Atlantic sturgeon</b>–<i>Migration and Spawning</i>: Connecticut River main stem.</p> <p><b>Shortnose sturgeon</b>–<i>Migration, Spawning and Overwintering</i>: Connecticut River main stem.</p> <p><b>Roseate tern</b>–<i>Migration</i>: Sandy beaches at mouth of Connecticut River</p>
<p>Wetlands</p>	<p><b><u>Wetland Habitat Types within the Refuge:</u></b></p> <p><b>Freshwater Marshes</b>–Dominated by herbaceous vegetation including jewel weed, common bulrush, narrow-leaved cattail, marsh fern, water lily, wild rice and sedges.</p> <p><b>Peatlands</b>–Includes acidic and alkaline fens and acidic peatlands. These wetlands are dominated by sphagnum moss, as well as leather leaf, bog rosemary, sheep laurel, pitcher plant, cotton grass, and often scattered with stunted black spruce.</p> <p><b>Conifer Swamps</b>–Includes swamps dominated by conifer trees such as northern white cedar, red spruce, balsam fir, eastern hemlock, and American larch. The herbaceous and shrub layer tends to be species poor, but depends on the soils, and may include red-osier dogwood, catberry, ferns, and ephemerals.</p> <p><b>Hardwood Swamps</b>–Includes swamps dominated by deciduous trees such as red-maple, black ash, swamp white oak, and pin oak. Shrubs and herbaceous layer may include buttonbush, holly, ferns, and sedges.</p> <p><b>Shrub Swamps and Floodplain Forests</b>–Shrub swamps are dominated by shrubs including alder, willow, meadowsweet, dogwood, sedges, and rushes. Floodplain forests are often dominated by silver maple mixed with red maple, ash, and oaks. Shrubs include black willow, viburnums, and silky dogwood. The herb layer includes ferns and spring ephemerals.</p> <p><b>Salt Marsh</b>–Includes intertidal marshes where salinity levels are between 5 and 50 parts per thousand). Salt tolerant species occur such as cordgrass, glasswort, switchgrass, sedges, rushes, and eastern red cedar in the higher portions of the marsh.</p>

National Wildlife Refuge System Policy

The Refuge System Improvement Act requires that each refuge be managed to fulfill both its establishment purpose(s) and the mission of the Refuge System. Where there is conflict, individual refuge purposes have priority.

Section 4(a)(3) of the Refuge System Improvement Act states, “(A) each refuge shall be managed to fulfill the Mission of the System, as well as the specific purposes for which that refuge was established..... [Refuge System Mission] . . . 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.” [Refuge System Improvement Act, Section 4(a)(2)]

Refuge System resources of concern are identified in the National Wildlife Refuge System Mission, Goals, and Refuge Purposes Policy (601 FW 1). The first three Refuge System goals (601 FW 1.8) identify these resources of concern, and are stated below.

- Conserve a diversity of fish, wildlife, and plants and their habitats, including species that are endangered or threatened with becoming endangered.
- Develop and maintain a network of habitats for migratory birds, anadromous and interjurisdictional fish, and marine mammal populations that is strategically distributed and carefully managed to meet important life history needs of these species across their range.
- Conserve those ecosystems, plant communities, wetlands of national or international significance, and landscapes and seascapes that are unique, rare, declining, or underrepresented in existing protection efforts.

These Refuge System resources of concern (migratory birds, interjurisdictional fish, federally listed endangered and threatened species, and certain marine mammals) are collectively and individually referred to as Federal trust resources.

Biological integrity, diversity, and environmental health

The Improvement Act further states, “In administering the System, the Secretary shall...ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans...”

To meet this mandate the Service developed a biological integrity, diversity, and environmental health policy (BIDEH) to provide implementation guidance (601 FW 3). The policy uses historical conditions and the evaluation of a refuge at various landscape scales, including refuge, ecosystem, national, and international scales, to determine the integrity and environmental health of a refuge’s lands and its contribution to biological diversity.

**Table B.3. Summary of Biological Integrity, Diversity, and Environmental Health (BIDEH) Attributes for Conte Refuge**

<b>Refuge Unit/Division</b>	<b>Habitats (Plant communities that represent existing BIDEH)</b>	<b>Habitat Attributes</b> (Please see priority refuge resources of concern table in appendix A for details on these communities in each CFA.)	<b>Natural Processes Responsible for these Conditions</b>	<b>Limiting Factors</b>
– Salmon River – Maromas – Farmington River – Westfield River – Dead Branch – Mascoma – Ashuelot – White River – West River – Ottauquechee River – Ompompanoosuc River – Nulhegan Basin	Cliff and talus	Open outcrop, large and small, where the slope is greater than 60 degrees (Thompson and Sorenson 2000). The vegetation surrounding these outcrops varies from sparse to patches of small trees, in places forming woodland or even forest vegetation.	– Bedrock type – Temperature – Wind	– Development (wind, ski resorts) – Mining – Invasive species – Recreation overuse

Refuge Unit/Division	Habitats (Plant communities that represent existing BIDEH)	Habitat Attributes (Please see priority refuge resources of concern table in appendix A for details on these communities in each CFA.)	Natural Processes Responsible for these Conditions	Limiting Factors
<ul style="list-style-type: none"> <li>– Whalebone Cove</li> <li>– Salmon River</li> <li>– Maromas</li> <li>– Farmington River</li> <li>– Wissatinnewag Unit</li> <li>– Westfield River</li> <li>– Dead Branch</li> <li>– Sprague Brook</li> <li>– Mascoma</li> <li>– Ashuelot</li> <li>– White River</li> <li>– West River</li> <li>– Ottauquechee River</li> </ul>	Woodlands (natural)	Open or sparsely wooded hilltops and outcrops or rocky slopes. The vegetation is patchy, with woodland as well as open herbaceous or grassy portions.	<ul style="list-style-type: none"> <li>– Fire</li> <li>– Bedrock type</li> </ul>	<ul style="list-style-type: none"> <li>– Invasive species</li> <li>– Lack of fire</li> <li>– Fragmentation</li> </ul>
<ul style="list-style-type: none"> <li>– Whalebone Cove</li> </ul>	Rocky coast and islands	A narrow zone between the high tide line and the upland or entirely surrounded by water. Cover is patchy shrubs and sparse non-woody vegetation, sometimes with a few stunted trees.	<ul style="list-style-type: none"> <li>– Wind</li> <li>– Salt spray</li> <li>– Fog</li> <li>– Flooding</li> </ul>	<ul style="list-style-type: none"> <li>– Invasive species</li> <li>– Sea level rise</li> </ul>
<ul style="list-style-type: none"> <li>– Whalebone Cove</li> <li>– Roger Tory Peterson Unit</li> </ul>	Salt marsh	Includes intertidal marshes where salinity levels are between 5 and 50 (ppt). Dominated by salt tolerant sedges, grasses, and rushes. May have scattered shrubs in the higher portions of the marsh.	<ul style="list-style-type: none"> <li>– Salt spray</li> <li>– Flooding</li> </ul>	<ul style="list-style-type: none"> <li>– Invasive species</li> <li>– Sea level rise</li> <li>– Drainage ditches</li> </ul>
<ul style="list-style-type: none"> <li>– Whalebone Cove</li> <li>– Salmon River</li> <li>– Muddy Brook</li> <li>– Maromas</li> <li>– Dead Man’s Swamp</li> <li>– Westfield River</li> <li>– Honeypot Wetlands Unit</li> <li>– Sprague Brook</li> <li>– Mascoma</li> <li>– Ottauquechee River</li> <li>– Fannie Stebbins</li> </ul>	Hardwood swamp	These swamps are dominated by deciduous trees such as red-maple, black ash, swamp white oak, and pin oak. Shrubs and herbaceous layer may include buttonbush, holly, ferns, and sedges. Saturation can vary depending on soil type and rain events.	<ul style="list-style-type: none"> <li>– Flooding</li> <li>– Soil type</li> <li>– Fire</li> <li>– Drought</li> </ul>	<ul style="list-style-type: none"> <li>– Development</li> <li>– Invasive species</li> <li>– Sea level rise (near CT River main stem)</li> <li>– Lack of fire</li> <li>– Heavy logging</li> </ul>

Refuge Unit/Division	Habitats (Plant communities that represent existing BIDEH)	Habitat Attributes (Please see priority refuge resources of concern table in appendix A for details on these communities in each CFA.)	Natural Processes Responsible for these Conditions	Limiting Factors
<ul style="list-style-type: none"> <li>– Muddy Brook</li> <li>– Maromas</li> <li>– Deadman’s Swamp</li> <li>– Blueberry Swamp</li> <li>– White River</li> <li>– Ottauquechee River</li> <li>– Nulhegan Basin</li> <li>– Fannie Stebbins</li> <li>– Hatfield Unit</li> </ul>	Freshwater marsh	Dominated by herbaceous vegetation with scattered shrubs and trees. The substrate is typically muck over mineral soil. They occur in closed or open basins that are generally flat and shallow. They are associated with lakes, ponds, slow-moving streams or rivers, and/or impoundments or ditches.	<ul style="list-style-type: none"> <li>– Flooding</li> <li>– Soils</li> </ul>	<ul style="list-style-type: none"> <li>– Invasive species</li> <li>– Drainage ditches</li> <li>– Sea level rise</li> </ul>
<ul style="list-style-type: none"> <li>– Farmington River</li> <li>– Westfield River</li> <li>– Mascoma</li> <li>– Blueberry Swamp</li> <li>– Ashuelot</li> <li>– White River</li> <li>– West River</li> <li>– Ottauquechee River</li> <li>– Ompompanoosuc River</li> <li>– Nulhegan Basin</li> </ul>	Rocky outcrop	Occurs on ridges or summits of erosion-resistant acidic bedrock. The vegetation is patchy, often a mosaic of woodlands and open glades.	<ul style="list-style-type: none"> <li>– Exposure</li> <li>– Fire</li> </ul>	<ul style="list-style-type: none"> <li>– Lack of fire</li> <li>– Invasive species</li> </ul>
<ul style="list-style-type: none"> <li>– Mascoma</li> <li>– Ashuelot</li> <li>– White River</li> <li>– West River</li> </ul>	Peatlands	These communities’ include acidic and alkaline fens and acidic peatlands. They occur in basins or along shorelines of streams and lakes. Sphagnum moss is the dominant species, as well as grasses, low shrubs from the Ericaceae family, and stunted trees such as black spruce.	<ul style="list-style-type: none"> <li>– Water source</li> <li>– Bedrock type</li> </ul>	<ul style="list-style-type: none"> <li>– Adjacent development</li> <li>– Recreation</li> <li>– Peat extraction</li> <li>– Heavy logging adjacent to wetland</li> </ul>
<ul style="list-style-type: none"> <li>– White River</li> <li>– West River</li> <li>– Ottauquechee River</li> </ul>	Conifer swamp	<p>These swamps are dominated by coniferous trees such as northern white cedar, spruce, balsam fir, and American larch. The herbaceous and shrub layer tends to be species poor, but often depends on the soil type and pH level.</p> <p>These wetlands may remain saturated for all or nearly all of the growing season, and may have standing water seasonally.</p>	<ul style="list-style-type: none"> <li>– Flooding</li> <li>– Wind</li> <li>– Drought</li> </ul>	<ul style="list-style-type: none"> <li>– Development</li> <li>– Invasive species</li> <li>– Heavy logging</li> </ul>

Refuge Unit/Division	Habitats (Plant communities that represent existing BIDEH)	Habitat Attributes (Please see priority refuge resources of concern table in appendix A for details on these communities in each CFA.)	Natural Processes Responsible for these Conditions	Limiting Factors
<ul style="list-style-type: none"> <li>– White River</li> <li>– Ottauquechee River</li> <li>– Muddy Brook</li> </ul>	Shrub swamp and floodplain forest	<p>Shrub swamps are often associated with lakes and ponds, but are also found along streams, where the water level does not fluctuate greatly. They are commonly flooded for part of the growing season but often do not have standing water throughout the season. The system can have a patchwork of shrub and grass dominance, and trees are generally absent and, if present, are scattered.</p> <p>Floodplain forests are often dominated by silver maple, and other deciduous tree species, such as oak and ash. The understory tends to be species rich dominated by shrubs, ferns, and ephemerals. These forests occur along river systems, and are often flooded during high water events.</p>	<ul style="list-style-type: none"> <li>– Flooding</li> <li>– Drought</li> <li>– Beaver</li> </ul>	<ul style="list-style-type: none"> <li>– Clearing for agriculture</li> <li>– Development</li> <li>– Contaminants</li> </ul>

**1.2) Compile a comprehensive list of potential resources of concern**

A comprehensive list of species and habitats that could be of management concern for the refuge was developed by the CCP planning team based on various conservation plans, expert opinions, species and habitat distribution maps, and current inventory data. Appendix M has a comprehensive list of these conservation plans.

Conservation plans

Sources used to compile the list of resources of concern included:

- 2008 USFWS Birds of Conservation Concern for Bird Conservation Region 30.
- 2008 USFWS Birds of Conservation Concern for Bird Conservation Region 14.
- 2009 North Atlantic Landscape Conservation Cooperative Development and Operations Plan.
- 2016 Federal Threatened and Endangered Species including Candidate.
- 2016 Federal Elevated Concern species petitioned for Threatened an Endangered Species.
- 2011 Technical Paper of Representative Species.
- 2009 to 2013 U.S. Fish and Wildlife Service’s Northeast Region Fisheries Program Strategic Plan.
- Silvio O. Conte National Fish and Wildlife Refuge Purpose Species.
- 2008 New England/Mid-Atlantic Coast Bird Conservation Region (BCR 30) Implementation Plan.
- 2006 Blueprint for the Design and Delivery of Bird Conservation in the Atlantic Northern Forest (BCR 14).
- International Union for Conservation of Nature.



- 2015 New Hampshire Wildlife Action Plan.
- 2015 Vermont Wildlife Action Plan.
- 2015 Massachusetts Comprehensive Wildlife Conservation Strategy.
- 2015 Connecticut Comprehensive Wildlife Conservation Strategy.

#### Gather expert opinion

Between 2009 and 2012, we held various meetings in each state in the watershed—Connecticut, Massachusetts, New Hampshire, and Vermont—to discuss key issues for the refuge CCP. These meetings created an open dialogue for local experts from each state, Audubon Society, and The Nature Conservancy (TNC) to provide feedback regarding the refuges role within the Connecticut River watershed. In addition to these meetings, local experts were provided draft CCP documents for review, and given the opportunity to provide additional comments. Their feedback further developed the comprehensive list of resources of concern, and refuge habitat management direction.

The general consensus was that the refuge should take an active role in:

- Enhancing and restoring floodplain and riparian forest.
- Enhancing the health of the Connecticut River main stem and conserving aquatic species of conservation concern.
- Providing connectivity between other conservation lands.
- Conserving biologically diverse areas, and large blocks of unfragmented habitats.
- Conserving threatened and endangered species and candidate species.
- Managing forested habitats to provide a diversity of successional stages.
- Conserving habitat for migratory species including bats, fish, and landbirds.

#### Develop maps

We developed maps of species and habitat distributions within the watershed to assist with the development of the priority resources of concern list. The following is a list of maps used throughout the CCP process.

- Current Vegetation Map—using habitat data from TNC North East Terrestrial Habitat Mapping Project which is linked to the National Vegetation Classification System.
- Landbird species distribution and breeding bird survey relative abundance maps.
- Fisheries species distribution maps.
- Federally endangered and threatened species distribution maps.
- Existing conserved lands from TNC.
- Representative State Heritage Program maps.

#### Compile existing data

Partner agencies provided wildlife and plant species inventory data for proposed CFAs. Data was also compiled from surveys and inventories that were conducted on current refuge divisions. The following is a list of surveys and inventories conducted on current refuge divisions which contributed to the selection of priority resources of concern.

##### *Landbirds*

Breeding landbirds have been surveyed at Nulhegan Basin Division from 2000 to 2006 and Pondicherry Division from 2004 to 2006 and 2009 to 2011 using point count methodology, following a Regional protocol. Points were established in various habitat types, and vegetation structure data was collected at each survey point.

A Monitoring Avian Productivity and Survivorship (MAPS) banding station collected data on landbird populations within the Nulhegan Basin Division from 2003 to 2012.

Canada warblers were monitored on the Nulhegan Basin Division, as part of a larger study effort, to obtain and model habitat-specific estimates of productivity, survivorship, dispersal, and site fidelity for northeast Vermont.

Neotropical migrant birds were surveyed in four sub-watersheds of the Connecticut River including the Farmington River watershed in Connecticut, the Deerfield River watershed in Massachusetts, the Ashuelot River watershed in New Hampshire, and the White River watershed in Vermont. The goal was to determine the importance of the Connecticut River watershed to neotropical migrants, and the habitat types used most often during migration. Twelve transects were established in each sub-watershed at specific geographic locations, and each transect was surveyed 6 different times throughout the spring each year, for 3 years (1996-1998). This survey effort was part of a study conducted by Smith College and Manomet Center for Conservation Sciences, and details can be found at: <http://www.science.smith.edu/stopoverbirds/> (accessed September 2013).

Owls were surveyed on the Nulhegan Basin Division in 2000, and 2001 to 2005 using a playback methodology to determine species presence, abundance, and distribution on the refuge. Spruce grouse breeding surveys are conducted on the Nulhegan Basin Division to determine presence, abundance and distribution.

#### *Shorebirds*

American woodcock have been surveyed at Nulhegan Basin Division from 2000 to 2013 to understand woodcock relative abundance, distribution, and use of Division habitats. Spring singing ground surveys are conducted each year along road transects, and, over the past 6 years, along walking routes within three woodcock management units. Roosting surveys were conducted in the summer months of 2009 and 2010 within the roosting areas of these units.

#### *Forest inventory*

A forest-based habitat inventory was conducted on the Nulhegan Basin and Pondicherry Divisions in 2007. Approximately, 2,600 points at Nulhegan Basin and 560 points at Pondicherry were surveyed for forest stand characteristics including species composition, stand structure, understory and midstory characteristics, fuel load, age class, height class and crown closure.

#### *Aquatic resource surveys*

A biological survey of fish and macroinvertebrates was conducted on the Nulhegan Basin Division in 2000 as part of a biological diversity survey effort conducted on the former Champion International Lands. Aquatic habitat assessments investigating fish passage and in-stream features have been conducted at the Nulhegan Basin Division since 2009.

#### *Mid-sized carnivores*

Snow tracking surveys were conducted on the Nulhegan Basin Division and surrounding area to better understand lynx distribution in Vermont. Surveys were conducted during the winter of 2012. A protocol similar to the one developed in Maine to detect lynx presence was used. Other species were also documented during the survey effort including bobcat and fisher. A remote camera station was set-up in 2013 in an area that was being heavily used by lynx.

#### *Small mammals*

A small mammal inventory was conducted in 2000 on the Nulhegan Basin Division as part of a biological diversity survey effort conducted on the former Champion International Lands. Baited Sherman live traps and Museum Special snap traps were used for ground dwelling small mammals, while mist nests and acoustic monitors were used to survey bats. Bat acoustic surveys were also conducted at the Nulhegan Basin and Pondicherry Divisions in 2012 and 2013.

#### *Natural communities and rare vascular plant inventory*

Natural communities mapping and a rare plant inventory occurred in 2001 as part of a biological diversity survey effort conducted on the former Champion International Lands. Natural community mapping was updated in 2012 for new acquisition at the Nulhegan Basin Division, and in current ownership at the Blueberry Swamp Division.

*Invertebrate surveys*

Invertebrates have been inventoried at Pondicherry and Nulhegan Basin Division by entomologists on different occasions to determine species presence.

*Waterfowl brood surveys*

Waterfowl brood surveys were conducted at the Nulhegan Basin Division in 2000 as part of a biological diversity survey effort conducted on the former Champion International Lands, and conducted again in 2008.

*Marsh birds*

Marsh birds have been inventoried at the Nulhegan Basin Division in 2000 as part of a biological diversity survey effort conducted on the former Champion International Lands. Marsh birds were also surveyed at the Pondicherry Division in 2012 using a national and standardized protocol.

*Amphibian and reptile surveys*

Amphibian breeding surveys were conducted at the Pondicherry Division in 2005 and 2006, and on the Nulhegan Basin Division from 2001 to 2005 to document species presence and abundance. Survey procedures from a standardized protocol recorded species based on breeding amphibian calls. Reptiles and amphibians were inventoried using various survey methods at the Nulhegan Basin Division in 2001 as part of a biological diversity survey effort conducted on the former Champion International Lands. Survey methods include, active searches, night-time and day-time road searches, and trapping with minnow and hoop traps. Data was also collected on vernal pools including spatial data, productivity level, and pool measurements (length, width, and depth).

*Invasive plant inventory*

An inventory of invasive plant species has been conducted on the Nulhegan Basin Division, Pondicherry Division, Blueberry Swamp Division, Salmon River Division, Putney Mountain Unit, and Fort River Division.

**2.0) Identify Potential Priority Refuge Resources of Concern in the Watershed**

A comprehensive list of resources of concern was developed for the Connecticut River watershed using the information described above. These resources are a high priority for conservation based on their ranking in the specific plans identified in step 1.2. All of these species are present within the Connecticut River watershed, and species whose habitat needs are currently available or can be restored. See table B.4 for complete list of resources of concern within the watershed.

**Table B.4. Comprehensive List of Resources of Concern for the Connecticut River Watershed**

<b>Species Common Name</b>	<b>NALCC<sup>1</sup> (*NALCC representative species are in bold)</b>	<b>BCC (BCR 30)<sup>2</sup></b>	<b>BCC (BCR 14)<sup>2</sup></b>	<b>Federally Threatened and Endangered Species</b>	<b>Petitioned for Federal Listing<sup>3</sup></b>	<b>Listed in Service's Northeast Region Fisheries Strategic Plan</b>	<b>Listed in Refuge Purposes</b>	<b>BCR 30<sup>4</sup>/PIF Plan<sup>5</sup></b>	<b>BCR 14<sup>4</sup>/PIF Plan<sup>5</sup></b>
Alewife	x					x	x		
American bittern		x	x					M	M
American black duck	x	x	x				x	HH	HH
American eel						x			
American oystercatcher	x	x						HH	M
American redstart									HR
American shad	x					x	x		

Species Common Name	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened and Endangered Species	Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
American woodcock	x	x	x					HH	HH
Atlantic salmon	x					x	x		
Atlantic sturgeon				x		x			
Bald eagle		x	x				x	M	M
Baltimore oriole								HR	
Bicknell's thrush	x		x		x			H	HH, R
Black-and-white warbler								HR	
Black-billed cuckoo									HR
Blackburnian warbler									HR
Black-throated blue warbler									HR
Black-throated green warbler									HR
Blueback herring						x	x		
Blue-winged warbler	x	x	x					HH	H
Boreal chickadee									HR
Broad-winged hawk								HR	
Brook floater					x				
Brook trout	x					x			
Brown thrasher								HR	
Bufflehead		x						H	
Canada goose, Atlantic	x	x						HH	
Canada goose, north Atlantic		x	x					H	H
Canada warbler	x		x					M	HH, Y
Canada Lynx				x					
Chestnut-sided warbler									HR
Chimney swift								HR	
Cobblestone tigerbeetle					x				
Dwarf wedgemussel	x			x		x			
Eastern kingbird								HR	
Eastern towhee								HR	
Field sparrow								HR	
Gray catbird								HR	
Great crested flycatcher								HR	
Indiana bat				x					
Jesup's milk-vetch	x			x					

Species Common Name	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened and Endangered Species	Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
Least tern		x						H	
Lesser yellowlegs		x	x					M	
Louisiana waterthrush								HR	
Mallard		x						H	
Marsh wren								HR	
Monarch butterfly					x				
New England cottontail rabbit	x								
Northern bog turtle				x					
Northeastern bulrush	x								
Northern flicker								HR	
Northern long-eared bat				x					
Northern parula									HR
Olive-sided flycatcher			x						H
Osprey							x		
Peregrine falcon		x	x				x		M
Pied-billed grebe		x	x						
Piping Plover	x			x				HH	HH
Prairie warbler	x	x						HH, Y	Y
Puritan tiger beetle	x			x					
Purple finch									HR
Red Knot	x	x	x	x				HH	
Regal fritillary					x				
Roseate tern				x				HH	
Rose-breasted grosbeak									HR
Ruffed grouse									HR
Rusty blackbird		x	x					H	H
Saltmarsh sparrow	x	x	x					HH, R	R
Scarlet tanager								HR	
Seaside sparrow	x	x						M, Y	
Semipalmated sandpiper	x	x	x					H	HH
Short-billed dowitcher		x						H	H
Shortnose sturgeon	x			x		x	x		
Small-whorled pogonia	x			x					
Snowy egret		x	x					M	

Species Common Name	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened and Endangered Species	Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
Solitary sandpiper		x	x					H	
Tri-colored bat					x				
Veery									HR
Whip-poor-will		x						H	M
Willow flycatcher								HR	
Wood duck			x					M	M
Wood thrush	x	x	x					HH, Y	HH, Y
Wood turtle					x				
Worm-eating warbler		x						H	
Yellow banded bumble bee					x				
Yellow-bellied sapsucker									HR
Yellow-throated vireo								HR	

**Reference Notes:**

<sup>1</sup> LCC–2009 North Atlantic Landscape Conservation Cooperative Development and Operations Plan; species of concern

<sup>2</sup> BCC (BCR 30, 14)-2008 USFWS Birds of Conservation Concern for Bird Conservation Regions 30 and 14. Note: The resident game species and waterfowl were added to this list from the Land Acquisition Priority System.

<sup>3</sup> Species petitioned to be federally listed as threatened or endangered as of 2016.

<sup>4</sup> BCR–Bird Conservation Region Plans–Rankings: HH–highest; H–high; M–medium; HR–high BCR responsibility

<sup>5</sup> Species of Continental Concern from 2016 Partners in Flight Landbird Conservation Plan. R (red)= species with extremely high vulnerability due to small population, range, threats, and rangewide declines. Y (yellow) = species not declining but vulnerable due to small range or population and moderate threats, or species in decline due and moderate to high threats (Rosenberg, et al, 2016).

**3.0) Select priority refuge resources of concern for refuge units and proposed CFAs**

The “Comprehensive list of refuge resources of concern for the Connecticut River watershed” addresses a broad range and high number of conservation needs. This list is too broad and extensive, and does not allow for focused and effective resource conservation within each CFA or refuge unit. Priority refuge resources of concern were selected from this comprehensive list using a “focal resources” concept. Focal resources are associated with conditions that represent the needs of larger groups of species that have similar requirements and respond to management similarly (Pavelgio and Taylor 2010). The species selected will prioritize and focus management within individual CFAs, and units that are located outside of a CFA boundary. Occasionally, we chose a priority “resource” that is not a species, but a species group, habitat, or natural community type, such as migratory birds, floodplain forests, or large contiguous grasslands.



When available, we used existing wildlife inventory data and current information on habitat conditions to inform our selection of priority refuge resources of concern for each CFA and refuge unit. This data was often available for CFAs with existing refuge divisions (e.g., Pondicherry and Nulhegan Basin) and for refuge units. However, this data is generally limited to the acres we currently own, and not to the entire CFA located outside the existing refuge division boundary. Where this data was not available, the habitats and wildlife species—and their condition—were analyzed using only coarse-scale information. This included the careful analysis of spatially-explicit habitat data using GIS (Geographic Information Systems), the consultation of local and state experts and conservation plans, and an understanding of forest disturbance and land use history in New England. This allowed identification of broad habitat types and the selection of “preliminary” priority refuge resources of concern that are associated with habitat type attributes. These preliminary species will be further refined when the Service acquires land within these CFAs. A comprehensive, multi-scale wildlife and habitat inventory will be conducted providing baseline information to further inform priority refuge resources of concern, and provide more detailed habitat prescriptions required within a step-down HMP.

The priority refuge resources of concern for each CFA and refuge unit was chosen from the Connecticut River watershed priority resources of concern list, and based on the following criteria:

- (1) Is there a federally threatened or endangered species, a Federal candidate species, a species petitioned for Federal listing or a species mentioned in the refuge’s purposes currently present in a CFA or unit (e.g., puritan tiger beetle). If yes, then the species is a priority.
- (2) For species whose core range is within the CFA or refuge unit, and management for them will benefit other priority species. If yes to all of these questions, then the species is a priority:
  - Is the species distributed throughout the CFA, and/or is the CFA within the core of their breeding/migratory/wintering range?
  - Does the CFA provide the habitat to support this species?
  - Will this species respond well to management?
  - Does the species have the highest ranking, and will management for this species also benefit a suite of species that rely on similar habitat types and structure (e.g., wood thrush, American black duck)?
- (3) Does the species have habitat needs that will not be addressed through management of other chosen priority species, and is currently present in a CFA or refuge unit (e.g., blackburnian warbler). If yes, then the species is a priority.
- (4) Is there a habitat type within the CFA or refuge unit that is not necessarily being managed for a particular priority species of concern due to the habitat type, small patch size or location, but nonetheless, is important to conserve for its contribution to BIDEH or ecosystem processes and function? If yes, then the habitat is a priority.

Species that met the criteria above, but are also listed in state Wildlife Action Plans, under the International Union for Conservation of Nature and/or are a North Atlantic LCC representative species, then the species was given a higher ranking under criteria number 2. Please see the “Process to Determine CFA Priority Refuge Resources of Concern” table for each CFA and in appendix A of the final CCP/EIS.

Table B.5 shows the priority refuge resources of concern for the proposed CFAs and existing refuge units by habitat type. This is a comprehensive list of species and is not associated with any particular CFA or refuge unit. The species were selected based on the criteria above, and influenced by the location of the CFA or refuge unit in the watershed, size of the CFA or refuge unit, habitat type and patch size, and species presence. New England cottontail, for instance, is a priority refuge resource of concern in three CFAs in the southern portion of the watershed only. Northeastern bulrush is a federally listed species that occurs in freshwater marshes in one CFA and one refuge unit only in southern Vermont. Please see appendix A in the final CCP/EIS for priority refuge resources of concern for each CFA.

Habitats are also listed as priority refuge resources of concern because they contribute to BIDEH (see criteria #4). Some of these habitats have been impacted by development, and are now rare in the landscape (e.g., floodplain forest). A summary of existing habitats that contribute to BIDEH is provided in table B.3. Habitats that have been impacted by development, and are in need of restoration are listed in table B.5.

**Table B.5. Priority Refuge Resources of Concern for CFAs by Habitat Type**

<b>(Preliminary) Priority Refuge Resources of Concern</b>	<b>Habitat Type</b>	<b>Habitat Structure</b>
Wood thrush	Hardwood forest	Breeding habitat includes contiguous mature forests (80 years old or older) dominated by deciduous tree species, moist soils, a moderate to dense sub-canopy and shrub density, open forest floor and closed canopy (Roth et al. 1996, Rosenberg et al. 2003).
Chestnut-sided warbler		Breeding habitat includes early successional deciduous forested upland and wetland (Richardson and Brauning 1995).
American woodcock		Breeding and roosting habitat includes young deciduous and mixed forests (1 to 20 years old) dominated by aspen and birch, and 3-acre or larger forest openings with 60 percent shrub cover, in proximity to alder wetlands and herbaceous openings (Sepik et al. 1981, Kelley Jr et al. 2008).
Black-throated blue warbler		Breeding habitat includes mature deciduous and mixed deciduous-conifer forests with a shrubby understory (Rosenberg and Hodgman 2000, DeGraaf and Yamasaki 2001, Dobbs et al. 2007).
Blackburnian warbler		Breeding habitat includes mature conifer, and conifer-deciduous forests (80 years or older) (Rosenberg and Hodgman 2000, DeGraaf and Yamasaki 2001, Morse 2004).
Canada warbler		Breeding habitat includes contiguous deciduous, mixedwood and coniferous forests interspersed with openings that provide an average overstory tree height of 55 feet within greater than 30 percent canopy closure, a dense foliar mid-story and well developed shrub layer 7 to 20 feet in height, and moist soils (Lambert and Faccio 2005, Chace et al. 2009).
Louisiana waterthrush		Breeding habitat includes contiguous (250 or greater acres) mature deciduous or mixed-wood forests along medium to high-gradient, first to third-order, perennial streams (DeGraaf and Yamasaki 2001, Mattsson et al. 2009).
New England cottontail		Year-round habitat includes dense, young deciduous and mixed forests in patch sizes of 25 acres or more that are situated within 0.6 miles (1 kilometer) of each other (DeGraaf and Yamasaki 2001, Arbutnot 2008).
Tri-colored bat Northern long-eared bat Indiana bat		Caves used for hibernation. Roosting trees located in forested landscapes clustered in stands of large trees with cavities or loose bark. Cliffs, ledges, talus slopes also important for roosting/nesting. Maternity trees (8 to 14 inches diameter at breast height (dbh)) and travel corridors to water are also important (DeGraaf and Yamasaki 2001, Darling Guidelines, unpublished).
Small-whorled pogonia		Inhabits upland sites in maturing stands of deciduous or mixed deciduous and coniferous forests with sparse-to-moderate ground cover (due to nutrient poor soils), a relatively open understory, and proximity to persistent openings in the forest canopy, such as logging roads and streams.
Bald eagle osprey (breeding and migrating only)		Breeding, migrating, and wintering habitat includes large bodies of open water with little human disturbance, and large canopy trees or other elevated sites for nesting, perching, and roosting (DeGraaf and Yamasaki 2001).

<b>(Preliminary) Priority Refuge Resources of Concern</b>	<b>Habitat Type</b>	<b>Habitat Structure</b>
Blackburnian warbler	Spruce-fir forest	Breeding habitat includes mature conifer, and conifer-deciduous forests (80 years or older) (DeGraaf and Yamasaki 2001, Morse 2004).
Rusty blackbird		Breeding habitat includes conifer dominated forested wetlands interspersed with shrub swamps and peatlands. Young spruce and fir may be required for nesting (Greenberg and Matsuoka 2010, Matsuoka et al. 2010, Powell et al. 2010).
Canada warbler		Breeding habitat includes contiguous deciduous, mixed-wood and coniferous forests interspersed with openings that provide an average overstory tree height of 55 feet within greater than 30 percent canopy closure, a dense foliar mid-story and well developed shrub layer 7 to 20 feet in height, and moist soils (Lambert and Faccio 2005, Chace et al. 2009).
Rusty blackbird	Hardwood swamps	Wintering habitat includes floodplain forests, hardwood swamps, and shrub wetlands (C. Foss, Audubon New Hampshire, personal communication 2016).
Canada warbler	Hardwood swamps	Breeding habitat includes contiguous deciduous, mixed-wood and coniferous forests interspersed with openings that provide an average overstory tree height of 55 feet within greater than 30 percent canopy closure, a dense foliar mid-story and well developed shrub layer 7 to 20 feet in height, and moist soils (Lambert and Faccio 2005, Chace et al. 2009).
	Conifer swamps	
American woodcock	Shrub swamps and floodplain forests	Foraging habitat includes alder dominated wetlands in proximity to early successional forests, shrublands and herbaceous openings (Sepik et al. 1981, Kelley Jr et al. 2008).
American black duck		Breeding and migrating habitat includes herbaceous wetlands, and flooded meadows and shrub-swamps (Longcore et al. 2000, DeGraaf and Yamasaki 2001).
New England cottontail		Year-round habitat includes shrub swamps of at least 25 acres that are within 0.6 miles (1 kilometer) of other shrub swamps, and early successional forest patches (DeGraaf and Yamasaki 2001, Arbuthnot 2008).
Tri-colored bat Indiana bat Northern long-eared bat		Caves used for hibernation. Roosting trees located in forested landscapes clustered in stands of large trees with cavities or loose bark. Cliffs, ledges, talus slopes also important for roosting/nesting. Maternity trees (8 to 14 inches dbh) and travel corridors to water are also important (DeGraaf and Yamasaki 2001, Darling Guidelines, unpublished).
Rusty blackbird		Wintering habitat includes floodplain forests, hardwood swamps, and shrub wetlands (C. Foss, Audubon New Hampshire, personal communication 2016).
American black duck	Freshwater marshes	Breeding and migrating habitat includes herbaceous wetlands, and flooded meadows and shrub-swamps (Longcore et al. 2000, DeGraaf and Yamasaki 2001).
Snowy Egret		Foraging habitat includes shallow pools, freshwater wetlands, and tidal flats within the vicinity of nesting areas (DeGraaf and Yamasaki 2001).
Northeastern bulrush		Year-round habitat includes herbaceous wetlands with seasonally fluctuating water levels (USFWS 2006).
American black duck	Peatlands	Breeding and migrating habitat includes herbaceous wetlands, and flooded meadows and shrub-swamps (Longcore et al. 2000, DeGraaf and Yamasaki 2001).

<b>(Preliminary) Priority Refuge Resources of Concern</b>	<b>Habitat Type</b>	<b>Habitat Structure</b>
American woodcock	Pasture/hay/ grassland	Roosting habitat includes old fields with scattered tall herbaceous vegetation and/or shrubs. Herbaceous openings such as log landings and pasture used for singing grounds (Sepik et al. 1981, Kelley Jr et al. 2008).
New England cottontail		Year-round habitat includes pastures, abandoned fields, and dense, young deciduous and mixed forests in patch sizes of 25 acres or more that are situated within 0.6 miles (1 kilometer) of each other (DeGraaf and Yamasaki 2001, Arbuthnot 2008).
Floodplain communities (restoration) <i>*supports migratory birds, wood turtle, and bat species*</i>		<i>Laurentian-Acadian floodplain forest</i> occurs along medium to large rivers, and include a matrix of upland and wetland habitats. Floodplain forests, with silver maple are characteristic, as well as herbaceous sloughs and shrub wetlands. Most areas are underwater each spring; micro-topography determines how long the various habitats are inundated. Associated trees include red maple and American hornbeam, the latter frequent but never abundant. On terraces or in more calcium rich areas, sugar maple or red oak may be locally prominent, with yellow birch and ash, black willow is characteristic of the levees adjacent to the channel. Common shrubs include silky dogwood and viburnum. The herb layer in the forested portions often features abundant spring ephemerals, giving way to a fern-dominated understory in many areas by mid-summer. Non-forested wetlands associated with these systems include shrub-dominated and grass-non-woody vegetation (Gawler et al. 2008).
Managed grasslands (large contiguous acreage only) <i>*supports yellow banded bumble bee, monarch butterfly, regal fritillary, grassland birds*</i>		These habitat types include ruderal uplands (recently disturbed areas) and old-fields such as abandoned pastures; lands that are intensively managed for cool season grasses, such as Canada rye, redtop, and June grass or warm season grasses, such as switch grass, Indian grass, and blue stem; and hayfields/pastures that are intensively managed for cool season grasses or are active pastures (Gawler et al. 2008).
New England cottontail	Old fields and shrublands	Year-round habitat includes pastures, abandoned fields, and dense, young deciduous and mixed forests in patch sizes of 25 acres or more that are situated within 1 km of each other (DeGraaf and Yamasaki 2001, Arbuthnot 2008).

(Preliminary) Priority Refuge Resources of Concern	Habitat Type	Habitat Structure
Brook floater	Water	Year-round habitat includes creeks and small rivers, prefers the stable bank conditions afforded by gravel or sandy substrates, and good water quality (Nedeau 2008).
Atlantic salmon		Spawn in cold freshwater moving streams with coarse clean gravel and adequate food and cover. Migrate in large rivers (Kart et al. 2005).
Brook trout		Spawning habitat includes clear, well oxygenated cold water lakes/ponds/streams with silt-free rocky substrate, abundant cover, vegetated banks, stable temperatures, and stream flow (Kart et al. 2005).
Atlantic Sturgeon		(DeGraaf and Yamasaki 2001)
American shad		Spawn when the water temperature is above 60 degrees Fahrenheit in shoal area of river and lower reaches of larger tributaries (USFWS 1996).
American black duck		Migrating and wintering habitat includes open water, such as, estuaries, coves or bays with submerged aquatic vegetation, mollusks and crustaceans for foraging (DeGraaf and Yamasaki 2001).
American eel		Migrating and feeding habitat includes lakes, streams and large rivers (USFWS 1996).
Dwarf wedgemussel		Year-round habitat includes creeks and small rivers, prefers the stable bank conditions afforded by gravel or sandy substrates, and good water quality (USFWS 1993, Nedeau 2009).
Shortnose sturgeon		Spawn in slow-moving, 48°F water of large rivers, and feed in fresh and brackish water along the river bottom (USFWS 1996).
Blueback herring		Spawn in fast moving, shallow water when the river temperature is about 58°F (USFWS 1996).
Alewife		Spawn in ponds and slow-moving streams (USFWS 1996).
Migratory species (e.g., birds and bats)	River shoreline	The Connecticut River watershed is a major migration corridor. The lower portion of the watershed (CT and MA), and habitats along the main stem, receives higher use by migrating landbirds. As birds move north, they disperse beyond the Connecticut River main stem, becoming more evenly distributed in habitats across the watershed (Smith College 2006). The Connecticut River watershed is also important for migratory waterfowl and bat species.
Puritan tiger beetle		Breeding and wintering habitat includes sparsely vegetated or open sandy beaches along large rivers where river flow dynamics restrict woody plant growth (Hill and Knisley 1993).
Cobblestone tigerbeetle		Breeding and wintering habitat includes sparsely vegetated sandy cobble beaches on the banks or upstream side of islands in free-flowing rivers (Pyzikiewicz 2006).
Jesup's milk-vetch		Riverside rock outcrops and ledges of the Connecticut River (USFWS 1989).

<b>(Preliminary) Priority Refuge Resources of Concern</b>	<b>Habitat Type</b>	<b>Habitat Structure</b>
Piping plover	Dunes and Maritime Grasslands	Breeding and migratory habitat includes sandy beaches and tidal mudflats. Nest sites are shallow scraped depressions in sandy areas with little or no vegetation.
Red knot		Migratory habitat includes sandy beaches, tidal mudflats, and salt marshes where bivalves, gastropods, and crustaceans are available for foraging.
Roseate tern		Sandy beaches and tidal mudflats during migration, especially at the mouth of the Connecticut River.

The following table (table B.6) identifies high refuge priority habitats for each CFA and refuge unit that will be a priority for active management in the next 15 years. These priority habitats are subject to change once land is acquired within the CFA and a wildlife and habitat inventory has been conducted. Active management will likely not occur within the majority of refuge units, except where federally listed species occur, due to the small acreage and habitat patch sizes (refuge units range between 3 to 285 acres). Therefore, we do not list all refuge units in this table.

**Table B.6. Habitat Priorities at Conte Refuge**

<b>CFA or Refuge Unit</b>	<b>Priority I Habitats</b>	
	<b>Habitat Type</b>	<b>Reasons for Ranking</b>
<b>Whalebone Cove</b>	Freshwater marsh	Significant acreage in CFA; part of lower Connecticut River tidal wetland system; habitat for American black duck, semipalmated sandpiper, migratory waterfowl, and shorebirds.
	Hardwood forest	Diversity of species rely on habitat, including New England cottontail (Federal candidate species), wood thrush, and Louisiana waterthrush, contiguous tract rare in southern portion of watershed.
	Shrub swamps and floodplain forests	Small in acreage but part of the tidal wetland system of the lower Connecticut River, New England cottontail, American black duck, American woodcock, and migratory waterfowl.
<b>Scantic</b>	Floodplain forest (currently agriculture)	Impacted by development/agriculture, uncommon habitat in the Connecticut River watershed; restoration necessary, significant for migrants.
	Hardwood swamp	Within the floodplain of the Connecticut River; potential impacts by development/agriculture; benefits migratory species.
	Freshwater marsh	Within the floodplain of the Connecticut River; potential impacts by development/agriculture; benefits migratory waterfowl species.
<b>Salmon River</b>	Hardwood forest	Diversity of species rely on habitat, including New England cottontail (Federal candidate species), wood thrush, and Louisiana waterthrush; and contiguous tract of hardwood forest rare in southern portion of watershed.
	Shrub swamps and floodplain forests	Part of lower Connecticut River tidal wetland system; provides habitat for New England cottontail, American black duck, American woodcock, and migratory waterfowl.
	Freshwater marsh	Part of lower Connecticut River tidal wetland system; provides habitat for American black duck, other migratory waterfowl, and shorebirds.



CFA or Refuge Unit	Priority I Habitats	
	Habitat Type	Reasons for Ranking
<b>Muddy Brook</b>	Shrub swamp and floodplain forest	Impacted by development/agriculture; uncommon habitat in the Connecticut River watershed; significant for migrants.
	Grasslands (currently agriculture)	Uncommon contiguous large block of grassland habitat; provides habitat for declining grassland species.
	Hardwood swamp	Within the floodplain; large acreage in CFA; potential impacts by development/agriculture; provides habitat for migratory species.
<b>Pyquag</b>	Floodplain forest (currently agriculture)	Impacted by development/agriculture; uncommon habitat in the Connecticut River watershed; restoration necessary; significant for migrants.
	Hardwood swamp	Impacted by development/agriculture; uncommon habitat in the Connecticut River watershed; restoration necessary; significant for migrants.
	Freshwater marsh	Impacted by development/agriculture; uncommon habitat in the Connecticut River watershed; restoration necessary; used by migratory waterfowl.
<b>Maromas</b>	Hardwood forest	Contiguous tract rare in southern portion of watershed; connects to other large forest tracts; diversity of species rely on habitat, including wood thrush and Louisiana waterthrush.
	Shrub swamps and floodplain forests	Adjacent to Connecticut River, significant in size, American black duck, migratory waterfowl.
<b>Farmington River</b>	Hardwood forest	Diversity of species rely on habitat including New England cottontail (Federal candidate species), wood thrush, and Canada warbler; contiguous tract rare in southern portion of watershed.
	Shrub swamps and floodplain forests	Provides habitat for New England cottontail, American black duck, and American woodcock; large tract in CFA.
	Freshwater marsh	Provides habitat for American black duck; large tract in CFA.
<b>Westfield River</b>	Hardwood forest	Diversity of species rely on habitat including wood thrush, blackburnian, woodcock, and Canada warbler; contiguous tract, undeveloped landscape; connectivity, riparian buffer.
	Shrub swamps and floodplain forests	Provides habitat for American woodcock and American black duck.
<b>Mill River</b>	Floodplain forest (currently agriculture)	Impacted by development/agriculture; uncommon habitat in the watershed; restoration necessary; significant for migratory species.
	Hardwood swamp	Within the floodplain of the Connecticut River; potential impacts by development/agriculture; migrants.
	Freshwater marsh	Within the floodplain of the Connecticut River; potential impacts by development/agriculture.
<b>Fort River</b>	Floodplain forest (currently agriculture)	Impacted by development/agriculture; uncommon habitat in the watershed; restoration necessary; significant for migratory species.
	Grasslands (currently agriculture)	Uncommon to have a contiguous large block of grassland habitat; declining grassland species.



CFA or Refuge Unit	Priority I Habitats	
	Habitat Type	Reasons for Ranking
<b>Dead Branch</b>	Hardwood forest	Diversity of species rely on habitat including wood thrush, blackburnian, woodcock, and Canada warbler; contiguous tract, undeveloped landscape; connectivity, riparian buffer.
	Shrub swamps and floodplain forests	Provides habitat for American woodcock and American black duck.
	Freshwater marsh	Within a large wetland complex; provides habitat for American black duck.
<b>Sprague Brook</b>	Hardwood forest	Diversity of species rely on habitat including wood thrush, blackburnian, woodcock, and Canada warbler; contiguous tract; undeveloped landscape; connectivity.
	Shrub swamps and floodplain forests	Part of a larger wetland complex; provides habitat for a diversity of species, including American woodcock, American black duck, rookery.
	Freshwater marsh	Part of a larger wetland complex, provides habitat for a diversity of species, including American black duck.
<b>Pondicherry</b>	Spruce-fir	Supports rare boreal species and species of conservation concern; provides forest buffer for numerous streams in CFA; contiguous forest.
	Peatlands	Uncommon habitat type in landscape; sensitive habitat, unique plant species; provides habitat for black ducks; surrounds remote ponds.
	Shrub swamps and floodplain forests	Part of a larger wetland complex; supports American black duck and American woodcock.
<b>Mascoma</b>	Hardwood forest	Diversity of species rely on habitat including wood thrush, blackburnian, woodcock, and Canada warbler, contiguous tract, undeveloped landscape; connectivity, riparian buffer.
	Shrub swamps and floodplain forests	Part of a larger wetland complex; supports American black duck and American woodcock.
	Conifer swamp	Provides riparian buffer; part of a larger wetland complex; supports Canada warbler.
<b>Blueberry Swamp</b>	Spruce-fir	Supports rare boreal species; provides forest buffer for numerous streams in CFA; contiguous forest.
	Shrub swamps and floodplain forests	Large block of shrubland habitat; part of a larger wetland complex, supports American black duck and American woodcock.
	Conifer swamp	Large cedar swamp; part of a larger wetland complex; supports unique species and Canada warbler.
<b>Ashuelot</b>	Hardwood forest	Diversity of species rely on habitat, including wood thrush, blackburnian, woodcock, and Canada warbler; contiguous tract; undeveloped landscape; connectivity, riparian buffer.
	Shrub swamps and floodplain forests	Part of a larger wetland complex; supports American black duck and American woodcock.
	Freshwater marsh	Part of a larger wetland complex; supports diversity of species, including American black duck.

CFA or Refuge Unit	Priority I Habitats	
	Habitat Type	Reasons for Ranking
<b>White River</b>	Hardwood forest	Diversity of species rely on habitat, including wood thrush, chestnut-sided warbler, and bats; contiguous tract; undeveloped landscape; connectivity; riparian buffer.
<b>West River</b>	Hardwood forest	Diversity of species rely on habitat, including wood thrush, blackburnian, woodcock, and Canada warbler; contiguous tract; undeveloped landscape; connectivity; and riparian buffer.
	Shrub swamps and floodplain forests	Large block in CFA; supports American black duck and American woodcock.
	Freshwater marsh	Large block in CFA; diversity of species; potential for northeastern bulrush; supports American black duck.
<b>Ottauquechee</b>	Hardwood forest	Diversity of species rely on habitat, including wood thrush, chestnut-sided warbler, and bats; contiguous tract; undeveloped landscape; connectivity; riparian buffer.
<b>Ompompanoosuc</b>	Hardwood forest	Diversity of species rely on habitat, including wood thrush, blackburnian, woodcock, and bats; contiguous tract; undeveloped landscape; connectivity; riparian buffer.
	Shrub swamps and floodplain forests	Supports American black duck, bats, and American woodcock.
	Freshwater marsh	Supports American black duck.
<b>Nulhegan Basin</b>	Spruce-fir	Supports rare boreal species and species of conservation concern; forest buffer for numerous streams in CFA; contiguous forest; connectivity.
	Shrub swamps and floodplain forests	Supports American black duck and American woodcock.
	Peatlands	Uncommon habitat type in landscape; sensitive habitat; unique plant species; black ducks; surrounds remote ponds.
<b>Putney Mountain Unit</b>	Freshwater marsh	Northeastern bulrush, a federally listed species, occurs in wetlands.
<b>Deadman's Swamp Unit</b>	River shoreline	Puritan tiger beetle, a federally listed species, occurs along the Connecticut River.
<b>Saddle Island</b>	River shoreline	Jessup's milkvetch, a federally listed species, occurs along the Connecticut River
<b>Hatfield Unit</b>	Freshwater marsh	Within the floodplain; potential impacts by development/ agriculture; provides habitat for migratory species.
<b>Fannie Stebbins</b>	Hardwood Swamp	Within the floodplain; potential impacts by development/ agriculture; provides habitat for migratory species.
	Freshwater marsh	Part of a larger wetland complex; supports diversity of species, including American black duck.

From the onset of the CCP process, wildlife partners from the states of Vermont, New Hampshire, Massachusetts, and Connecticut have been involved with the selection of priority resources and the development of refuge goals and objectives. Throughout the process, differing agency goals were apparent. However, participative planning with professional wildlife stakeholders is useful to address issues that may otherwise result in controversy. The additional time and effort that is needed to identify priority habitats that offer commonality with partners' goals is worthwhile and results in more broadly accepted decisions (Sportza 1999).

The planning team determined the most appropriate biological goals and objectives for the refuge based on Refuge System policy, and then found commonalities with the state partners in meeting state wildlife habitat goals. The freshwater wetlands and resources of concern that were identified as priorities for the refuge, overlap with state wetland goals. The mixed spruce-fir/northern hardwood forest contributes to state goals for the priority landbird species that were chosen, as well as provide habitat for other state species of concern. The mixed forest will provide connectivity of habitats for mammals with large home ranges and protection of white-tailed deer wintering areas. Many State Species of Greatest Conservation Need are listed as associated species or species that are associated with the habitat type and/or will benefit from all or a portion of the habitat structure associated with the refuge priority resource of concern. These species are listed with the priority refuge resources of concern to provide a broader scope of species conservation within each CFA. See appendix A of the final CCP/EIS for the compilation of priority refuge resources of conservation concern and associate species for each CFA and refuge unit.

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## Appendix C



Sharon Lindsay

*Nulhegan Basin Division*

# Land Protection Plan

**U.S. Fish and Wildlife Service Director's Approval of the Land Protection Plan for Silvio O. Conte National Fish and Wildlife Refuge**

- I. Introduction**
- II. Project Planning and Design**
- III. Project Relationship to Service Directives and Initiatives**
- IV. Threats to Watershed Resources and How This Proposal Addresses Them**
- V. Partnerships Important for Project Design and Implementation**
- VI. Implementing the Proposed Land Protection Strategy**
- VII. Project Costs and Funding**
- VIII. Proposed Management Direction Under Service Ownership**
- IX. Special Considerations**
- X. Socioeconomic and Cultural Impacts**
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## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240



**JAN 13 2016**

In Reply Refer To:  
FWS/ANRS/NRCP/064806

### Memorandum

To: Regional Director, Region 5

From: Deputy Director *James W. Kurtz*

Subject: Approval of the Land Protection Plan for the Silvio O. Conte National Fish and Wildlife Refuge in Connecticut, Massachusetts, New Hampshire, and Vermont.

Per your request dated January 5, 2017, I hereby approve the land protection plan (LPP) for the Silvio O. Conte National Fish and Wildlife Refuge. With approval of this LPP, the refuge's existing acquisition boundary is expanded from 97,830 acres to 197,337 acres, an increase of 99,507 acres.

The Decision Package you submitted for my review included an Environmental Assessment, Land Protection Plan, and related documents. These documents comply with the requirements of the Director's land acquisition planning procedures memo dated August 11, 2000, which were supplemented with guidance provided in the Land Protection Planning Interim Guidance memo dated May 18, 2016. I am particularly pleased to see that this LPP is based on the recently completed "Connect the Connecticut" landscape conservation design (LCD). I believe that this is the first example of the new Service standard for basing LPPs on the conservation priorities identified in an LCD, as described in our 2014 Strategic Growth Policy (Service Manual chapter 602 FW 5).

If you have questions, please contact Ms. Cynthia Martinez, Chief of the National Wildlife Refuge System at (202) 208-5333 or [cynthia\\_martinez@fws.gov](mailto:cynthia_martinez@fws.gov).



## I. Introduction

### Overview

This final Land Protection Plan (LPP) provides detailed information regarding a proposal by the United States (U.S.) Fish and Wildlife Service (Service; we, our) to expand land protection acreage authority within the legislative boundary of the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge; refuge). The legislative boundary of the refuge encompasses the 7.2 million acre Connecticut River Watershed (watershed; excluding Maine and Canada portions) in Connecticut, Massachusetts, New Hampshire, and Vermont (map C.1). Current refuge-owned lands include 37,000 acres as of February 2016<sup>1</sup>. There are 10 established refuge divisions and 11 refuge units depicted on map C.1. Refuge divisions are larger and consist of many individual acquired parcels; units are smaller and typically include only one or two acquired parcels.

Our proposal is to expand our acreage authority to protect land for Conte Refuge, from 97,830 acres (current authority) up to 197,337 acres total. This represents an increase in acreage authority of 99,507 acres. Ninety percent (90%) of the lands targeted for acquisition are identified within discrete Conservation Focus Areas (CFAs), with the remaining ten percent (10%) acreage target within surrounding designated Conservation Partnership Areas (CPAs; see definition under “Project Design” below). This 90/10 split recognizes that, on average, the Service is likely to only acquire about 90% of lands within CFAs due to land use conversions, protection by others, and our agency’s willing-seller only acquisition policy. The remaining 10% acreage target would be used to acquire lands that facilitate connectivity of conserved lands within the CPA in support of Federal trust resources and to support implementation of the *Connect the Connecticut* Landscape Conservation Design. Since we have not identified discrete, definable boundaries for this 10% balance, if opportunities arise from a willing seller, we will also coordinate with state agencies, local town officials, and adjacent landowners before taking any action. Attachment I includes maps of each of the CPAs and their respective CFAs.

Over the duration of this project, we propose that 65 percent (65%; 128,269 acres) of the entire 197,337-acre project area be acquired by the Service in fee title from willing sellers. The remaining 35 percent (35%; 69,068 acres) would involve less than fee title acquisition, such as conservation easements. However, the actual split between fee and easement will be heavily influenced by the preferences of the landowners. This proposal to expand the refuge is part of the Service-preferred alternative (alternative C) in the final comprehensive conservation plan and environmental impact statement (CCP/EIS) for Conte Refuge. This LPP is included in the final CCP/EIS as appendix C. The Service’s Director will make a decision to approve or disapprove this administrative increase in acquisition authority based on the information in this plan.

The overarching goal of this LPP is to strategically and permanently protect areas of significance to Federal trust resources while also working with our partners to ensure that diversity and connectivity in area (size), latitude, elevation, aspect, process, and landform is represented and appropriately connected in the conserved lands network in the watershed. Collaborating with our partners to achieve such a network will sustain representation, redundancy, and resiliency of species, habitats, and ecosystems within the watershed, and thereby promote a landscape that can afford priority species the opportunity to better adapt despite anticipated future climate and land use changes.

In this document, we incorporate the information required by Service policy for a refuge expansion proposal, as well as additional information on how the proposal meets other Service initiatives and directives. Specifically, we detail how the project proposal:

- Adheres to all four principles of Strategic Habitat Conservation (SHC) (<http://www.fws.gov/landscape-conservation/shc.html>; accessed October 2016).
- Benefits the conservation targets identified in the Service’s Strategic Growth Policy for the National Wildlife Refuge System (Refuge System); specifically, federally listed threatened and endangered species, migratory birds, and waterfowl (<http://www.fws.gov/policy/602fw5.html>; accessed October 2016).
- Supports *Connect the Connecticut*; a collaborative landscape conservation design project involving over 30 conservation partners in the watershed to identify strategic areas for conserving wildlife and habitats (<http://connecttheconnecticut.org/>; accessed June 2016).

<sup>1</sup> The acreage figure we are using is current as of February 2016.



Map C.1. Existing Refuge Lands and Other Conserved Lands in the Connecticut River Watershed (as of February 2016)



- Uses representative (also referred to as “surrogate”) species to identify specific contributions to conserving other important habitat and species of conservation concern in the watershed (<http://www.fws.gov/landscape-conservation/selecting-species.html>; accessed October 2016).
- Addresses anticipated climate change and land use impacts and supports the Services’ strategic plan for addressing climate change using adaptation, mitigation, and engagement strategies (<http://www.fws.gov/home/climatechange/strategy.html>; accessed October 2016).
- Supports the Service’s Urban Refuge Initiative (<http://www.fws.gov/urban/index.php>; accessed October 2016).
- Complements and reinforces conservation partners’ land protection actions and conservation priorities in the watershed; including supporting State Wildlife Action Plans (State WAPs), Audubon Important Bird Areas, and federally designated Wild and Scenic Rivers and National Natural and Historic Landmarks.
- Complements the recently approved Great Thicket National Wildlife Refuge, which will be dedicated to conserving shrubland-dependent species on a landscape scale in the Northeast.
- Helps meet public interest in increasing compatible, wildlife-dependent recreational and educational opportunities in the hundreds of communities in the watershed.

### **General Description of the Connecticut River Watershed**

The watershed is a microcosm of the Northeast Region. It is home to about 2.4 million people in 396 communities spanning rural, sparsely populated areas in the north, to more developed areas in the south. Map C.2 depicts urban areas in the watershed. The area has a rich cultural history, steeped in traditions from a working landscape based on forestry, agriculture, and manufacturing.

As the Connecticut River (river) traverses its 410-mile length from the Canadian border to Long Island Sound, it encounters dramatic changes in elevation, gradient, and vegetation. The watershed descends from the highest alpine elevation in New England to sea level where the river meets the Long Island Sound. The river predominantly travels from north to south, dropping about 2,600 feet in elevation along its length. Near its tributaries in the Northeast Kingdom of Vermont, the Connecticut Lakes area of New Hampshire, and Canada, the watershed includes mountains with elevations exceeding 6,000 feet. In these northern environs, the river is a narrow, swift, cold water stream that falls some 900 feet in 30 miles, the sharpest drop within its profile. At its confluence with Long Island Sound, the river’s tidal influences provide habitat for a completely different complement of flora and fauna. Here, the river offers significant opportunities within the refuge boundary to prepare for sea level rise, allowing for climate change adaptation; namely, the landward migration of tidal (salt, brackish, and fresh) wetlands and other coastal habitats.

The watershed is approximately 80 percent (80%) forested, 12 percent (12%) agricultural, 3 percent (3%) developed, 3 percent (3%) wetland, and 2 percent (2%) water. Diverse habitats in the watershed include:

- Floodplain forests and other riparian habitats valuable to migrating songbirds, waterfowl, and many other species of plants and animals.
- Sandplains, old field grasslands, shrublands, and agricultural fields valuable to grassland-nesting birds and other early successional species of conservation concern.
- A variety of forest types, including large areas of relatively unfragmented northern hardwood and conifer forest types, valuable to nesting migrant birds and many other plant and animal species.
- Riverine habitats valuable to migratory fish, other native resident fish, freshwater mussels, and other aquatic species.
- Internationally important (e.g. Ramsar-designated) tidal wetlands.
- Regionally significant migratory bird habitat (e.g. Audubon Important Bird Areas).



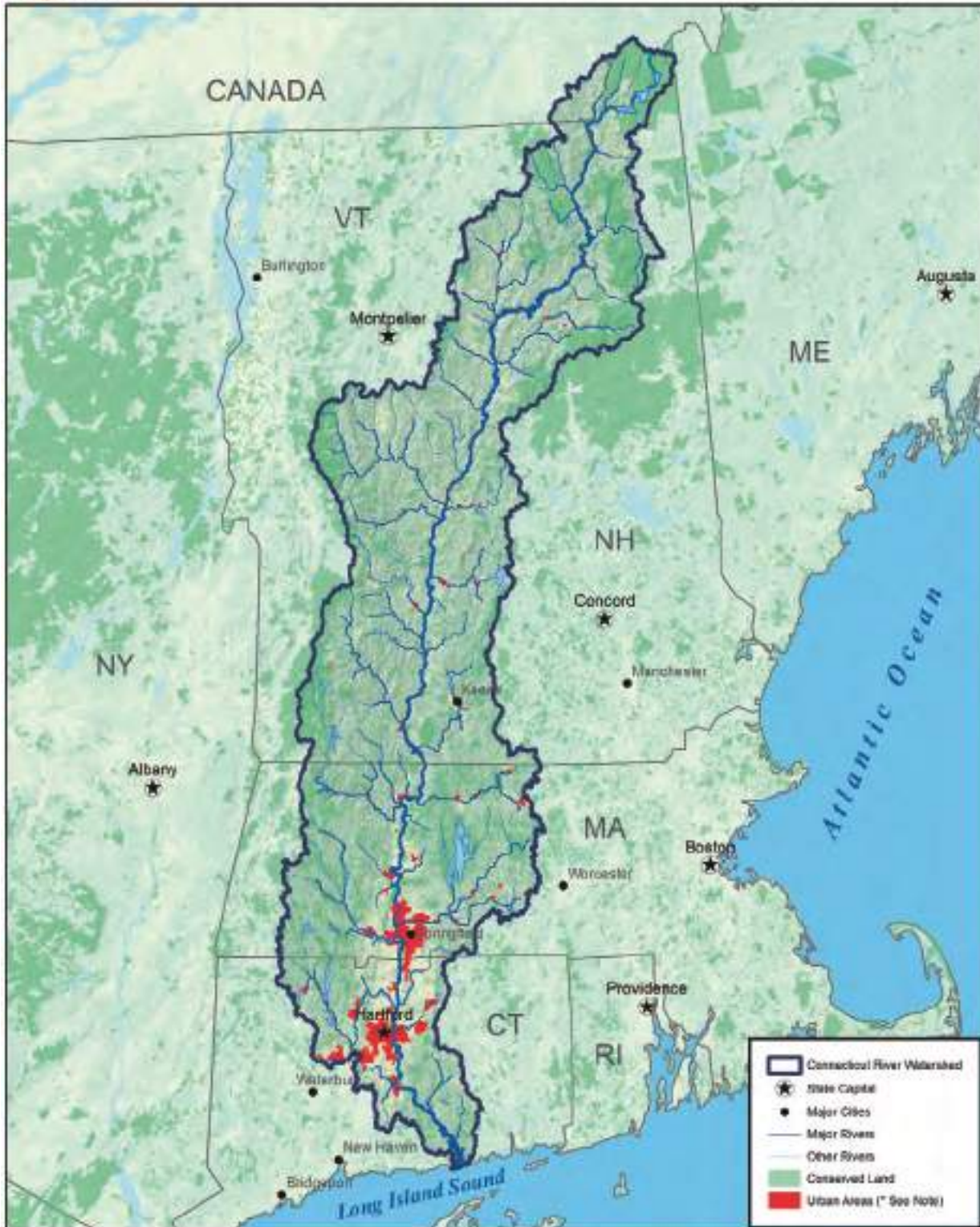
Map C.2. Urban Areas in the Connecticut River Watershed



U.S. Fish & Wildlife Service

Connecticut River Watershed

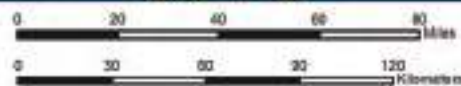
Silvio O. Conte National Fish and Wildlife Refuge



**Legend**

- Connecticut River Watershed
- State Capital
- Major Cities
- Major Rivers
- Other Rivers
- Conserved Land
- Urban Areas (\* See Note)

This map is not intended for use as a land survey or as a representation of land for ownership or for purposes. The boundary lines have 100-foot width obtained from the National Geographic and other data sources (U.S. 2, 3 and 24). Other data is the same as for the 2010 Census. Major lands information provided by the BLM. For more information visit the U.S. Fish and Wildlife Service website at <http://www.fws.gov>. Map Print Date: 1/4/2017



Note: \*The depiction of the map is based on U.S. Census Bureau statistics for "urbanized areas" = 50,000 or more people, and "urban clusters" = at least 2,500 and less than 50,000 people.



The most common forests are hardwood dominant maple-beech-birch to the north and oak-hickory to the south, with a transitional forest consisting of a blend of the two types found in between. These forests often cloak the gently sloping rich organic soils along hills and mid-elevation ranges of mountain sides. Softwood-dominated forests generally occur in high elevations, low wet depressions, and well-drained sandy soils, with spruce-fir abundant in the north, and eastern hemlock, and red and white pine more common to the south.

The watershed contains a diverse mix of wetlands. Conifer wetlands and bogs are most common in the north. Beaver flowages are the most widespread wetlands, occurring throughout the watershed. Dams and other river barriers interrupt natural flow regimes, creating impounded aquatic habitats in once free flowing rivers and fragmenting access to fish spawning grounds that once extended to tributaries throughout the watershed. However, there are no barriers to aquatic species passage and migration on the mainstem river until Holyoke, Massachusetts, which is well above the head of tide in the vicinity of Hartford, Connecticut.

Historically, shrubs and grasslands were abundant, but have diminished substantially following the abandonment of farms during the 20<sup>th</sup> century. Today, open habitats are typically associated with old beaver flowages, hay fields, pasture, croplands, and other agricultural enterprises.

Urbanization in the watershed has been most pronounced in Massachusetts and Connecticut, although communities dot the river along its entire course. Approximately 3 percent (3%) of the watershed has been developed for residential, municipal, commercial, or other purposes.

The watershed supports a rich array of wildlife. Fifty-nine species of mammals live within the watershed year-round, including the federally listed lynx and northern long eared bat, as well as bobcat, black bear, white-tailed deer, moose, coyote, fisher, other forest bats, rabbits and hare, and a variety of other small mammals. Twenty-seven species of ducks, geese, and swans, 15 species of shorebirds, and 24 other water-dependent bird species such as rails, grebes, and herons, use the watershed for breeding, wintering, or migration. The watershed is also host to 181 passerine and raptor species. Of these, 88 are neotropical migrants using the watershed for breeding; 77 breed in the area and 16 are winter residents that migrate to the watershed from the north. Reptiles include 9 species of turtles and 16 snakes. Amphibians include 12 species of salamander, and 7 species of toads and frogs. Unique and rare invertebrates occur in the watershed as well, including the federally listed Puritan tiger beetle.

The watershed also supports a wide diversity of aquatic species. Included are 33 native or indigenous freshwater species; 35 nonindigenous freshwater fish; 11 anadromous fish; 1 catadromous fish; 15 amphidromous fish; and, 48 saltwater fish. The northern reaches of the river, in the Connecticut Lakes region, provide habitat for lake and brook trout and land-locked salmon. American shad have impressive runs in the river, as do sea lamprey and American eel. Shortnose sturgeon, a federally listed species, occurs in the river up to the Turner's Falls Dam in Massachusetts. Striped bass are in abundance below the Holyoke Dam, but are also known to pass upstream of Vernon Dam in much smaller numbers. The mid-section of the river also supports pickerel, largemouth and smallmouth bass, northern and walleye pike, and a variety of panfish. Summer flounder are found at the mouth of the river. Carp, suckers, and catfish are also present in many areas. The federally listed dwarf wedgemussel and other rare mussels also occur in the watershed.

### **Conte Refuge Establishment History**

The refuge was named in honor of the late U.S. Congressman Silvio O. Conte of Massachusetts, who dreamed of conserving the rich natural resources in the watershed, in part, by creating a new national wildlife refuge. He also envisioned Federal, State, and non-governmental conservation organizations working collaboratively to protect threatened and endangered species and conserve the broad diversity of fish, wildlife, and plants throughout the watershed. He was a strong advocate of using sound science to inform and promote conservation action, while also supporting environmental education, outdoor recreation, and traditional natural resource-based economic endeavors within this large and integrated working landscape.

Congress passed the Silvio O. Conte National Fish and Wildlife Refuge Act (Conte Refuge Act) in 1991 to help make Congressman Conte's dream a reality. Reflecting his foresight and vision, the Conte Refuge Act emphasizes collaborative, landscape-scale conservation within the watershed, as well as developing science centers, urban partnerships, and promoting environmental education, outdoor recreation, forestry, and farming.

The Conte Refuge Act legislated a refuge boundary that encompasses the entire 7.2 million-acre watershed and spans the entire length of the 410-mile river (map C.1). Conte Refuge was authorized by a final EIS (FEIS)

and Record of Decision (ROD) produced by the Service in 1995. The refuge was established on October 3, 1997 through a donation to the Service of the 3.8-acre Third Island, located in Deerfield, Massachusetts, by the Connecticut River Watershed Council. The 1995 FEIS/ROD, and subsequent National Environmental Policy Act (NEPA) compliant amendments to the refuge acquisition program, authorized acquisition of 97,830 acres allocated within 65 Special Focus Areas (SFAs) distributed throughout the watershed. As of February 2016, approximately 37,000 of those acres are under Service stewardship and managed as part of the refuge and the larger conservation lands mosaic (map C.1). In total, approximately 1.8 million acres within the watershed is in some form of fee or easement conservation (map C.1).

### **Refuge Purposes, Mission, Vision, and Goals**

The refuge purposes were legislatively mandated. The refuge mission and vision statements, and the refuge goals, were developed as part of the CCP/EIS planning process. The refuge purposes, mission, vision, and goals are presented below.

### **Legislated Purposes**

The Conte Refuge Act of 1991 (Public Law 102-212) authorizes the following refuge purposes:

- Conserve, protect, and enhance the Connecticut River Watershed populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- Protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973, as amended.
- Conserve, protect, and enhance the natural diversity and abundance of plant, fish, and wildlife species and the ecosystems upon which these species depend within the refuge.
- Restore and maintain the chemical, physical, and biological integrity of wetlands and other waters within the refuge.
- Fulfill the international treaty obligations of the U.S. relating to fish and wildlife and wetlands.
- Provide opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation and access to the extent compatible with the other refuge purposes.

### **Vision Statement**

*The Connecticut River is treasured by all for its majesty and significance in supporting diverse aquatic and terrestrial plant and animal life along its winding 410-mile passage through urban and rural communities in New Hampshire, Vermont, Massachusetts, and Connecticut. Working with our partners, we are inspired to protect and enhance the natural and cultural richness throughout the watershed, especially on lands and waters entrusted to our agency as the Silvio O. Conte National Fish and Wildlife Refuge.*

*Together with our partners, we design, support, and implement strategic conservation actions across the watershed, and communicate conservation needs and successes through extensive outreach and education programs. On refuge lands, and in our conservation partnership areas, we offer visitor programs and activities that promote an appreciation of the Connecticut River watershed as an intact, interconnected, and healthy ecosystem. Visitors respond to this greater awareness by becoming active stewards of the watershed's natural and cultural resources. Through our Urban Partnership Program, we are promoting the relevancy of conservation to healthy communities. Our actions exemplify the Service's vital role in conserving the Connecticut River watershed and the refuge's important contribution to the mission of the National Wildlife Refuge System.*

### **Mission Statement**

*“Work in partnership with others to inspire stewardship, magnify achievements, and celebrate shared successes that enhance, nurture, and voluntarily and collaboratively protect the natural, cultural, and sustainable economic richness of the Connecticut River and its watershed as a New England working landscape composed of public and private land.”*



## Refuge Goals

Four refuge goals were collaboratively developed with partners during the CCP planning process to help achieve the vision, mission, and legislated purposes for the refuge:

### Habitat and Species Conservation

- Promote the biological diversity, integrity, and resiliency of terrestrial and aquatic ecosystems within the Connecticut River Watershed in an amount and distribution that sustains ecological function, supports healthy populations of native fish, wildlife, and plants, especially Federal trust species of conservation concern, in anticipation of the effects of climate, land use, and demographic changes.

### Education, Outreach, and Interpretation

- Inspire residents and visitors to actively participate in the conservation and stewardship of the exceptional natural and cultural resources in the Connecticut River Watershed, and promote a greater understanding and appreciation of the role of the Silvio O. Conte National Fish and Wildlife Refuge in conserving those resources.

### Recreation

- Promote high quality, public recreational opportunities in the Connecticut River Watershed that are complementary between ownerships and provide regional linkages, with emphasis on promoting wildlife-dependent activities that connect people with nature in the outdoors

### Partnerships

- Enhance the conservation, protection, and stewardship of natural and cultural resources, and promote wildlife-dependent recreation, throughout the Connecticut River Watershed by initiating, supporting, and promoting partnerships with other Federal, State, and local governments, Tribal governments, and private organizations.

## II. Project Planning and Design

### Project Planning Overview

In 2006, we initiated public and partner scoping as part of the Service's planning process to develop a CCP ([https://www.fws.gov/refuge/silvio\\_o\\_conte/what\\_we\\_do/conservation.html](https://www.fws.gov/refuge/silvio_o_conte/what_we_do/conservation.html); accessed October 2016). During scoping, we received significant public and partner support for a refuge expansion. Some of that feedback included maps and data depicting recommendations for areas to consider. Over 750,000 acres were identified by our partners. With preliminary information regarding benefits to Federal trust resources, we requested authority from our Director to further evaluate some of these recommendations. In November 2011, the Service's Director approved a Preliminary Project Proposal to allow us to pursue detailed planning for a potential increase in refuge acquisition authority of up to 200,000 acres total in the watershed, approximately twice the size of our existing authority.

We began detailed planning by evaluating the effectiveness of the 1995 FEIS refuge land acquisition strategies where 65, often small SFAs, primarily tied to federally listed species, wetlands, and rare plant communities, were identified for acquisition. Many of the parcels comprising units acquired to date contain breeding habitat for federally listed or rare species and, thereby, offer an important, immediate, and direct level of protection for those site specific individual populations; however, over the long term, the distribution of small, scattered parcels does not consider other important factors. For example, this strategy does not consider species' travel or movement corridors. Nor does it necessarily provide for important habitats used by the species outside of breeding season. It also does not adequately resolve threats posed on adjacent or nearby lands that impact the resiliency of protected lands, or support opportunities to restore habitats on a meaningful scale or in a sustainable way. Finally, this strategy does not address the potential impacts from climate or land use changes. Each of these considerations is important to address when considering the long-term viability of species populations and habitats in the watershed.

Administratively, we have found that managing small, scattered parcels is also financially and operationally inefficient when considering resource investments and cost per acre. The resources expended to get staff and equipment to these sites to manage small units (e.g., post boundaries, brush vegetation, mow fields, conduct surveys, maintain trails and facilities, resolve encroachments, and conduct law enforcement) is much less efficient on a cost per acre basis compared to larger, more contiguous and resilient parcels where more acres

can be treated on a single trip. We also believe this acquisition strategy will not be effective in protecting species and crucial habitats over the long term, and unnecessarily limits our ability to fulfil the refuge's six purposes and practice strategic habitat conservation on a landscape scale in collaboration with our partners.

Our current project proposal adjusts the 1995 FEIS's land protection objectives and no longer pursues a "checkerboard pattern of ownership," including the SFAs with "many small scattered sites" (1995 FEIS, Appendix 2-1 Land Protection Plan). We redirected our focus to strive for larger, more contiguous and resilient areas to protect a broader array of Federal trust resources affording more flexibility and capability to adapt to climate and land use changes on the landscape. Many of the former SFAs are "nested" within CFAs.

In our judgment, due to the biological, ecological, and administrative concerns we raise above, the SFA strategy for refuge land acquisition is not in the best interest of the American public because taxpayer's monies can be used more efficiently and effectively under our new proposal. Furthermore, the "SFA approach" restricts our flexibility in addressing other factors necessary for conserving Federal trust species on a larger landscape and regional basis.

Throughout the planning process, relevant new information frequently became available to us, which created both challenges and opportunities. Forward momentum was often intentionally slowed as new data was considered. We spent 2012 and 2013 evaluating the best available information and working with partners to refine our refuge proposal. Between 2014 and 2016, we also participated in a collaborative partnership planning process to develop a landscape conservation design for the watershed. We describe that effort in more detail below under "Relationship of Project to *Connect the Connecticut* LCD." The results of that planning effort, including the principle product of a strategic core-connector network design, also informed and reinforced our project proposal, approach, and understanding of the refuge's value and role within the larger conservation landscape context.

The following LPP project goals were developed to provide a framework for our analysis:

#### **Conserve Priority Conservation Targets**

To this end, we collaborated with a diversity of public and private stakeholders, including the four State natural resources agencies in the watershed and our Federal agency partners, to identify priority species and habitats of conservation concern. These entities helped us compile known information on Federal trust resource occurrences and associated important habitat areas. In particular, we targeted habitats supporting federally listed species, migratory birds in decline, and waterfowl, as directed by the Refuge System's Strategic Growth policy. In addition, we matched identified priority resources of concern with the 2016 Partners in Flight Landbird Conservation Plan Watch List (Rosenberg et al. 2016). That list identifies 86 species of highest conservation concern at the continental (range-wide) scale. Six of those species are priority species of concern and present within the watershed (see Table C.1). Each of the States, and several conservation organizations, identified priority focal areas for additional conservation, and we discussed with them ways to complement their land protection and management efforts throughout our process of developing and refining our areas of consideration. We used the *Connect the Connecticut* Landscape Conservation Design (LCD) and its strategic core-connector land conservation network in assessing our final proposal. Attachment IV provides an example of how several of our proposed CFAs overlap with the final LCD core-connector network. A shared priority among our partnership is to maintain a well-distributed diversity of habitat types in the watershed to support healthy populations of native fish and wildlife that will be resilient to anticipated changes in climate and land uses.

#### **Provide Habitat Connections**

We worked with our partners to identify key habitat connections for Federal trust species and other respective State species of concern within the existing and potential conservation landscape. Collectively, we considered habitat diversity and connectivity in area (size), elevation, latitude, aspect, process, and landform. In addition, we also identified areas that would serve as important connections for protecting biological integrity and ecosystem health, and contribute to ecosystem services (e.g. water quality and quantity, and carbon sequestration). The *Connect the Connecticut* LCD core-connector network design became a valuable tool for evaluating and verifying our consistency with this goal in our proposal.

#### **Incorporate Adaptation Strategies for Predicted Climate and Land Use Changes**

We also considered how connections to other existing conserved lands would promote representation, redundancy, and overall resiliency within the watershed. These factors will help provide flexibility in the landscape for species and habitats to adapt to impacts from land use, demographic shifts, and climate changes.



We sought the best available science to evaluate opportunities to address climate change. In addition to the *Connect the Connecticut* LCD core-connector network product, we compared that project's spatially-explicit modeling results depicting indices of ecological integrity, climate persistence, and urban growth across the watershed (<http://www.umass.edu/landeco/research/dsl/dsl.html>; accessed October 2016). We also considered The Nature Conservancy (TNC) resiliency mapping (<http://www.conservationgateway.org/ConservationByGeography/NorthAmerica/UnitedStates/edc/reportsdata/terrestrial/resilience/Pages/default.aspx>; accessed October 2016), a considerable amount of digitally available species and ecosystem data from the four watershed States' natural resource agencies, and other sources of resource data that are publically available.

We also considered how existing and proposed refuge lands could benefit the near- and long-term desirable outcomes for species migration, emigration, and potential adaptation opportunities under predicted land use and climate changes. For example, the barrier-free segment of the river, from its mouth into central Massachusetts, presents a potential opportunity for the landward migration of the coastal wetland complex from the Long Island Sound, which can be enhanced through the strategic placement of protected land in this reach of the river.

## Project Design

### Conservation Partnership Areas (CPAs)

We collaborated with State, Federal, and non-governmental partners to define and delineate CPAs within the watershed. In response to their input, we delineated 19 CPAs that comprise approximately 1.5 million acres, or about 21 percent (21%) of the entire watershed (map C.3). CPAs are generally defined along a subwatershed boundary that includes one or more 12-digit U.S. Geological Survey (USGS) hydrologic units (HUCs) ([http://nh.water.usgs.gov/projects/ct\\_atlas/water\\_wsheds\\_huc.htm](http://nh.water.usgs.gov/projects/ct_atlas/water_wsheds_huc.htm); accessed October 2016). Watershed boundaries are used because of their familiarity to our partners, their significance to both aquatic and terrestrial ecological systems, and because they are a relevant context for describing ecosystem services important to watershed communities.

CPAs are essentially large areas of mixed ownership where concentrations of Federal trust and other resources of conservation concern occur. They may include important working forests and farms, or provide key connections between protected areas of high conservation, socio-economic, and outdoor recreational value. CPAs are areas where our partnership agreed that refuge staff should focus leadership, resource expenditures and expertise, and support conservation efforts by our partners.

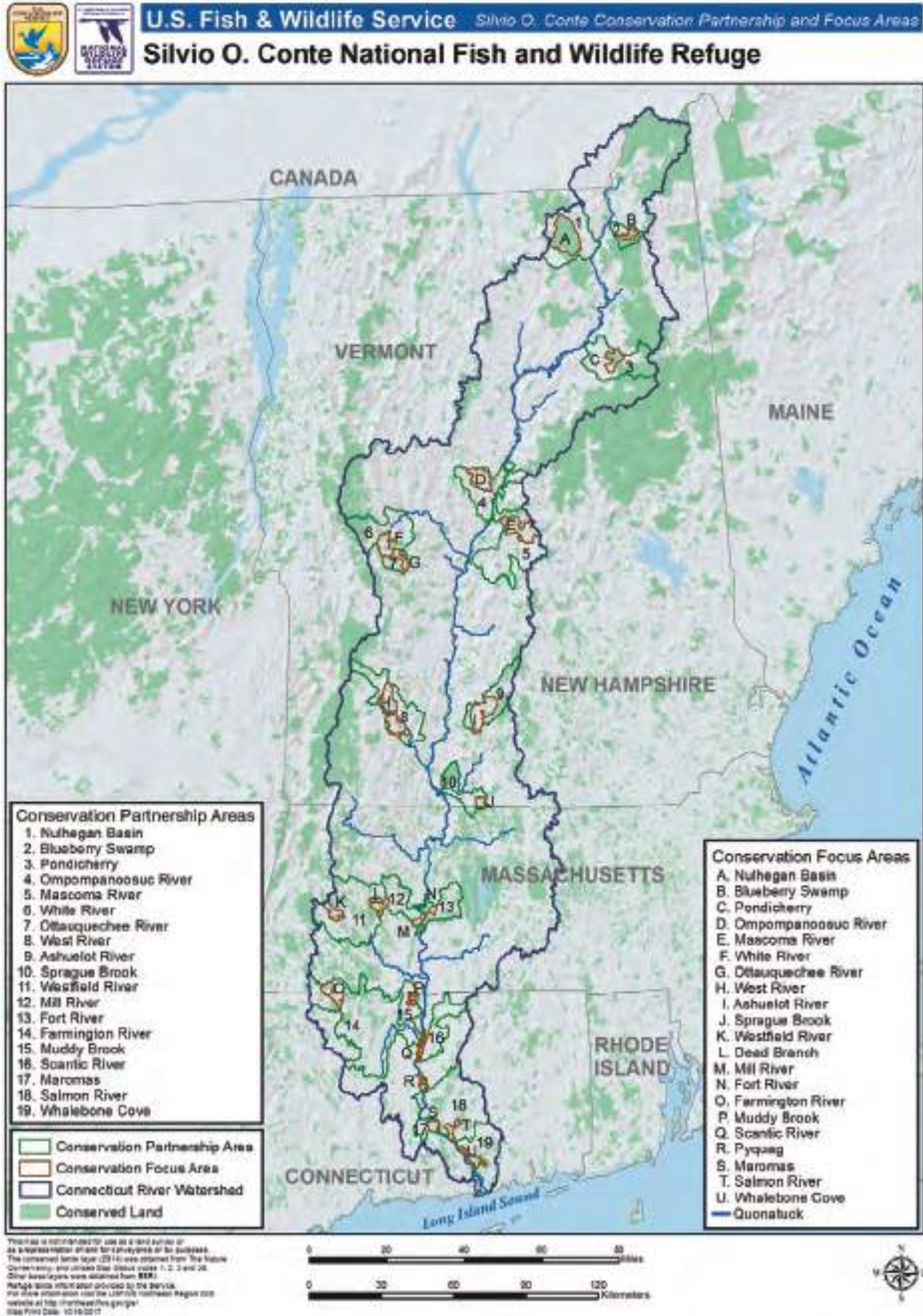
Specifically, CPAs identify where our refuge staff would plan to focus their resource expenditures (e.g. staff, funds, equipment) and facilitate the work of our partners, consistent with our goals and objectives for the watershed and refuge purposes. In many instances, refuge and other Service staff would serve a supporting role in partner-led efforts on other ownerships. It is not assumed that refuge staff would take the lead role in all conservation activities in CPAs. Grants, private lands programs and coordination, technical forums and information exchanges, shared equipment, cooperative management agreements, leases, and support for various conservation easements and fee title acquisition by others, are all actions to consider as we work in partnership with others. In particular, we would facilitate landowner enrollment in State and Federal voluntary and incentive based conservation programs that protect and improve wildlife habitat, protect working farms and forests, support public access for outdoor recreation, provide related and sustainable economic opportunities, and support other land uses that would benefit conservation. The *Connect the Connecticut* LCD core-connector network design will be especially helpful in our strategic partnership approach within the CPAs, as well as elsewhere within the watershed.

### Conservation Focus Areas (CFAs)

We also worked with our partners to delineate 22 CFAs, of which all but two (e.g. Quonotuck and Pyquag CFAs) are embedded in CPAs (map C.3). The CFAs range in size from 2,274 acres (Fort River CFA, Massachusetts) to 33,132 acres (Nulhegan Basin CFA, Vermont). CFAs are areas where the Service would focus land acquisition efforts for Conte Refuge (fee title and easement) to make important contributions to the priority conservation targets established by the Refuge System's Strategic Growth Policy and to help achieve other Service goals and objectives.

We believe that concentrating refuge ownership into 22 biologically intact and ecologically resilient CFAs is significantly more effective than the 65 scattered, small SFAs proposed in the 1995 FEIS. Nevertheless, most of the CFAs proposed in this LPP include many of the original SFAs, or accomplish much of the intended outcomes of those SFAs that were omitted. To date, ten of the 1995 SFAs were the basis for establishing

Map C.3. Conservation Partnership Areas and Conservation Focus Areas



existing refuge divisions. Seven additional SFAs are identified in the 1995 FEIS and are expanded as CFAs in our proposal. These seven CFAs do not currently exist as refuge divisions since no first parcel has been acquired. Once land is acquired for the refuge within a CFA, we would administratively refer to it as an established refuge division. The remaining 5 CFAs in our proposal were not originally identified as SFAs in the 1995 FEIS, but their contribution to conserving Federal trust resources warranted their inclusion. Lands already in permanent conservation ownership, and/or which are highly productive agricultural lands, are not targeted for acquisition.

As noted in our “Introduction” to this LPP, we expect that, on average, the Service would only acquire approximately 90 percent (90%) of the area within CFAs; and the remaining 10 percent (10%) of our proposal would come from the surrounding CPA. The following five criteria were used to delineate and refine CFAs and would be used to guide the 10 percent (10%) land acquisition authority that would lie outside of delineated CFAs, but within CPAs. The criteria are designed to support the Service’s Strategic Growth policy (602 FW 5), Conte Refuge’s legislative purposes, facilitate implementation of the *Connect the Connecticut* LCD, and complement our conservation partners’ priorities:

- Contributes to the recovery of federally listed species, including the protection of critical, occupied, or historic habitat for those species.
- Contributes to sustaining populations of migratory birds in decline by protecting breeding, migration, and wintering habitat.
- Contributes to sustaining populations of waterfowl identified as priority species in the North American Waterfowl Management Plan (NAWMP) and Atlantic Coast Joint Venture (ACJV) Implementation Plan.
- Contributes toward the refuge purposes legislated by Congress in the Conte Refuge Act of 1991.
- Facilitates the implementation of the *Connect the Connecticut* LCD project, including the protection of core areas or their connectors within the existing 1.8 million-acre conservation mosaic.

Other criteria used to delineate and refine CFAs were:

- Protects and enhances habitat connections (including size, latitude, elevation, and aspect) for terrestrial and aquatic species to provide vital habitat, and effective areas for movement, migration, and natural processes to promote potential emigration that could complement other wildlife adaptation strategies to offset the expected effects of climate and land use changes.
- Contributes to clean water, clean air, floodplain protection, and maintaining biodiversity and ecosystem health, and addresses threats to those ecosystem services.
- Contributes to the protection and restoration of species and habitat types considered rare, imperiled, or exemplary.
- Contributes to conserving our Federal trust resources by strategically protecting important aquatic and upland habitats in an amount and distribution that promotes habitat representation, resiliency, and redundancy.
- Facilitates the implementation of priority actions of the North Atlantic LCC, State WAPs, and other high priority plans and initiatives.
- Complements and anticipates partners’ planned contributions to the current and future conserved lands network.
- Incorporates administrative efficiencies. While lands targeted for acquisition are primarily based on the ecological criteria and considerations above; the final proposed boundaries include refinements or adjustments to establish a more accessible and operationally efficient “administrative line” that follows prominent features within the landscape to provide ancillary benefits such as secured public and administrative access, Service visibility, and the cost of land stewardship in perpetuity.



- In some instances, the exterior administrative line follows transportation corridors, waterways, or other more recognized and predictable configurations. The administrative line is intended to reduce the impact from adjacent uses, promote access and visibility of refuge lands, and conserve operational funding through reductions in maintenance and administrative costs. We would generally avoid acquiring properties, or portions of properties, with existing improvements.
- Assumes Service acquisition from willing sellers within these CFAs over time as lands become available, there is an agreement in terms and price, and land acquisition funding is available.

In general, each CFA includes a core biological area that is based on the needs of identified priority resources of conservation concern using current data obtained from States and other organizations. For each individual CFA, we identify the priority resources of concern that would guide future management under Service ownership (re: appendix A in the final CCP/EIS). We also used the analysis and results of the *Connect the Connecticut* LCD core-connector network to further evaluate and affirm whether areas we identified are strategic and sustainable for conserving priority species, their habitats, and diverse ecosystems across the watershed. Table C.1 summarizes the priority wildlife and fish species that occur in the watershed that will benefit from our proposal. Attachment IV provides an example of how the *Connect the Connecticut* LCD core-connector network aligned with our CFAs.

**Table C.1. Priority Species of Concern Occurring in the Connecticut River Watershed Benefiting from the Conte Refuge Proposed Land Protection Plan and their status in referenced plans.**

Priority Species of Concern Occurring in the Watershed	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened or Endangered Species	Proposed or Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
Alewife	x					x	x		
American bittern		x	x					M	M
American black duck	x	x	x				x	HH	HH
American eel						x			
American oystercatcher	x	x						HH	M
American redstart									HR
American shad	x					x	x		
American woodcock	x	x	x					HH	HH
Atlantic Salmon	x					x	x		
Atlantic sturgeon			x	x		x			
Bald eagle		x	x				x	M	M
Baltimore oriole								HR	
<b>Bicknell's thrush</b>	x		x		x			H	HH, R
<b>Black-and-white warbler</b>								HR	
Black-billed cuckoo									HR
<b>Blackburnian warbler</b>									HR

Priority Species of Concern Occurring in the Watershed	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened or Endangered Species	Proposed or Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
Black-throated blue warbler									HR
Black-throated green warbler									HR
Blueback herring						X	X		
<b>Blue-winged warbler</b>	X	X	X					HH	H
Boreal chickadee									HR
Broad-winged hawk								HR	
Brook floater					X				
<b>Brook trout</b>	X					X			
<b>Brown thrasher</b>								HR	
<b>Bufflehead</b>		X						H	
Canada goose, Atlantic	X	X						HH	
Canada goose, north Atlantic		X	X					H	H
Canada Lynx				X					
Canada warbler	X		X					M	HH, Y
<b>Chestnut-sided warbler</b>									HR
Chimney swift								HR	
Cobblestone tigerbeetle					X				
<b>Dwarf wedgemussel</b>	X			X		X			
Eastern kingbird								HR	
<b>Eastern towhee</b>								HR	
<b>Field sparrow</b>								HR	
Gray catbird								HR	
Great crested flycatcher								HR	
Indiana bat				X					
Jesup's milk-vetch	X			X					
<b>Least tern</b>		X						H	
Lesser yellowlegs		X	X					M	

Priority Species of Concern Occurring in the Watershed	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened or Endangered Species	Proposed or Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
<b>Louisiana waterthrush</b>								HR	
Mallard		x						H	
<b>Marsh wren</b>								HR	
Monarch butterfly					x				
New England cottontail rabbit	x								
Northeastern bulrush	x			x					
Northern flicker								HR	
Northern bog turtle				x					
Northern long-eared bat				x					
Northern parula									HR
Olive-sided flycatcher			x						H
Osprey							x		
Peregrine falcon		x	x				x		M
Pied-billed grebe		x	x						
Piping Plover	x			x				HH	HH
<b>Prairie warbler</b>	x	x						HH, Y	Y
Puritan tiger beetle	x			x					
Purple finch									HR
Red knot				x					
Regal fritillary					x				
Roseate tern				x				HH	
Rose-breasted grosbeak									HR
<b>Ruffed grouse</b>									HR
Rusty blackbird		x	x					H	H
<b>Saltmarsh sparrow</b>	x	x	x					HH, R	R
Scarlet tanager								HR	
Seaside sparrow	x	x						M, Y	
<b>Semipalmated sandpiper</b>	x	x	x					H	HH
Short-billed dowitcher		x						H	H

Priority Species of Concern Occurring in the Watershed	NALCC <sup>1</sup> (*NALCC representative species are in bold)	BCC (BCR 30) <sup>2</sup>	BCC (BCR 14) <sup>2</sup>	Federally Threatened or Endangered Species	Proposed or Petitioned for Federal Listing <sup>3</sup>	Listed in Service's Northeast Region Fisheries Strategic Plan	Listed in Refuge Purposes	BCR 30 <sup>4</sup> /PIF Plan <sup>5</sup>	BCR 14 <sup>4</sup> /PIF Plan <sup>5</sup>
<b>Shortnose sturgeon</b>	x			x		x	x		
Small-whorled pogonia	x			x					
<b>Snowy egret</b>		x	x					M	
Solitary sandpiper		x	x					H	
<b>Tri-colored bat</b>					x				
Veery									HR
Whip-poor-will		x						H	M
<b>Willow flycatcher</b>								HR	
<b>Wood duck</b>			x					M	M
<b>Wood thrush</b>	x	x	x					HH, Y	HH, Y
<b>Wood turtle</b>					x				
<b>Worm-eating warbler</b>		x						H	
Yellow banded bumble bee					x				
Yellow-bellied sapsucker									HR
Yellow-throated vireo								HR	

<sup>1</sup> LCC–2009 North Atlantic Landscape Conservation Cooperative Development and Operations Plan; species of concern

<sup>2</sup> BCC (BCR 30, 14)-2008 USFWS Birds of Conservation Concern for Bird Conservation Regions 30 and 14. Note: The resident game species and waterfowl were added to this list from the Land Acquisition Priority System.

<sup>3</sup> Species petitioned to be federally listed as threatened or endangered as of 2016

<sup>4</sup> BCR–Bird Conservation Region Plans–Rankings: HH–highest; H–high; M–medium; HR–high BCR responsibility

<sup>5</sup> Species of Continental Concern from 2016 Partners in Flight Landbird Conservation Plan. R (red)=species with extremely high vulnerability due to small population, range, threats, and rangewide declines. Y (yellow) = species not declining but vulnerable due to small range or population and moderate threats, or species in decline due and moderate to high threats (Rosenberg, et al, 2016).

Also, in section III below, under “Relationship of Project to Refuge System Policy on Strategic Growth,” we describe in more detail how the following priority species of conservation concern meet the criteria cited in policy and would benefit from this proposal:

- Eleven federally listed wildlife and fish species.
- Three federally listed plant species.
- Seven species proposed for Federal listing.



- Fifty-nine migratory landbirds of conservation concern (from Regional BCC 2014 list, and BCR 30 and 14 plans).
- Six waterfowl species of conservation concern (from Regional BCC 2014 list, BCR 30 and 14 plans, and ACJV).
- Twenty-eight representative (e.g. surrogate) terrestrial species (with some overlap in bulleted listings above), which in turn, represent over 100 benefitting species.
- Six representative (e.g. surrogate) aquatic species (list of benefitting species not determined yet).

External boundaries of CFAs are delineated to encompass the core biological area, but may have been extended further during planning to establish an effective administrative boundary, avoid redefining (dividing) ownership parcel lines, or to make a critical connection to other conserved lands.

One CFA is an exception to our presentation of discrete individual CFA boundaries. The Quonotuck CFA is conceived as 8,000 acres of priority habitat to be protected along the river's mainstem and its major tributaries (map C.3). The CFA's boundary approximates the 100-year floodplain for the mainstem and thirteen tributaries, as defined by the Federal Emergency Management Agency (FEMA; <https://msc.fema.gov/portal/search?AddressQuery=Connecticut%20River%20>; accessed October 2016). The 8,000 acres targeted for the Quonotuck CFA is in addition to the acreage identified for 6 other delineated CFAs, and existing refuge units, that lie within, or partly within, the 100-year floodplain of the Connecticut River and its major tributaries.

Our priority in the Quonotuck CFA would be conserving any aquatic and terrestrial areas with occupied or potential habitat for federally listed or candidate species, as well as protecting functioning or restorable floodplain forests, and tidal (salt, brackish, and freshwater) wetlands. We would seek to protect these habitats where they currently occur, where they can be restored, and/or where they are projected to migrate to in the future due to climate change and anticipated increases in sea level. We would also focus on conserving ownerships that include river frontage in these key areas. Areas of particular interest are depicted on map C.4. These highlighted areas were mapped by TNC to include existing, functioning floodplain forest, or areas of high potential for restoration, where geomorphic characteristics favor the development of floodplain forest. Generally, we are assuming that this CFA would represent approximately 1,500 acres of tidally influenced wetlands and floodplain habitat along the mouth and lower extent of the river in Connecticut, approximately 1,500 acres of floodplain forest along the river in Massachusetts, and approximately 5,000 acres of floodplain forest along the upper portion of the river and distributed evenly between New Hampshire and Vermont.

The location and juxtaposition of all the CFAs within the larger existing conservation landscape would serve a critical role in connecting to an existing robust and very diverse conservation lands partnership. This contribution would also add value to the Service's investment in Conte Refuge. Protection of these areas in perpetuity would ensure that habitats remain intact and structurally and functionally sound to support species of conservation concern, and promote a more sustainable and resilient working landscape into the future as enumerated earlier.

### **III. Project Relationship to Service Directives and Initiatives**

#### **Relationship of Project to Strategic Habitat Conservation (SHC)**

The Service adopted SHC as a science-based framework for making decisions about where and how to deliver conservation efficiently to achieve specific biological outcomes (<http://www.fws.gov/landscape-conservation/shc.html>; accessed October 2016). In collaboration with our partners, the public, and landowners, SHC is a way of thinking and doing business that requires us to set specific biological goals, allows us to make strategic decisions about our work, and encourages us to constantly reassess and improve our actions. The SHC framework integrates planning, design, delivery, and evaluation through an adaptive management approach.

Four principles guide SHC implementation:

- Start with ecologically meaningful scales.
- Work in partnership to maximize effectiveness and efficiency.
- Implement through an adaptive management framework.
- Use science and tools consistent with results.

Map C.4. Priority Floodplain Forests Identified by The Nature Conservancy in the Connecticut River Watershed



This project proposal embraces the concepts and all four principles of SHC. For example, we broadened our scope beyond existing refuge lands to make a concerted effort to integrate, complement, and magnify the accomplishments of our partners within the watershed. The final plan is proactive in confronting the challenges posed by climate change, invasive species, and habitat fragmentation due to changes in land use. Planning for an entire watershed of this size ensures a meaningful scale where results can be measured and monitored. Refuge goals, objectives, and strategies, as outlined in the final CCP/EIS and this LPP, integrate refuge planning, management, and other related actions into the larger watershed landscape context and support the strategic collaborative *Connect the Connecticut* LCD project described below.

In support of the SHC framework, our proposal is consistent with and incorporates the best available science and strategies, responds to current and anticipated future conditions, encourages collaboration and leveraging with partners, and inspires action that makes effective and efficient use of available resources. All combined, these actions magnify and enhance the beneficial impacts of past and will guide future accomplishments within the landscape. Our proposal offers a spatially explicit strategy and depiction of desired future conditions, and helps provide a shared and adaptable strategy for achieving those conditions.

Together with management direction detailed in the final CCP/EIS, we define clear priorities for wildlife and habitat conservation, and propose to implement these larger-scale conservation actions with multiple, and perhaps a few unconventional, partners. We would also continue our concerted efforts to promote communication and collaboration with the conservation, education, recreation, and economic stakeholders in the watershed. And, we would continue to actively work towards a healthy, integrated, and sustainable working landscape in the watershed.

SHC is by definition an adaptive process. There is tremendous interest in the watershed by a variety of partnerships to continue to collaborate and implement priority conservation actions within the framework of SHC. Our longstanding partnerships with Federal and state agencies, and non-governmental organizations, will continue to support implementation of ecoregional and State WAPS. Furthermore, we will continue to integrate our priorities with the North Atlantic Landscape Conservation Cooperative partners (NALCC; see below), an organization which was formed, in part, to implement SHC. As we move forward with implementation of existing and near-term strategies, we would continue to collaborate with others in seeking out new information and monitoring our actions in order to strengthen the scientific basis of our work.

### **Relationship of Project to Refuge System Policy on Strategic Growth**

In June 2014, the Service issued final policy on strategic growth of the Refuge System (<http://www.fws.gov/policy/602fw5.html>; accessed October 2016). This policy lists three priority conservation targets for all future Refuge System land acquisition: (1) recovery of federally listed threatened and endangered species; (2) conserving waterfowl by implementing the NAWMP and its Joint Venture implementation plans; and/or, (3) conserving migratory birds in decline identified in Birds of Conservation Concern (BCC) or Bird Conservation Region (BCR) ecoregional plans. This project proposal addresses all three of these conservation targets as described below.

### **Federally Listed Threatened and Endangered Species**

The watershed hosts fourteen federally listed threatened and endangered species, and seven species proposed or petitioned for federal listing. All of these species could potentially benefit directly from land protection outlined in this proposal, although not all of these species' recovery plans specifically call for refuge land protection. Some recovery plans are over 20 years old, are in need of updating, and were developed at times where proposing additional Federal land protection was not a preferred option. Therefore, land protection was not considered in some of these recovery plans as a potential alternative or recovery strategy.

Below we highlight four federally endangered or threatened species present in the watershed that would benefit directly from this LPP proposal, and which have recovery plans or 5-year review plans that specifically mention the need for land protection to ensure recovery of the species.

#### Dwarf wedgemussel — Endangered

The recovery plan for this species was completed in 1993. This mussel occurs within the Connecticut River mainstem and tributaries. No critical habitat has been designated for this species. The primary threats to the species include habitat loss, habitat fragmentation, altered natural river processes, and industrial and agricultural pollution. Where feasible, land acquisition was considered the most effective protection for the species and its habitat (USFWS 1993a).



Jesup's milk-vetch — Endangered

The recovery plan for the Jesup's milk-vetch was issued in 1989. This species is confined to river shores and islands on the Connecticut River. Habitat alteration and botanical collecting are major impacts to this plant, as well as human recreational activities and invasive plants (USFWS 1989). The permanent protection of this plant's habitat is a high priority in the recovery plan, and is emphasized in the 2008 5-year review (USFWS 2008b) and the 2009 Spotlight Species Action Plan (USFWS 2009b). The Action Plan specifically mentions land acquisition by the refuge as part of the Service's role and responsibility in the species' protection and recovery. Protection measures listed included conservation easements, direct land acquisition, or other agreements with landowners (USFWS 1989, USFWS 2008b, USFWS 2009b).

Northeastern bulrush — Endangered

The recovery plan for northeastern bulrush was issued in 1993. This plant occurs within alluvial meadows, beaver wetlands, and small ponds characterized by seasonally variable water levels. No critical habitat has been designated for this species. Threats include habitat alterations, such as roads and invasive species, agricultural runoff, off-road vehicle use, and unauthorized collection (USFWS 2006). Conservation efforts include land acquisition and conservation easements (USFWS 1993c), as well as conducting population surveys and implementing management tools to reduce threats (USFWS 2008).

Puritan tiger beetle — Threatened

The recovery plan for the puritan tiger beetle was issued in 1993. This species is an inhabitant of sandy riverine beaches along the Connecticut River mainstem. The puritan tiger beetle has declined along the river due to inundation and disturbance of its shoreline habitat from dam construction, riverbank stabilization, and human recreational activities. In addition, the flood control projects designed to control the river flows have impacted habitat suitability (USFWS 1993b). Conservation efforts include land acquisition, human recreational management and introductions of additional metapopulations with the goal of protecting a minimum of three metapopulations along the species historic range (USFWS 1993b, USFWS 2008).

In addition to the four species above, there are ten other federally listed species in the watershed that will benefit from our proposed LPP; however, respective species recovery plans did not specifically identify land protection as a strategy. As noted above, many of these recovery plans are dated to a time when proposing land protection was not considered to be a preferred or viable option, or no recovery plan has been developed yet. However, as is the case with other priority species of conservation concern, where habitat loss or degradation is impacting population levels, Service protection of additional key habitat areas in the watershed will help temper those losses.

Shortnose sturgeon — Endangered

The shortnose sturgeon was first listed as endangered in 1967. The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) published a shortnose sturgeon recovery plan in 1998. This species inhabits the Connecticut River from Turners Falls, Massachusetts to Long Island Sound. The Holyoke Dam in Massachusetts separates the Connecticut River population into two populations. Recent evidence indicates that no successful reproduction occurs in the population below the Holyoke Dam. This downstream population is sustained by the influx of out-migrating sturgeon from the upstream group. The primary impediment to sturgeon recovery is the presence of dams that obstruct migration and modify the historic flow regimes that cued the fish to spawn at appropriate times and places. The land acquisition proposed in this LPP would benefit shortnose sturgeon by contributing to water quality protection through the conservation of lands adjacent to the river's mainstem.

Atlantic Sturgeon — Endangered

NOAA Fisheries listed four Atlantic sturgeon distinct population segments (DPS) as endangered under the Endangered Species Act (ESA) in 2012. One of these distinct populations, the New York Bight DPS, includes habitat in the Connecticut River.

Atlantic sturgeon are managed under a Fishery Management Plan administered by the Atlantic States Marine Fisheries Commission (ASMFC). The plan includes measures for habitat conservation, restoration and improvement, monitoring of bycatch and stock recovery, and breeding/stocking protocols. There is also a State and Federal coast-wide moratorium on harvest of Atlantic Sturgeon (NOAA 2014).

Except for the occasional migrating individual, Atlantic sturgeon are rare in the river. In 2014, juvenile Atlantic sturgeon were found in the lower portion of the river. This documentation provides increased chances for recovery of this species in the river. The Quonotuck CFA and many of the CFAs in Connecticut proposed in this LPP could benefit Atlantic sturgeon by contributing to water quality protection from land conservation along the river mainstem.

#### Roseate Tern—Endangered

The recovery plan for the northeastern population of roseate terns was updated in 1998. These terns occupy sandy beaches and tidal mudflats at the mouth of the Connecticut River during migration. Loss of nest habitat and predation are threats to this species. Protection of migration habitat will provide undisturbed stop-over areas.

#### Indiana Bat—Endangered

The Indiana bat recovery plan was drafted in 2007. Human disturbance and vandalism pose significant threats during hibernation, and loss and degradation of forested habitat impact summer roost sites. Permanent protection of hibernacula, conservation and management of summer habitat and public outreach are recovery criteria for this species. The western boundaries of two CFAs in Vermont are located within the Northeast Indiana Bat Recovery Unit (RU). The RUs serve to protect summer habitats, and aid in the conservation of natural variation across populations (USFWS 2007). Permanent protection through land acquisition, and management of potential summer roost and maternity sites within these CFAs will aid in the recovery of this species.

#### Red Knot—Threatened

In December 2014, the Service listed the *rufa* red knot as federally threatened (79 FR 73706-73748). There is currently no recovery plan for the species. Red knot have been recorded during migration along the coasts of Connecticut, Massachusetts, and New Hampshire. Major threats to the subspecies include loss of breeding and nonbreeding habitat, predation during breeding, reduced prey availability, and mismatches in the time of the species migrations and the availability of food and favorable weather conditions. The Quonotuck CFA provides migrating habitat, while two other proposed CFAs may provide migrating habitat for red knots in the future: Whalebone Cove and Salmon River CFAs.

#### Piping Plover—Threatened

Piping plovers were listed as threatened in 1985. The 2015 recovery plan lists habitat loss and degradation, sea level rise and human disturbance as threats to its survival. Piping plovers use sandy beaches located at the mouth of the Connecticut River for breeding and migration. These areas are located within the Quonotuck CFA, and are currently protected and managed by The Nature Conservancy.

#### Canada Lynx—Threatened

Canada lynx were listed as threatened in 2000. Lynx occur in boreal and montane landscapes dominated by coniferous or mixed forest with thick undergrowth and young forests that support their principal prey, snowshoe hare. There is currently no recovery plan for the Canada lynx, however, the Service completed a recovery outline for this species. This document serves as an interim strategy to guide recovery efforts and inform the critical habitat designation process in the U.S until a Recovery Plan is completed (USFWS 2005). The 2005 outline describes core, secondary, and peripheral habitats important to the Canada lynx. The outline also lists preliminary actions needed for the species' recovery including retaining adequate habitat and management commitments in core and secondary areas, identifying and maintaining landscape connectivity between Canada and the contiguous U.S., and between core areas, identifying habitat and population limiting factors, and developing a post-delisting monitoring plan. In the recovery outline, the Upper Connecticut River Valley is included as a peripheral recovery area for the Canada lynx. However, since the recovery outline was drafted, recent sightings and data (2012-2013) show that Canada lynx are successfully reproducing on the refuge's existing Nulhegan Basin Division. Lynx have also been confirmed at the refuge's existing Pondicherry Division. Land acquisition or conservation easements within and in the vicinity of the Nulhegan Basin CFA and Pondicherry CFA to help protect core and connecting habitats may help benefit Canada lynx.

In 2014, the Service published a final rule that revised a previous designation of critical habitat in the U.S. population (<https://www.gpo.gov/fdsys/pkg/FR-2014-09-12/pdf/2014-21013.pdf>; accessed November 2016). The rule extended ESA protections to lynx “where found” in the contiguous U.S.

#### Northern long-eared bat—Threatened

The northern long-eared bat was listed in April 2015 (80 FR 17974). As such, the species does not yet have a recovery plan and no critical habitat has been designate for the species. Additional land protection is not expressly identified as a recovery conservation strategy at the time of listing; however, several measures are identified to protect hibernacula and summer breeding and maternity colonies from disturbance. Potential habitat for the species exists throughout the watershed. The species has been documented occurring in at least three of the proposed CPAs/CFAs: Ompompanoosuc River, Ottauquechee River, and White River CFAs.

#### Northern Bog Turtle—Threatened

The northern population of the bog turtle was listed as a threatened species on November 4, 1997. These turtles prefer open-canopy wetlands, such as herbaceous sedge meadows and fens, which periodically flood and often bordered by wooded areas. Threats to its survival include the loss, degradation, and fragmentation of its habitat, compounded by the take of long-lived adult animals from wild populations for illegal wildlife trade. The protection of known bog turtle populations and their habitats, as well as the management of these habitats to maintain suitability (U.S. Fish and Wildlife Service 2001) are a few of the recovery actions which the refuge could undertake for this species. At this time, the bog turtle occurs in the Farmington River CPA.

#### Small whorled Pogonia—Threatened

Small whorled pogonia was listed as endangered in 1982, and reclassified as threatened in 1994. This plant inhabits upland sites in maturing stands of deciduous or mixed deciduous and coniferous forests with sparse-to-moderate ground cover (due to nutrient poor soils), a relatively open understory, and proximity to persistent openings in the forest canopy, such as logging roads and streams. Populations are threatened by habitat loss and degradation (USFWS 1992). The 1992 Recovery Plan and the 2008 5-Year Review specifically mention land acquisition and conservation easements as criteria to ensure permanent protection of known populations and essential habitat (U.S. Fish and Wildlife Service 2008). This species occurs within five CPAs and the Quonotuck CFA.

In addition to the fourteen federally listed species above, there are seven species proposed or petitioned for Federal listing.

#### Brook floater

The brook floater is a mussel species that occurs in rivers in the eastern part of the U.S. Significant declines have been noted in Massachusetts, New York, Pennsylvania, New Jersey, Rhode Island, Virginia, North Carolina, and South Carolina. Few known sites remain that hold healthy, viable populations. Species experts have determined that the brook floater occupies less than 50% of its historic range, primarily due to habitat destruction and land use practices that impact water quality. Populations are known to occur in Vermont and New Hampshire. Permanent conservation of lands adjacent to rivers with known occurrences of brook floater would protect and potentially improve water quality at these sites.

#### Cobblestone tiger beetle

The cobblestone tiger beetle is restricted to the open, cobbled, and sparsely vegetated areas of river islands and banks of free-flowing rivers (Allen and Acciavatti, 2002). Threats to this species include hydrologic alterations that impact habitat suitability, invasive plants, water pollution and river bank stabilization projects. This tiger beetle occurs in the Quonotuck CFA and West River CPA. The refuge can support this species by permanently protecting known populations and their habitats, as well as adjacent lands, to improve water quality and provide suitable habitat through management efforts.

#### Tri-colored bat

Tri-colored bat was once the most common bat species found in eastern forests. This species hibernates in caves during the winter, and roosts within forested habitats during the summer. Potential habitat for the species exists throughout the watershed. The species has been documented occurring in at least three of the proposed CPAs/CFAs: Ompompanoosuc River, Ottauquechee River, and White River CFAs. Permanent protection of winter and summer habitats, as well as the management of roosting areas will benefit this species.

#### Monarch butterfly

The monarch butterfly was petitioned for federal listing in 2014. This species is widely distributed across North America and is categorized into geographically distinct populations based on migration patterns. The monarch requires habitat that provides milkweed as host plants for breeding and flowering plants for foraging. This species has experienced dramatic declines which may be contributed to habitat loss, pesticide use and impacts from climate change. The refuge can support this species by protecting, creating and restoring high quality habitat.

#### Regal fritillary butterfly

Regal fritillary is a rare butterfly that may be extirpated from much of the Northeast. This species requires habitat that provides various species of violets as host plants for breeding and flowering plants for foraging. Habitat loss, fragmentation, and degradation, and pesticide use are listed as threats to the survival of this species. The refuge can support this butterfly by protecting and creating suitable open habitat.

#### Yellow banded bumble bee

Yellow banded bumble bee was petitioned for federal protection in 2015. According to recent studies, this species has declined by over 30% in range and persistence over its entire range; in some areas this species has been extirpated. This species forages on a diversity of plants within a wide variety of habitats including woodlands, farmlands, meadows, grasslands and wetlands. Threats to this important pollinator include disease, pesticide use and habitat loss (Hatfield et al. 2015). The refuge can support this species by protecting, creating and restoring high quality habitat for extant populations

#### Wood Turtle

Wood turtle was petitioned for federal protection in 2012. Wood turtles require riparian habitats, using aquatic and terrestrial habitats at different times of the year. This species is long lived, and thought to be experiencing population declines exceeding 50% over the past 100 years. Much of this decline is due to habitat degradation, fragmentation and destruction (van Dijk and Harding, J. 2016). Wood turtle occur in the Fort River, Quonotuck and Nulhegan Basin CFAs. Protection and management of riparian habitats will benefit populations.

### **Waterfowl**

Twenty-seven species of ducks, geese, and swans rely on habitat within the watershed. The lower section of the river supports waterfowl year-round and has some of the highest and most significant concentrations of black duck in the Northeastern U.S. (Dreyer and Caplis 2001). The freshwater and tidal wetlands along the river, particularly in the lower portion of the watershed, provide important stopover habitat during both spring and fall migrations of waterfowl, including the American black duck. The habitats most important to black duck are the tidal wetlands along the mainstem, as well as the tidal wetlands and bays along the coast. In the winter, the river provides relatively ice-free open water habitat providing access to submerged aquatic vegetation, invertebrates and high calorie wetland vegetation. Many waterfowl also nest along the river, including mallards, black ducks, Canada geese, green-winged teals, gadwalls, and common merganser.

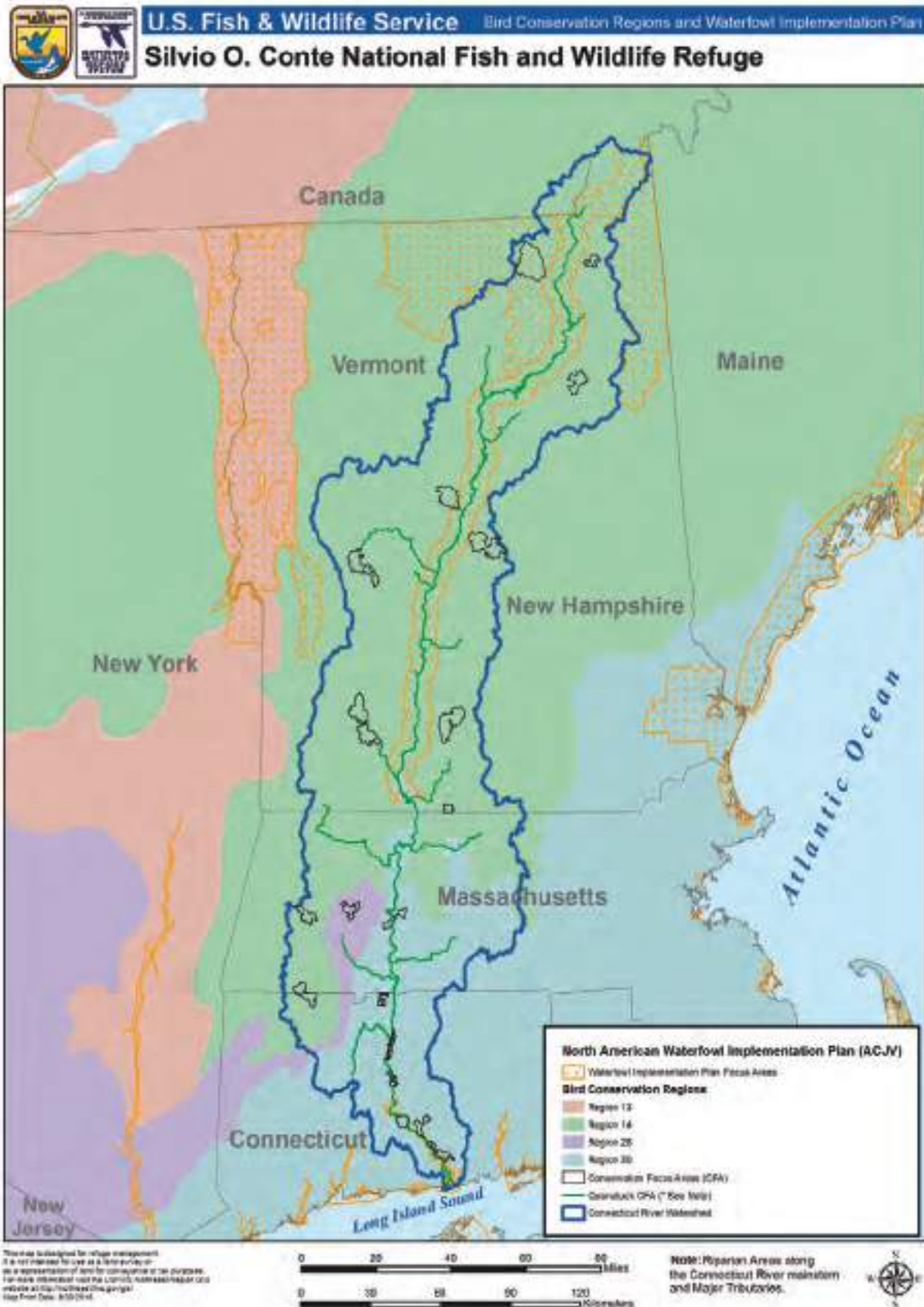
Further north in the watershed, many migrating ducks use flooded agricultural fields, floodplains, emergent wetlands, shrub swamps, and backwater areas along the river for stopover habitat. Species such as Canada geese, teal, mergansers, American black ducks, mallards, wood duck, and some sea ducks use the river corridor during spring and fall migration. The river and scattered small wetlands within the watershed provide prime breeding habitat for American black duck, wood duck, mallard, common merganser, and Canada geese.

Other species nest along the river and elsewhere within the watershed, but are less common. Wood ducks are ubiquitous nesters in the watershed requiring large tree cavities which are associated with freshwater forested or shrub wetlands. They especially favor beaver ponds with heavy forest cover. Black ducks are a species of special management concern as previously described and are specifically mentioned in the Conte Refuge Act.

The ACJV's 2005 Revised Waterfowl Implementation Plan, a step-down plan from the NAWMP, identified three waterfowl focus areas in the watershed: (1) the Connecticut River and Tidal Wetlands Complex Focus Area; (2) the Connecticut River Focus Area; and, (3) the Lake Memphremagog Focus Area (map C.5) (<http://www.acjv.org>; accessed November 2016). These focus areas highlight the importance of the watershed to breeding, migrating, and wintering waterfowl. For each of these focus areas, the ACJV established habitat objectives to help conserve waterfowl populations. These same three focus areas coincide with target areas identified for American black ducks in the Conservation Action Plan for the American Black Duck (USFWS



Map C.5. North American Waterfowl Management Plan/Atlantic Coast Joint Venture Waterfowl Focus Areas and Proximity to Proposed Refuge Conservation Focus Areas



and Black Duck Joint Venture 2011). The Conservation Action Plan provided conservation recommendations for each target area to help conserve black duck habitats and populations. Below we describe the three ACJV waterfowl focus areas, their importance to waterfowl, the species that use these areas, habitat acreage targets, conservation recommendations, and the seven CFAs that are strategically located within their boundaries.

**Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area, Connecticut**

This area contains some of the most extensive and highest quality fresh and brackish tidal wetland systems in the Northeast and was designated a Ramsar wetland of international importance in 1994. The freshwater coves and tidal saltmarshes at the river mouth contain some of the most important areas for migrating and wintering waterfowl in the state. The remaining wild rice marshes in the focus area provide excellent foraging habitat for breeding, staging, and wintering waterfowl. In addition, large concentrations of American black duck, green-winged teal, mallard, and American wigeon use the wetland complex at the mouth of the river. Significant numbers of greater scaup, canvasback, ruddy duck, and Atlantic brant winter within the waterfowl focus area. This focus area encompasses four important bird areas. The area is important to black ducks throughout their annual cycle, providing nesting, stopover, and overwintering habitat.

The ACJV’s habitat objective for this waterfowl focus area is 1,157 acres of wetland habitat. The Conservation Action Plan for the American black duck has the following conservation recommendations for this area:

- Cooperative management and conservation agreements to coordinate efforts across a mosaic of ownerships.
- Aggressive management of invasive species, including *Phragmites*, to restore habitats and prevent further degradation.
- Restoration of tidal marshes.
- Land acquisition, particularly of upland areas adjacent to wetland to provide buffers to maintain wetland structure and function.

The Quonotuck, Whalebone Cove, Salmon River, and Maromas CFAs are located in this focus area and land acquisition and protection in this CFA will help meet waterfowl habitat needs and benefit waterfowl populations as indicated below in table C.2.

**Table C.2. Waterfowl Species Using the Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area, Connecticut**

Species	Breeding	Migrating	Wintering
American black duck	✓	✓	✓
Green-winged teal	✓	✓	✓
Mallard	✓	✓	✓
American wigeon		✓	✓
Greater scaup		✓	✓
Canvasback		✓	✓
Ruddy duck		✓	✓
Atlantic brant		✓	✓

**Connecticut River Waterfowl Focus Area, New Hampshire and Vermont**

The river serves as an important migratory corridor for many species of waterfowl during the spring and fall migrations. Along both sides of the river there are numerous and extensive wetlands areas, such as oxbows, emergent wetlands, floodplain forests, and other forested wetlands, that provide waterfowl stopover, breeding, nesting, and wintering habitat. This area also contains prime breeding habitat for wood duck, black duck, mallards, and Canada goose. These habitats are important to black ducks throughout their annual cycle, providing nesting, stopover, and overwintering habitat.

The ACJV’s habitat objective for this focus area is 3,450 acres of wetland habitat. The Conservation Action Plan for the American black duck has the following conservation recommendations for this area:

- Land acquisition by the Service (specifically the Conte Refuge) and other partners to protect important habitats.
- Managing and regulating public uses to limit disturbance.
- Controlling exotic species and removing dams to improve native habitats.

The Quonotuck, Ompompanoosuc River, and Mascoma River CFAs are located in this focus area and land acquisition and protection in this CFA will help meet waterfowl habitat needs and benefit waterfowl populations as indicated below in table C.3.

**Table C.3. Waterfowl Species Using the Connecticut River Waterfowl Focus Area, New Hampshire and Vermont**

Species	Breeding	Migrating	Wintering
American black duck	✓	✓	✓
Mallard	✓	✓	✓
Hooded merganser	✓	✓	✓
Common merganser	✓	✓	✓
Canada goose	✓	✓	✓
Wood duck	✓	✓	
Blue-winged teal	✓	✓	
Green-winged teal	✓	✓	
Ring-necked duck	✓	✓	✓
Common goldeneye		✓	✓
Greater snow goose		✓	
Atlantic brant		✓	

Lake Memphremagog Waterfowl Focus Area, Vermont

The 775,452-acre Lake Memphremagog Waterfowl Focus Area encompasses all of Orleans County, Vermont, and parts of Essex County, Vermont. The area’s many remote wetlands have high value for breeding and migrating black ducks and other waterfowl. The area also has several relatively large wetlands and lakes, which provide important deepwater habitat for species such as common loons.

The ACJV’s habitat objective for this focus area is 5,101 acres of wetland habitat. This focus area’s many, scattered, remote wetlands have high-value for breeding and migrating American black ducks. The Conservation Action Plan for the American black duck has the following conservation recommendations for this area:

- Minimizing disturbance to remote wetlands and waterbodies to protect nesting waterfowl by following buffer zones and best management practices during timber harvesting.
- Acquiring additional lands (fee or easement) to protect high-quality habitat, limit shoreline development along ponds and lakes, and prevent disturbance to other wetlands.

The Nulhegan Basin CFA is located in this focus area and land acquisition and protection in this CFA will help meet waterfowl habitat needs and benefit waterfowl populations as indicated below in table C.4.

**Table C.4. Waterfowl Species Using Lake Memphremagog Waterfowl Focus Area, Vermont**

<b>Species</b>	<b>Breeding</b>	<b>Migrating</b>	<b>Wintering</b>
American black duck	✓	✓	
Wood duck	✓	✓	
Blue-winged teal	✓	✓	
Green-wing teal	✓	✓	
Hooded merganser	✓	✓	
Common merganser	✓	✓	
Ring-necked duck	✓	✓	
Canada goose	✓	✓	
Mallard	✓	✓	
Common goldeneye	✓	✓	
Bufflehead	✓	✓	
Lesser scaup	✓	✓	
Greater scaup	✓	✓	

Overall, our land acquisition proposal would make a major contribution toward waterfowl habitat and population objectives in the NAWMP and the ACJV. The ACJV’s Connecticut River Focus Area, Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area, and the Lake Memphremagog Waterfowl Focus Area (attachment II) all overlap CFAs where acquisition and protection of wetlands and adjacent uplands is a priority.

The wood duck is identified as a high priority species for the Atlantic Flyway Council and as a continentally high priority species for the NAWMP and the ACJV. BCR 14 is recognized by the NAWMP as a high priority region for breeding wood duck. BCR 30 is considered a moderate priority region for breeding wood duck. While no regional population objectives have been established for wood duck, the regional priority rankings suggest that the watershed can make significant contributions to sustaining the Atlantic Flyway population at or above target levels for harvest management purposes. Above, in the ACJV focus area descriptions, we note the important breeding habitat provided for American black duck in the watershed. Our assessment of habitat estimates that implementation of this LPP would provide breeding habitat to support approximately 950 breeding pairs of black duck and 4,100 breeding pairs of wood duck (attachment II).

**Migratory Birds**

The watershed serves as one of the major “north-south” migration corridors within the expansive Atlantic Flyway, flanked by the Atlantic coastal corridor to the east and the Champlain Valley corridor to the west. Hundreds of species of migratory and resident birds inhabit the watershed. These species encompass 17 taxonomic orders and 46 families of birds ranging from the well-known Canada goose and American robin to the rare golden-winged warbler and boreal owl (DeGraaf and Yamasaki 2001). Fifteen species of shorebirds, and 24 other water-dependent species such as rails, grebes, and herons, use the watershed for breeding, wintering, and/or migration. The refuge is also host to 157 passerine species and 24 raptor species; of these, 88 are neotropical migrants that breed in the watershed, 77 are residents that breed and winter here, and 16 are winter residents that migrate to the watershed from the north. Certain species such as mourning dove, American robin, red-tailed hawk, American crow, cedar waxwing, and American goldfinch have both migratory and resident populations (DeGraaf and Yamasaki 2001). The watershed supports 60 bird species that have been listed by one or more bird conservation plans or initiatives as species of concern.

The contribution to migratory birds and their habitat was an important consideration in delineating CFAs for refuge acquisition. For the purposes of relating those contributions quantitatively, in attachment II to this LPP, we detail the potential number of breeding migratory birds that could be supported within the proposed CFAs, and the acres of potentially suitable habitat.

We compare our estimates for the CFAs and conserved lands to population and habitat objectives that have been established at the BCR and State scales as reported in BCR 14 and BCR 30 conservation plans. Examining the benefits provided by existing conserved lands provides perspective on what additional migratory bird benefits would be provided to the conservation estate by acquiring the proposed CFAs. We profile six neotropical migrant species that are identified as Priority Refuge Resources of Concern (PRRC), are priority species within BCR plans, and which represent the range of upland and wetland habitat types within the proposed CFAs. Those species are:

- Wood thrush.
- Canada warbler.
- Blackburnian warbler.
- Black-throated blue warbler.
- American woodcock.
- Bobolink.

In addition, four of the six species profiled (e.g. wood thrush, blackburnian warbler, American woodcock, and bobolink) are identified as representative (also referred to as “surrogate”) species by the NALCC. We also present contributions to neotropical migrant stopover habitat (attachment II).

We summarize the results of our analysis in the table C.5 below.

**Table C.5. Contribution of All Proposed CFAs to BCR Population Objectives for Select Migratory Bird Species\***

<b>Species</b>	<b>Percent (%) of total BCR 14 population objective supported by all CFAs</b>	<b>Percent (%) of total BCR 30 population objective supported by all CFAs</b>
Wood thrush†	1.8%	0.6%
Blackburnian warbler	3.1%	6.4%
American woodcock	2.2%	2.0%
Bobolink†	<0.1%	1.2%
Black-throated blue warbler	4.3%	17.0%
Canada warbler†	1.6%	11.0%

\* The total proposed CFA acreage (197,337 acres) represents 0.2 percent of total BCR 14 acreage, and 0.1 percent of total BCR 30 acreage.

† Species on draft BCC 2014 list; both U.S. breeding and migration habitat limited.

In summary, this LPP would make important contributions toward Regional and State-level breeding population objectives for several neotropical migrant species of conservation concern. In addition, three studies highlight the significance of the watershed during both spring and fall migration. Attachment II summarizes these study results in section H, Migratory Stopover Habitat.

In table C.6 below, we provide a summary of how our proposed individual CFAs support the three Strategic Growth policy conservation targets.



**Table C.6. Summary Relationship of Proposed CPAs and CFAs to the Service’s Strategic Growth Policy Conservation Targets.**

Proposed Conservation Partnership (CPA) and Conservation Focus Area (CFA)	Strategic Growth Policy Targets		
	Federally listed species <sup>1</sup>	Waterfowl (NAWMP/ACJV Focus Area Objectives)	Migratory Birds (BCC 2014 species whose migration and breeding habitat are limited)
Ashuelot River	Dwarf wedgemussel, <b>northeastern bulrush</b> , northern long-eared bat, tri-colored bat		<i>Breeding habitat for:</i> Canada warbler Eastern whippoorwill Wood thrush
Blueberry Swamp	Canada lynx, northern long-eared bat, tri-colored bat, monarch butterfly, yellow banded bumble bee		<i>Breeding habitat for:</i> Canada warbler Eastern whippoorwill Olive-sided flycatcher
Westfield River (includes Dead Branch CFA)	Northern long-eared bat, tri-colored bat		<i>Breeding habitat for:</i> Black-billed cuckoo Canada warbler Eastern whippoorwill Wood thrush
Farmington River	<b>Dwarf wedgemussel</b> , northern long-eared bat, small whorled pogonia, tri-colored bat		<i>Breeding habitat for:</i> Canada warbler Wood thrush
Fort River	<b>Dwarf wedgemussel, Puritan tiger beetle</b> northern long-eared bat, small whorled pogonia, tri-colored bat, monarch butterfly, yellow banded bumble bee		<i>Breeding habitat for:</i> Bobolink <i>Migration habitat for:</i> Canada warbler Wood thrush Olive-sided flycatcher Bobolink
Maromas	Northern long-eared bat, shortnose sturgeon, tri-colored bat	ACJV Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area	<i>Breeding habitat for:</i> Cerulean warbler Wood thrush
Mascoma River	<b>Dwarf wedgemussel</b> , northern long-eared bat, tri-colored bat	ACJV Connecticut River-Vermont and New Hampshire Waterfowl Focus Area	<i>Breeding habitat for:</i> Bobolink Canada warbler Wood thrush
Mill River	<b>Dwarf wedgemussel, Puritan tiger beetle</b> , northern long-eared bat, tri-colored bat, small whorled pogonia, shortnose sturgeon, monarch butterfly, yellow banded bumble bee		<i>Migration habitat for:</i> Canada warbler Wood thrush
Muddy Brook	<b>Dwarf wedgemussel</b> , northern long-eared bat, small whorled pogonia, tri-colored bat, monarch butterfly, yellow banded bumble bee		<i>Breeding habitat for:</i> Bobolink <i>Migration habitat for:</i> Canada warbler Wood thrush
Nulhegan Basin	Canada lynx, northern long-eared bat, tri-colored bat	ACJV Lake Memphremagog Waterfowl Focus Area	<i>Breeding habitat for:</i> Canada warbler Eastern whippoorwill Olive-sided flycatcher



Proposed Conservation Partnership (CPA) and Conservation Focus Area (CFA)	Strategic Growth Policy Targets		
	Federally listed species <sup>1</sup>	Waterfowl (NAWMP/ACJV Focus Area Objectives)	Migratory Birds (BCC 2014 species whose migration and breeding habitat are limited)
Ompompanoosuc	<b>Dwarf wedgemussel</b> , northern long-eared bat, tri-colored bat	ACJV Connecticut River-Vermont and New Hampshire Waterfowl Focus Area	<i>Breeding habitat for:</i> Canada warbler Eastern whippoorwill Wood thrush
Ottawaquechee River	Northern long-eared bat, Indiana bat, tri-colored bat		<i>Breeding habitat for:</i> Eastern whippoorwill Wood thrush
Pondicherry	<b>Dwarf wedgemussel</b> , northern long-eared bat, Canada lynx, tri-colored bat		<i>Breeding habitat for:</i> Bobolink Canada warbler Eastern whippoorwill Olive-sided flycatcher
Pyquag <sup>2</sup>	Northern long-eared bat, tri-colored bat		<i>Migration habitat for:</i> Canada warbler Wood thrush Lesser yellowlegs Semipalmated sandpiper Wood thrush Olive-sided flycatcher Bobolink
Quonotuck <sup>2</sup>	<b>Dwarf wedgemussel, Puritan tiger beetle, Jesup's milk vetch, northeastern bulrush</b> , shortnose sturgeon, piping plover, red knot, Atlantic sturgeon, roseate tern, small whorled pogonia, , Canada lynx, northern long-eared bat, Indiana bat, tri-colored bat, monarch butterfly, yellow banded bumble bee	ACJV Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area (CT) and ACJV Connecticut River-Vermont and New Hampshire Waterfowl Focus Area	<i>Migration habitat for:</i> Canada warbler Wood thrush Canada warbler Wood thrush Lesser yellowlegs Semipalmated sandpiper Sanderling Wood thrush Olive-sided flycatcher Bobolink Cerulean warbler Saltmarsh sharp-tailed sparrow Whimbrel Black rail Black skimmer
Salmon River	<b>Puritan tiger beetle</b> , brook floater, northern long-eared bat, tri-colored bat	ACJV Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area	<i>Breeding habitat for:</i> Wood thrush Cerulean warbler Eastern whip-poor-will Black-billed cuckoo Prairie warbler <i>Migration habitat for:</i> Sanderling Lesser yellowlegs Semipalmated sandpiper Wood thrush Olive-sided flycatcher Cerulean warbler

Proposed Conservation Partnership (CPA) and Conservation Focus Area (CFA)	Strategic Growth Policy Targets		
	Federally listed species <sup>1</sup>	Waterfowl (NAWMP/ACJV Focus Area Objectives)	Migratory Birds (BCC 2014 species whose migration and breeding habitat are limited)
Scantic River	<b>Dwarf wedgemussel</b> , northern long-eared bat, shortnose sturgeon, tri-colored bat		<i>Migration habitat for:</i> Canada warbler Wood thrush
Sprague Brook	<b>Northeastern bulrush</b> , northern long-eared bat, tri-colored bat		<i>Breeding habitat for:</i> Canada warbler Wood thrush Black-billed cuckoo
West River	<b>Northeastern bulrush</b> , northern long-eared bat, cobblestone tiger beetle, brook floater, tri-colored bat		<i>Breeding habitat for:</i> Canada warbler Eastern whippoorwill Wood thrush
Westfield River (includes Dead Branch CFA)	Northern long-eared bat, tri-colored bat		<i>Breeding habitat for:</i> Black-billed cuckoo Canada warbler Eastern whippoorwill Wood thrush
Whalebone Cove	Red knot, piping plover, small whorled pogonia, northern long-eared bat, tri-colored bat, roseate tern, Atlantic sturgeon	ACJV Connecticut River and Tidal Wetlands Complex Waterfowl Focus Area	<i>Breeding habitat for:</i> Black-billed cuckoo Bobolink Cerulean warbler Eastern whip-poor-will Prairie warbler <i>Migration habitat for:</i> Sanderling Lesser yellowlegs Semipalmated sandpiper Wood thrush Olive-sided flycatcher
White River CFA	Northern long-eared bat, Indiana bat, tri-colored bat		<i>Breeding habitat for:</i> Canada warbler Eastern whippoorwill

<sup>1</sup> Species in **bold** are federally listed species that have Service land protection identified as a strategy within their recovery plan. All other species are federally listed and Federal candidate species that do not have land acquisition mentioned in their recovery plan or do not have a recovery plan.

<sup>2</sup> These are stand-alone CFAs and not represented by a CPA.

**Relationship of Project to NALCC Representative (i.e. Surrogate) Species and Other Priority Species and Habitats**

In 2009, the NALCC partnership published a development and operations plan which evaluated 74 species (including plants, all taxa of wildlife, fish, and other aquatic species), of highest priority for conservation for that geographic region based on consultations with BCR teams, ACJV teams, fish habitat partnerships, and the Service’s endangered species program. Table C.1, presented earlier, lists those species occurring within the watershed. This priority species list served as an initial starting point for biological planning and conservation design within the NALCC, and provided guidance in developing this LPP. This LPP provides important habitat protection and/or potential enhancements for these highest priority species identified in the NALCC plan.

In 2011, the Service began facilitating a process to collaboratively identify “surrogate” species within each geographic LCC. This was a response to addressing the sheer number of species for which the Service, respective States, and other partners work with, and the impracticality of designing and conserving landscape-

scale habitats on a species-by-species basis. The basic concept is that conserving habitat for surrogate species will also address the needs of a larger group of species or other conservation targets (e.g., water quality, forest, or grasslands, etc.). Selected surrogate species and targets were used as the basis for regional conservation planning efforts within watershed landscape or geographic area. It was a practical step in implementing the SHC approach, using the best available science to conserve landscapes supporting multiple species. The surrogate species approach informed our agency's management practices, and enabled the Service to make better, more cost-effective conservation and management decisions and propose investments in this LPP. Most importantly, it improved our ability to work with partners to sustain abundant, diverse, and healthy populations of fish, wildlife and plants now and in the future in the watershed and as an agency (<http://www.fws.gov/landscape-conservation/selecting-species.html>; accessed October 2016).

The NALCC was one of the first LCC partnerships in the country to initiate the process to identify and select surrogate species. This partnership uses the term “representative” species in place of surrogate species.

### **Representative (e.g., Surrogate) Species Selection**

The NALCC has designated an initial set of representative species as a tool for strategically conserving habitat at landscape scales ([http://www.fws.gov/northeast/science/representative\\_species.htm](http://www.fws.gov/northeast/science/representative_species.htm); accessed October 2016). In 2011, the NALCC held workshops in each of its three sub-regions (northern New England and New York, southern New England and New York, and mid-Atlantic), where Service scientists and other experts selected a total of 87 terrestrial and wetland species to compile a NALCC representative species list. A subsequent effort identified 12 aquatic representative species. Some, but not all of these species, were identified as highest priority in the 2009 NALCC operations plan. Of the 99 representative aquatic and terrestrial species, 34 occur in the watershed.

The large proportion of LCC priority species supported in the watershed is a reflection of the broad diversity of habitats present, including habitat that is vital to species that range from migratory fish to boreal forest obligates. The watershed is centrally located in the NALCC; and ranges in elevation from sea level to the highest elevation (6,288 feet) in New England. Using the list, representative species are paired with the priority habitats included in each of the CFAs. Further details are available in appendix A of the final CCP/EIS. These species were used to help inform, focus, and evaluate the potential contributions of each CFA identified for habitat protection.

### **Relationship of Project to the *Connect the Connecticut* Landscape Conservation Design (*Connect the Connecticut* LCD)**

The CCP core team has worked collaboratively with the four states on identifying and refining the CFAs identified in this LPP proposal since the CCP planning process was initiated in 2006 using an array of information made available by the states and other partners. During 2014, the CCP team spent a considerable amount of time working with the four respective State fish and wildlife agencies to seek preliminary agreements on those boundaries. The *Connect the Connecticut* LCD project was initiated in February 2014, with a final design released in May 2015. The project is now moving into its next phase of implementation. CCP core team members participated in the *Connect the Connecticut* LCD project, and thus, were able to share information from the LPP process, as well as compare and integrate LCD project results into this LPP proposal.

What follows is an overview of *Connect the Connecticut*. The project has been well-documented and can be further reviewed at: <http://connecttheconnecticut.org/> (accessed October 2016).

The LCD planning effort in the watershed was facilitated by the Service and supported by the NALCC. However, key to its success is the 30-member core team of conservation partners composed of Federal and State agencies and private organizations working at various scales in the watershed. As noted above, refuge staff participated on the LCD core team, as did the leadership of the Friends of the Silvio O. Conte National Fish and Wildlife Refuge (Friends of Conte Refuge) in an effort to design a tool with potential for broad application among diverse stakeholders within a large landscape. Fundamentally, the *Connect the Connecticut* LCD is a collaborative effort among partners to develop a strategic plan for the watershed that will sustain habitat for fish, wildlife, and plants within a working landscape, while also reliably providing clean water, storm protection, recreation and many other natural benefits that support people and communities. It is intended to guide collective conservation actions within the watershed and connect to broader regional conservation goals for conserving sustainable fish and wildlife populations and their habitat for people within a working landscape.

The LCD planning effort pioneers the use of new decision support tools and the best available science to set goals and measurable objectives for representative species of fish and wildlife, and the ecosystems that support them. It also translates those goals and objectives into projections of the amount, type, and distribution of habitat needed to sustain species and habitats at those levels. Finally, it allows users to incorporate expectations for climate change, urban growth, and other land-use changes and pressures into their conservation strategies.

The principal products of *Connect the Connecticut* are the networks of high priority core areas for both terrestrial (including wetlands) and aquatic ecosystems. These core-connector networks represent a synthesis of ecological information and are designed to provide strategic guidance for conserving natural areas, and the fish, wildlife, and other components of biodiversity that they support, within the watershed. The networks contain especially intact, resilient examples of each ecosystem type present in the watershed, including both widespread ecosystems such as hardwood forests and rare natural communities like bogs. They also contain important habitat for species such as brook trout and wood duck. Terrestrial cores (but not aquatic cores) are divided into two tiers of priority.

These networks were developed using supporting data layers, including measures of ecological integrity, terrestrial resilience, mapped rare natural communities, priority river floodplains, stream resistance to temperature change, modeled representative species landscape capability, and presence of five anadromous fish species. The proposed LPP fully complements and supports the *Connect the Connecticut* LCD core-connector networks. Attachment IV provides an example of how some of the LCD products (e.g., aquatic core areas, the blackburnian warbler landscape capability index, and the terrestrial core-connector network), overlap with proposed CFAs.

The LCD project's stated objectives were to:

- Establish common conservation goals and objectives for species and ecosystems in the watershed that are informed by watershed and regional priorities.
- Develop a strategic landscape design that prioritizes places, and identifies strategies and actions, necessary to meet and sustain those goals and objectives into the future.
- Deliver information, maps, and tools with design options at multiple scales (e.g. local, State, and Regional scales) and in formats needed by partners to guide conservation decisions and inform planning (e.g. town master plans, refuge CCPs, National Forest Plans, and State WAPs).
- Establish a process for conducting landscape conservation design that can be applied and adopted elsewhere in the region.

The *Connect the Connecticut* LCD core team set a conservation target of including approximately 25 percent (25%) of the watershed (approximately 1.8 million acres) in Tier 1 terrestrial core areas, and 25 percent (25%) of the aquascape (all water bodies) in aquatic core areas. The core areas are delineated based on ecological criteria without consideration of their current conservation status. An additional 22 percent (22%) of the land area is in the connectors that flow between one or more Tier 1 terrestrial cores.

Approximately 25 percent (25%) of the watershed is already currently under some form of protection within the watershed. However, only 35 percent (35%; ~1.2 million acres) of the terrestrial core-connector network is currently secured. Notwithstanding the lands already secured as refuge, under this LPP, further land protection within CFAs would allow refuge lands to contribute another 117,669 acres toward ensuring that the Tier 1 terrestrial core areas and connectors are conserved.

While implementation of the LPP will contribute to the watershed-wide goals from *Connect the Connecticut*, the LCD project also provides a number of useful decision-support tools for strategic conservation through acquisition of additional lands within the CFAs. Virtually all the lands within CFAs intersect with the terrestrial or aquatic core networks, the Tier 2 core areas, and the areas designated as Supporting Landscapes. These designations can be used to prioritize land acquisition. In addition, *Connect the Connecticut* includes over 40 individual products that can be used separately or in combination to inform strategies for land protection and management.

We anticipate that the *Connect the Connecticut* products will stimulate discussion and facilitate strategic conservation decisions in the watershed as more people become aware of its availability as a conservation decision support tool. We have worked to raise awareness of these products while distributing the Conte Refuge CCP/EIS for public review and comment. These products will be valuable tools for Federal and State agencies, and local communities, in making land use decisions. We expect the data and tools from the *Connect the Connecticut* project will be valuable to refuge staff when developing step-down plans such as Habitat Management Plans after the CCP is finalized.

### **Relationship of Project to Refuge System's Urban Wildlife Conservation Program**

The watershed overlaps about 396 communities, 2.4 million residents, and two large New England urban areas: Springfield, Massachusetts (153,552 residents) (2013 U.S. Census) and Hartford, Connecticut (124,893 residents). Springfield is the fourth largest urban area in New England; only Boston (#1), Worcester (#2), and Providence (#3) are larger.

The proximity of existing and proposed Conte Refuge lands to major urban centers, such as Springfield, Massachusetts and Hartford, Connecticut, presents tremendous opportunity to reach new audiences who do not currently know about the Service and Refuge System, and therefore are less likely to visit refuge lands. Map C.2 shows major urban areas within the watershed, their proximity to existing conserved lands, and their distribution along the mainstem of the Connecticut River and its major tributaries. Proposed CFAs in proximity to these urban centers include: the Fort River and Mill River CFAs in Massachusetts, and the Farmington River, Muddy Brook, Scantic River, Pyquag, Maromas, Salmon River, and Whalebone Cove CFAs in Connecticut. The ever-growing urban population will be a critical constituency to engage as we work to ensure that future Americans continue to care about conservation. Connecting with urban communities is a major initiative within the Refuge System (<http://www.fws.gov/urban/index.php>; accessed October 2016). The goal of the Urban Wildlife Conservation Program is to engage urban communities as partners in wildlife conservation through collaborations both on and off refuge lands.

Existing and proposed refuge lands are strategically situated to provide opportunities for urban residents to directly experience the outdoors through fishing, hunting, wildlife observation, photography, environmental education, interpretation, and other compatible outdoor recreational pursuits. The refuge's existing and potential partnerships that operate in the urban environment are many and diverse. For example, Conte Refuge is an integral part of the Springfield Urban Wildlife Refuge Partnership, officially designated in September 2015. Urban Wildlife Refuge Partnerships are a key piece of the Service's Urban Wildlife Conservation Program. They are long-term partnerships, formalized through official agreements, which engage urban communities in conservation issues on partner-owned lands within urban neighborhoods. The partnerships serve as opportunities to help engage residents in place-based, outdoor experiences in their community, which foster connections with fish and wildlife and their habitats.

The Springfield Partnership brings together a multitude of partners including the Conte Refuge, Friends of Silvio O. Conte Refuge, ReGreen Springfield, Springfield Watershed Restoration Partnership, U.S. Forest Service, Massachusetts Division of Ecological Restoration, University of Massachusetts Amherst, Mount Holyoke College, Connecticut River Watershed Council, Keep Springfield Beautiful, Springfield Museums, Pioneer Valley Planning Commission, Chicopee 4Rivers Watershed Council, and the City of Springfield. The Partnership aims to engage students and community members in environmental education and urban restoration projects to create a network of conserved habitats in the Connecticut River watershed.

One of these urban restoration projects focuses on restoring urban streams and forests in the Abbey Brook Conservation Area, which have suffered from erratic storm water flows, invasive plants, adverse amounts of sedimentation, and other pressures common to urban streams and forests. With careful planning and adequate resources, partners hope to reverse these impacts, resulting in a neighborhood haven for wildlife and an asset to the city's residents. The refuge could also support urban education programs through implementing established programs such as Adopt-A-Habitat, Conte Corners, the Watershed on Wheels (WoW Express), Biological Assessment Trailer (BAT Express), Youth Conservation Corps, Student Conservation Association crews, and volunteers.

It is through opportunities like these on and off refuge lands that people will establish a relationship with nature, learn about our agency's important role in conservation, and garner an appreciation of the importance of sustainable conservation action in providing ecosystem and community services. As a result of these efforts to engage urban audiences, many people may become inspired to help protect and nurture public lands as citizen stewards.



## **IV. Threats to Watershed Resources and How This Proposal Addresses Them**

### **Potential Threats to Resources**

The threats to America's land, water, fish and wildlife, and cultural resources are greater than any one agency or organization can address alone. Threats such as land use change, a changing climate, and invasive species have the potential to affect multiple species and resources across an entire landscape. These stressors are amplified by habitat fragmentation, loss of wetlands, and reduced water quality, quantity, flows, and impaired function, posing ever greater challenges and threats to the quality, connectivity, and sustainability of watershed resources.

### **Climate Change**

As the climate changes, the resulting impacts affect the full spectrum of habitats due to changes (increases and decreases) in temperature, precipitation, and water level. While the timing, extent, and location of these changes are not known, investments in land conservation that facilitate appropriate habitat connectivity (aquatic and terrestrial) in area (size), elevation, and latitude could help temper the impact, giving our Federal trust resources more opportunity to emigrate and the time to adjust and adapt. This proposal, along with existing and planned partner actions, would strive to assemble larger, better connected, more resilient, and redundant areas within the conservation estate that would afford ideal opportunities to evaluate, address, and employ adaptive management over time to temper the impacts of future climatic challenges on our Federal trust resources.

### **Land Use Change and Habitat Fragmentation**

The river has been impacted by changes in land use, especially over the last 150 years. Changes in technology have dramatically changed farming, forestry, and real estate development while generational succession of landowners and the settlement of estates and the related impacts on parcel size and ownership pattern has changed the configuration of land use and management. Habitat fragmentation is typically preceded by ownership fragmentation. Ownership fragmentation in the watershed continues to increase as does the threat of development (commercial and residential). When the individual ownerships decline in size, and the purchase prices of smaller ownerships are reduced commensurately, the land becomes more available to a wider spectrum of potential buyers. As property changes hands or moves from one generation to the next, ownerships begin to fragment and become smaller. As ownerships become smaller, they are potentially more susceptible to conversion for development or other uses. A major focus of this proposal is to protect and assemble larger contiguous habitats within the existing watershed land conservation mosaic along latitudinal and elevation gradients in an effort to counter ownership and habitat fragmentation. This approach also accrues benefits to our desired outcomes for diversity and connectivity in area, aspect, process, and substrate that is well connected to a well-represented, redundant, and resilient core conservation network.

### **Impacts to Water Quality, Quantity, and Wetlands**

Refuge staff have been working with the Service's Fisheries program, the NALCC, and other Federal and State agencies and private organizations to evaluate impediments to the functioning of natural hydrologic systems in the watershed. Our focus has been on determining which impediments have the greatest effect on wildlife and aquatic species movement, water quality and quantity, duration and timing of flooding, and the health and integrity of wetlands. We are working with partners to identify and prioritize areas of greatest impact and to develop an implementation strategy to improve water quality and quantity, and the timing and duration of flow. With our partners, we have started working with local jurisdictions to identify opportunities for funding from the Department of Transportation (public land) and Department of Agriculture (private land) to improve road crossings, and the management of storm water and dams.

Protection of wetlands, floodplain forest, and riparian habitat is a major emphasis of this proposal. Restoring and maintaining the integrity of wetlands and other waters is one of the purposes in the Conte Refuge Act. We are also working with our partners to identify floodplains and wetlands that are a priority for protection and as feasible, the restoration of the structure and function of the floodplain forest and wetland complex.

### **Invasive Species**

Controlling invasive species is a major focus of current refuge management programs. Today, many communities are faced with threats from exotic species such as Japanese knotweed, oriental bittersweet, garlic mustard, water chestnut, purple loosestrife, Asian long-horned beetle and others. Our ability to effectively limit the impacts of these invaders is partially dependent on large-scale, intact, and resilient landscapes, such as those in our refuge proposal, which can be more resistant to new infestations when addressed at the CPA level.



### **How Project Proposal Addresses Threats from Climate and Land Use Change**

When the refuge was authorized in 1995, the projected impacts of climate and land use change were not understood as they are today. Models to predict climate and land use changes have greatly improved in recent years. Today, we have more information and more sophisticated decision support tools to identify priority areas for protection to respond and better prepare for those changes.

This LPP, in conjunction with the land protection, restoration, and management programs of our partners working in the watershed, promotes the biological diversity, integrity, and resiliency of upland and wetland ecosystems in an amount and distribution that contributes to sustaining ecological function, supports healthy populations of native fish and wildlife, and anticipates the effects of climate and land use changes.

As noted previously, we used data and outputs from the *Connect the Connecticut* LCD, TNC, State fish and wildlife agencies and other conservation partners, agency personnel expertise, and a myriad of other data sets to identify, compare, and contrast the CFAs with the highest quality habitat and the most intact, integral, and resilient places in the landscape. The proposed CFAs, in conjunction with the conserved lands network, will help conserve a resilient and integral landscape, and fortify the full spectrum of physical characteristics, to support species diversity in the face of anticipated climate and land use changes.

### **Connectivity of Protected Habitats**

On a landscape scale, the diversity in substrate and topography (elevation and aspect), and the range in latitude, within the watershed allow for diverse, strategic, and sustainable connections between the Long Island Sound, White Mountains, Green Mountains, and the Northern Forest. These connections will increase opportunities for species migration, emigration, and adaptation in response to climate change. For example, connecting and protecting floodplain forest and riparian areas, and efforts to reestablish a more natural flow of water within the watershed, which are all a priority in this proposal, will minimize the anticipated impacts from more frequent and intense flood events expected from climate change. Furthermore, these connections will help counteract, and prevent further impacts from, fragmentation.

The CFAs along the mainstem in the lower reaches of the watershed are vital to the landward migration of the tidally influenced coastal wetland complex due to anticipated increases in sea level attributed to climate change. The lower portion of the river is not obstructed until the first dam in Holyoke, Massachusetts, a point that is well above the head-of-tide which is presently near Hartford, Connecticut. As the sea level rises, the fortunate absence of mainstem dams could allow the existing tidally influenced coastal wetland complex (salt, brackish, and fresh) to “migrate” upriver over time, provided the appropriate lands have been protected.

### **Habitat Resiliency**

The term “resilience” refers to the capacity of a site to remain viable and adapt to climate change while still maintaining diversity, but does not assume that the species currently located at these sites will necessarily be the same species present in a century or two (<https://www.conservationgateway.org/ConservationByGeography/NorthAmerica/UnitedStates/edc/reportsdata/terrestrial/resilience/ne/Pages/default.aspx>; accessed October 2016). Instead, if the land is conserved, the area will support species that thrive in the conditions defined by the physical setting. The CFAs, in conjunction with other conserved lands in the watershed, would conserve a spectrum of physical settings that are connected in latitude, elevation, aspect, and substrate, thus providing a gradient of exposure, temperature, and moisture. This diversity will help increase resiliency within the landscape, in part, by supporting a wide variety of microclimates. Furthermore, a well-distributed conserved lands network, reducing barriers and minimizing fragmentation, would promote resilience by facilitating range shifts and the reorganization of ecological communities.

## **V. Partnerships Important for Project Design and Implementation**

### **Established Partnership Framework**

The Northeast Region is a large and populous region with diverse opinions, backgrounds, and politics. While the 13 States in the Region account for about 7 percent (7%) of our Nation’s land base, it is home to about 25 percent (25%) of our Nation’s population. Much has changed since the refuge was authorized in 1995. At that time, there was widespread skepticism about the value of Federal government involvement in the watershed. Based on our refuge partnerships, demonstrated actions, and shared outcomes, our relationship with the area communities, State agencies, and congressional delegations in the four States has strengthened over the past 15 years.

This proposal would further enhance the Service's collaborative, landscape-scale, partner-driven approach in the watershed and complements the vision which led to the passage of the Conte Refuge Act in 1991. As proposed, an expanded and strategic refuge design offers the opportunity to demonstrate the integrated implementation of SHC and adaptive management in a partnership approach to support the NAWMP/ACJV, endangered species recovery plans, BCR priorities, and habitats identified by the NALCC within a large watershed and landscape-based conservation mosaic. Further, it provides a framework and a forum for engaging multiple Federal agencies, State agencies, local municipalities, private organizations, interested landowners, and individual citizens in conservation, education, recreation, and sustainable and complementary economic efforts. Goal 4 in the final CCP/EIS details how the refuge would continue to initiate, support, and promote partnerships with other Federal, State, and local governments, Tribal governments, and private individuals and organizations

Specifically, our partnership goals with this LPP include the following:

- Conserving and protecting an array of terrestrial and aquatic habitats that support federally listed threatened or endangered species, waterfowl and other migratory birds as described in Service, State, and partner-supported plans;
- Monitoring and addressing socio-cultural values of interest to local communities, in particular, ecosystem services, as well as resource impacts associated with climate and land use changes;
- Providing opportunities to demonstrate adaptive land management techniques in response to landscape changes, and support those activities on partner and private lands;
- Seeking opportunities for partners to combine their strengths to make important contributions to conservation, and to link exceptional wildlife and public use values within reach of one of the most highly populated regions in the country; and
- Providing opportunities to connect people with nature in rural to urban settings by protecting public access and offering compatible programs to engage and motivate people to learn about and enjoy nature and act to conserve it.

While the Service contribution of conserving 197,337 acres may only represent less than 3 percent (3%) of the watershed, and about 10 percent (10%) of the existing conservation estate (1.8 million acres +/-), when added to the existing public and private conservation accomplishments, the benefits accrued to targeted trust resources and the overarching watershed partnership will be considerably greater. Decades of work to promote partnerships for wildlife habitat, outdoor recreation, working forest and farms, and leveraging these programs, has magnified the potential beneficial impact in the watershed. Approval of this proposal would expand the ability of the Service to accomplish those benefits working with conservation partners, landowners, and other stakeholders in the watershed.

A notable successful partnership is the Friends of Conte Refuge, which is best described as an association of approximately 70 conservation, recreation, education, and organizations and public agencies. Over the past decade, the group has increased in representation, scope, and sophistication, and now works well beyond what is considered a traditional refuge boundary. The Friends Group strives to provide a foundation, forum, and framework to establish and facilitate diverse and creative partnerships that promote conservation, education, recreation, and sustainable economic opportunities within the watershed. Their successes and influences on conservation in the watershed are noteworthy and have drawn national attention (<https://www.facebook.com/pages/Friends-of-the-Silvio-O-Conte-National-Fish-and-Wildlife-Refuge/121976791147545?ref=nf>; accessed October 2016).

#### **NALCC Partnership**

Refuge lands will play a vital role in implementing the conservation actions identified by the NALCC partnership. This extensive partnership includes the Service, other Federal agencies, States, Tribal governments, universities, and private organizations. The NALCC Development and Operations Plan details this partnership and identifies priorities for the partnership (<http://www.fws.gov/northeast/science/pdf/NorthAtlanticLCCfinal.pdf>; accessed October 2016). Implementation of the *Connect the Connecticut*, previously described, is a priority for the NALCC.

### **Other Federal Agencies**

The refuge has several memorandums of understanding (MOU's) with other Federal agencies engaged in conservation in the watershed. The 2012 MOU establishing the watershed as a large landscape demonstration project under the Presidential initiative "America's Great Outdoors" includes nine Federal agencies: NRCS, U.S. Forest Service, Farm Service and Rural Development agency, DOT, NOAA, Department of Housing and Urban Development, EPA, and U.S. Army Corps of Engineers. The final CCP/EIS, including this LPP, proposes to utilize a framework to catalyze and bolster Federal agency partnerships to align, target, and leverage public resources to accomplish shared goals and objectives in the watershed.

### **State Wildlife Agencies**

The Service and the four State fish and wildlife agencies in the watershed already work collaboratively to benefit many species and habitats. This proposal would support priorities for habitat protection and management in State WAPs and the outcomes and benefitting State WAP species are tracked and listed in CFA specific tables in CCP/EIS appendix A. Species of greatest conservation need (GCN) have been identified in each of the four State plans: Connecticut (Connecticut Department of Environmental Protection Bureau of Natural Resources (CTDEEP) 2005 and 2015 update), Massachusetts (Massachusetts Department of Fish and Game 2006 and 2015 update), Vermont (Vermont Fish and Wildlife Department 2015), and New Hampshire (New Hampshire Game and Fish Department 2015). Almost without exception, the GCN species include those identified by the Service and are recognized by regional conservation partnerships (e.g., Joint Ventures) as priority resources of concern.

### **Tribal Governments**

Native American Tribal Governments are important partners in the watershed. We will continue to pursue timely and effective collaboration in developing the CCP and protecting Native American cultural resources. Early in developing the Conte Refuge draft CCP/LPP/EIS, we contacted federally recognized Tribal governments with associations in the watershed to discuss issues, concerns, or opportunities they may have with existing or proposed refuge management. We also shared an internal review draft of the CCP/EIS, and a copy of the publically released draft plan. No issues or concerns related to land acquisition were expressed. The following Tribes were contacted:

- Narraganset Indian Tribe
- Mohegan Tribe of Indians of Connecticut
- Mashantucket Pequot Tribal Nation
- Wampanoag Tribe of Gay Head (Aquinnah)
- Mashpee-Wampanoag Tribe
- Stockbridge-Munsee Band of Mohican Indians

We will continue to engage and consult with Tribes throughout the planning and implementation phases of this project.

### **Private-Public Conserved Lands Network in the Watershed**

As noted, the watershed has an extensive network of publically and privately conserved lands, totaling just over 1.8 million acres or 25 percent (25%) of the watershed. Conserved or "secured" lands in the watershed are lands that are permanently protected from development through fee title or easement restrictions, but in some cases may allow certain other sustainable land uses, such as farming and forestry. The conserved lands network is important to highlight because refuge lands are included, and because we have significant partnerships with other conservation land owners, especially those in proximity to refuge lands.

Within the watershed, many agencies, organizations, and private individuals own and maintain land included in the conserved lands network for a variety of different primary purposes. Those include: water supply, flood protection, timber and agricultural production, recreational use, and fish and wildlife habitat. Some owners place a restriction on development simply for aesthetic reasons.

Table C.7 presents the estimated conserved acres by state. It is important to note there are likely small parcels held by municipalities, small land trusts, or private landowners that are not in the secured lands database yet, and more are being added all the time. While 25 percent (25%) of the watershed benefits from some form of

conservation status; approximately half of these acres are situated in the desired system of connected core areas that are more functionally resilient to the anticipated changes in climate and land use (attachment IV).

**Table C.7. Conserved Lands in the Connecticut River Watershed by State<sup>1</sup>**

	<b>Connecticut</b>	<b>Massachusetts</b>	<b>Vermont</b>	<b>New Hampshire</b>	<b>Totals</b>
Federal	686	11,497	217,795	227,089	457,067
State	77,013	284,006	157,106	116,140	635,265
Local <sup>1</sup>	41,583	77,830	25,119	27,416	171,948
Private	26,724	126,787	114,040	264,577	532,128
Unknown <sup>2</sup>	740	73	2,541	61	3,415
<b>Totals</b>	<b>146,746</b>	<b>500,193</b>	<b>516,601</b>	<b>635,283</b>	<b>1,797,823</b>

<sup>1</sup> The source for conserved lands is TNC 2014, Secured Lands Gap status 1, 2, 3 and 39.

<sup>2</sup> This could not be determined from the data available.

## VI. Implementing the Proposed Land Protection Strategy

### Service Land Acquisition Policy

It is the Service's policy and long standing practice to work with only willing sellers to acquire the minimum interest necessary to achieve our objectives. An interest purchased by the Service can include fee-title or less-than-fee-title interest (e.g. easements and leases), and would be at market value. This approach has been modeled at the refuge over the past 15 years. A variety of different strategies were employed (fee title, easement, and use (term and life) reservations) to meet the resource protection objectives of the refuge in a manner that met the individual needs and preferences of the landowner.

The Service purchases land from willing sellers at market value, over time, as lands become available and only when funds are available and there is an agreement in terms and prices. Landowners are under no obligation to sell an interest in their properties to the Service, or change their practices or plans for their property due to location within an approved refuge acquisition boundary. In addition, owning land within an approved refuge acquisition area does not affect how the property owner can use their land or impact who the owner can sell their property to. In essence, defining the Service's areas of interest (e.g. a proposed CFA) authorizes the Service to be a "willing buyer" and an option to the landowner. The Service would strive to minimize the acquisition of infrastructure, unless the property is desirable for restoration purposes or is consistent with meeting other refuge goals or objectives.

### Prioritizing Parcels for Acquisition within Proposed CFAs

As required by Service policy, we must indicate a priority ranking for identified parcels in the event multiple landowners offer parcels of land in the proposed acquisition areas at the same time, and funding is insufficient to respond to all willing sellers. Our acquisition activities will be informed and guided using priority rankings we have assigned in this LPP. We evaluated and prioritized approximately 5,000 parcels within 21 proposed CFAs (Quonotuck CFA not included), and arranged the parcels into three priority categories or "tiers": Tier I, Tier II, and Tier III, with Tier I being the highest priority. Individual parcels range in size from about 1 acre to approximately 3,600 acres. In order to establish the tiered ranking system, we evaluated three criteria which we describe further below: (1) the amount of priority species habitat within each parcel, (2) the amount of wetlands, and (3) the parcel size.

#### 1. Priority Habitat

To evaluate this component of the tiered ranking system, we first identified the three highest priority habitat types in each CFA contributing to priority refuge resources of concern (final CCP/EIS appendix A; also, see table C.8 below), and then considered the following:

- Presence of suitable habitat for threatened and endangered species.
- Presence of suitable habitat for migratory birds in decline.
- Presence of important waterfowl habitat as identified by the ACJV.
- Overlap with *Connect the Connecticut* LCD Tier 1 core areas and connectors

Additional considerations include:

- Presence and amount of habitat for other species of conservation concern.
- Presence of riparian and floodplain forest.
- Connectivity in area, elevation, latitude, aspect, substrate, and process.
- Level of development on parcel, including buildings, roads, and other infrastructure.

With regard to developments, it is not our intent to purchase parcels with major improvements. Based on Service policy, during the planning process, we do not redefine parcel lines to work around improvements. Instead, we would work with individual landowners who might want to retain the improvements or redefine their ownership line to sell the developments to another entity.

**Table C.8. Priority I, II, and III Habitats in Each Proposed CFA**

<b>CFA (state, acres<sup>1</sup>)</b>	<b>Priority I Habitats</b>	<b>Priority II Habitats</b>	<b>Priority III Habitats</b>
Whalebone Cove CFA, Connecticut (3,930 acres)	Freshwater Marsh	Hardwood Forest	Shrub swamp and Floodplain Forest
Scantic River CFA, Connecticut (4,144 acres)	Floodplain Forest	Hardwood Swamp	Freshwater Marsh and Shrub Swamp
Salmon River CFA, Connecticut (4,455 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Freshwater Marsh
Muddy Brook CFA, Connecticut (2,661 acres)	Floodplain Forest (currently agriculture)	Grassland (currently agriculture)	Hardwood Swamp
Pyquag CFA, Connecticut (3,329 acres)	Floodplain Forest (currently agriculture)	Hardwood Swamp	Freshwater Marsh
Maromas CFA, Connecticut (3,935 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Pasture/Hay/Grassland
Farmington River CFA, Connecticut and Massachusetts (7,661 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Freshwater Marsh
Westfield River CFA, Massachusetts (6,177 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Conifer Swamp
Mill River CFA, Massachusetts (2,300 acres)	Floodplain Forest	Hardwood Swamp	Freshwater Marsh
Fort River CFA, Massachusetts (1,660 acres)	Floodplain Forest	Grassland	Hardwood Forest
Dead Branch CFA, Massachusetts (5,186 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Freshwater Marsh
Sprague Brook CFA, New Hampshire (3,016 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Freshwater Marsh
Pondicherry CFA, New Hampshire (10,249 acres)	Spruce-fir Forest	Peatland	Shrub Swamp and Floodplain Forest
Mascoma River CFA, New Hampshire (20,593 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Conifer Swamp



CFA (state, acres <sup>1</sup> )	Priority I Habitats	Priority II Habitats	Priority III Habitats
Blueberry Swamp CFA, New Hampshire (4,636 acres)	Spruce-fir Forest	Shrub Swamp and Floodplain Forest	Conifer Swamp
Ashuelot River CFA, New Hampshire (17,860 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Freshwater Marsh
White River CFA, Vermont (10,054 acres)	Hardwood Forest	Pasture/Hay/Grassland	Cliff and Talus
West River CFA, Vermont (22,947 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Freshwater Marsh
Ottauquechee River CFA, Vermont (5,985 acres)	Hardwood Forest	Pasture/Hay/Grassland	Cliff and Talus
Ompompanoosuc River CFA, Vermont (15,072 acres)	Hardwood Forest	Shrub Swamp and Floodplain Forest	Pasture/Hay/Grassland
Nulhegan Basin CFA, Vermont (32,779 acres)	Spruce-fir	Shrub Swamp and Floodplain Forest	Peatland
Quonatauck CFA, Connecticut, Massachusetts, Vermont, and New Hampshire (8,000 acres)	Floodplain Forest	Tidal Marsh	Hardwood Swamp and Shrub Swamp

<sup>1</sup> Potential acres under Service ownership.

After compiling the information above, we next assessed each individual parcel within each CFA to determine how much of the parcel contains the priority habitats for the species of conservation concern identified for that CFA. We categorized parcels containing at least 67 percent (67%) priority habitats as “important habitat parcels.” We also categorized larger, individual parcels that included at least 3 percent (3%) of all priority habitat identified for an entire CFA as “important habitat parcels.”

## 2. Wetlands

We next used National Wetlands Inventory data and USGS data to map wetlands, rivers, and streams, and then buffered each by 100 feet. Any parcel that contained at least 3 acres of buffered water and/or 3 acres of buffered wetland was categorized as an “important water parcel.” Within the watershed, wetlands only account for 3 percent (3%) and open water only 2 percent (2%) of the habitat. Therefore, it is important to adequately protect these elements of the conservation mosaic in a manner that assures wetland and water quality and quantity for the benefit of wildlife and people.

## 3. Parcel Size

We used professional judgment to establish 5 acres as meaningful threshold on which to rank individual parcels. It is based on our experience that areas less than 5 acres, by themselves, can be challenging for effectively protecting, managing, or connecting habitat patches. A parcel is ranked lower if it is smaller than 5 acres.

### Determination of Tier I, II, or III rank

Using the three criteria of habitat, wetlands, and parcel size, we then assigned a priority, or tier ranking, to each parcel. Tier I (highest priority) was assigned to parcels that were found to be important on all three criteria. Tier II was assigned parcels were important in two of the three criteria. Tier III was assigned to parcels important in one of the criteria. Table C.9 below illustrates the assignment logic. An example of a parcel map for a CFA, and the respective parcel tier assignments that we are recommending, is presented in attachment III (map CIII.1; table CIII.1). CFA parcel maps and tier assignments for the approximately 5,000 parcels that comprise the full project are posted on our Website at [http://www.fws.gov/refuge/Silvio\\_O\\_Conte/what\\_we\\_do/conservation.html](http://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/conservation.html).

**Table C.9. Criteria Used to Establish Tier Designation for Each Parcel Proposed for Acquisition in Project**

Important Habitat in Parcel <sup>1</sup>	Important Water or Wetlands in Parcel <sup>2</sup>	Parcel Size > 5 acres	Tier Designation for a Parcel
Yes	Yes	Yes	I
No	Yes	Yes	II
Yes	No	Yes	II
Yes	Yes	No	II
No	No	Yes	III
No	Yes	No	III
Yes	No	No	III

<sup>1</sup> *Important Habitat Parcel: Any parcel that contains at least 67 percent of a priority CFA habitat type (re: table C.7), or that contains more than 3 percent of all priority habitat for a particular CFA.*

<sup>2</sup> *Important Water or Wetlands Parcel: Any parcel that contains at least three acres of water, including 100-foot buffer, and/or that contains three acres of wetlands, including 100-foot buffer.*

In addition to the priority criteria identified above, these other factors will also influence acquisition decisions:

- Availability of willing sellers.
- Availability of funding.
- Presence of infrastructure.
- Landowner needs.
- Operational efficiencies.
- Unforeseen site characteristics.
- Updated resource information and increased scientific knowledge.
- Proximity and connection to other conserved lands.
- Changes in habitat and other ecological conditions.
- Conservation status: we do not expect to purchase any lands already permanently conserved by others, except under extenuating circumstances.
- Presence of rare species and/or rare/imperiled habitat communities.
- Tangible threats to resources of concern.

The Service reserves the right to be flexible with the tier group rankings detailed above because, as SHC principles emphasize, the identification and evaluation process is dynamic and must be adaptive to new or changing conditions. Smaller parcels, and parcels with significant improvements, development, and/or other alterations, will generally be eliminated from future consideration, unless protection is necessary to achieve restoration and management objectives within the surrounding landscape. In addition, the Service may need flexibility to meet the needs of individual landowners.

**Description of Land Protection Options Considered for Project**

The following land protection options were considered as we developed our project proposal:

- Option 1: Landowner retains ownership and all use of property.
- Option 2: Management and/or land protection measures by others.
- Option 3: Less-than-fee-title acquisition (easement, lease, management agreement) by the Service.
- Option 4: Fee-title acquisition by the Service.

Option 1: Landowner Retains Ownership

Landowners who do not wish to convey their lands to the Service or another conservation entity may still be interested in improving their lands for wildlife. We may provide technical expertise or inform the landowner of voluntary incentive based programs offered by the Service or its partners to assist in habitat conservation. Landowners within a CPA or CFA would not be subject to any additional obligation or regulation due to their property's location within a proposed CPA or CFA.

Option 2: Management and/or Land Protection by Others

About 25 percent (25%) of the watershed is already under the stewardship of conservation partners via fee title, easement, leases, and/or management agreements. This option includes the diverse menu of partner initiatives that are intended to keep working farms and forests, restore wetlands and wildlife habitat, and promote and employ best management practices for land stewardship in support of landowner preferences.

The U.S. Department of Agriculture has a very active easement program for private landowners in the watershed, historically offering the Forest Legacy Program (FLP), Farm and Ranchland Protection Program (FRPP), the Wetland Reserve Enhancement (WRE) Program, and the Conservation Reserves Program (CRP). USDA easement programs are diverse and typically well-funded, when compared to the Service's traditional land protection funding sources. For example, if a willing seller within a CFA would like to protect their forest as a working forest and manage it to produce lumber and to allow public access; the FLP may be the best option. If another willing seller who owns a farm that has residential development capacity reflected in the tax assessment, and they want to keep it as a working farm, an FRPP easement with USDA may be the best option. Working forests and farms are a very important and traditional component of this large New England landscape.

We would promote the use of these USDA programs, as well as other Federal and State agency land conservation programs, across the watershed to support achieving Conte Refuge's legislated purposes and landowner preferences, especially within CPAs and CFAs. Each of these voluntary and incentive based programs, and similar State and locally based conservation alternatives, are important conservation strategies to promote an integrated and sustainable working landscape. Management and protection of land and related resources by others will continue to add to the conserved lands network and the suite of choices available to landowners. This proposal could enhance the availability of watershed protection efforts by expanding the options available to the landowner, rather than compete or duplicate existing partner initiatives.

Option 3: Easements, Leases, and/or Management Agreements obtained by the Service

This option allows the Service to acquire a partial interest in lands through use of tools such as easements, leases, or cooperative agreements. This option employs long-term or permanent easements, renewable leases, and/or management agreements as a means of protecting and managing land to benefit fish and wildlife, and possibly providing wildlife-dependent recreational and educational opportunities. To date, the Service more frequently uses conservation easements, but short-term leases or management agreements have also been used effectively to protect or manage habitat on a temporary basis.

Specifically, conservation easements convey a partial, typically permanent, interest in land to the Service. Easement interests are acquired by the Service at market value from willing sellers to accomplish the purposes of the refuge. The underlying fee title to the property is retained by the landowner, leaving the parcel in private ownership. The Service and landowner agree to land-use practices that enable both to meet their conservation goals, as well as provide the landowner continued stewardship and use of these lands.

The Service would negotiate, on a case-by-case basis, the extent of the rights to acquire. Those may vary, depending on the configuration and location of the parcel, the current extent of development, habitat management requirements, the needs of the landowner, and other considerations. The structure of such easements will provide permanent protection of existing wildlife habitat while also allowing habitat management or improvements and access to sensitive habitats, such as for endangered species or migratory birds. During this process, programs offered by other partners may ultimately be a better fit with landowners expectations and needs.

Where consistent with our management interests, we may also seek to acquire public access rights to secure wildlife-dependent recreational opportunities. However, the conveyance of any interest in land to the Service is up to the landowner. Easements are best employed by the Service as a conservation measure when:

- Only minimal management of the resource is needed, but there is a desire to ensure the continuation of current sustainable uses, wildlife habitat conditions, public access, and to prevent fragmentation over the long term.
- A landowner is interested in maintaining ownership of the land, does not want it to be further altered, and would like to realize the benefits of selling management rights, and/or public access rights.
- Properties subject to easements generally remain on the tax rolls, although the change in market value may reduce the assessment and ultimately the amount of property tax liability for the landowner. The Service does not pay refuge revenue sharing (i.e., funds the Service pays to counties and municipalities in lieu of taxes) on easement rights.

Other less-than-fee options include cooperative management agreements or leases, which convey management rights on a temporary basis. Similar to an easement, a lease represents an interest in the real estate for a specific period of time. Service easements are typically perpetual, while leases are temporary. The Code of Federal Regulations (CFR) can apply when the Service acquires interests in land via leases, similar to lands acquired in fee title or easement. For example, we could post the property and protect it as a national wildlife refuge for the duration of the lease, provided the appropriate clause was agreed to by the landowner (lessor) who is granting the lease.

#### Option 4: Fee Title Acquisition by the Service

This option includes the Service acquiring fee title interest in land. A fee-title interest is normally acquired when: (1) the area's fish and wildlife resources require permanent protection not otherwise assured; (2) land is needed for visitor use development; (3) a pending land-use change may adversely impact the area's resources; (4) it is the most practical and economical way to assemble tracts into a manageable unit; or, (5) the landowner is not interested in retaining any interest in the property. Fee-title acquisition conveys all ownership rights under the control of the landowner to the Federal Government and provides the best assurances of permanent resource protection. A fee title interest may be acquired by donation, transfer, or purchase when funds are available and once there is an agreement in terms and price and the owner is a willing seller. We also have the authority to exchange land in Service ownership for other land that has greater habitat and/or wildlife value. Inherent in the land exchange option is the requirement to get dollar-for-dollar land value with, occasionally, an equalization payment. Exchanges are attractive because they usually do not increase Federal land holdings or require purchase funds. However, they also may be very complicated and take time to complete due to the nature and extent of the compliance process mandated by Federal law.

The fee title acquisition option provides us the most flexibility in managing priority lands, and ensuring perpetual protection of nationally significant trust resources and their habitat, and providing opportunities to engage the public through wildlife-dependent recreation and education opportunities. Generally, the lands the Service acquires will require some active management, including controlling invasive species, mowing or prescribed burning, planting, or managing for the compatible, priority public uses. In some cases, we may acquire fee interest on lands encumbered with a conservation easement, such as when an owner is interested in selling the remainder of interest in the land on which the Service or other partners have acquired an easement. We evaluate this need on a case-by-case basis and often in consultation with our partners, provided the landowner is agreeable to involving of others and the sharing of relevant or private details involved in the negotiations between the Service and the landowner.

#### **Land Protection Options Recommended for this Project**

Our proposal includes a combination of Options 1, 2, 3, and 4. We believe this approach provides a range of flexible and cost-effective methods of implementing Service policy, while offering alternatives responsive to the preferences of local landowners interested in contributing to conservation, but who may or may not want to sell a full interest in their lands. We would also consider a donation as the opportunity arises, but this is difficult to anticipate and is not planned as part of our proposal.

We will continue to abide by the Service's policy to only acquire the minimum interest necessary to achieve refuge purposes. However, for this proposal, based on our history of land acquisition and landowner interest, we are assuming acquisition of approximately 65 percent (65%) of the entire refuge in fee, and the remaining 35 percent (35%) via easements, or other less-than-fee options. To date, fee title acquisition from willing sellers has been the Service's principal method of ensuring permanent protection of high priority habitats within refuge

boundaries. However, we are finding that conservation easements are becoming more popular and appreciated by landowners who wish to conserve their properties, receive some financial benefits, and keep the land in traditional uses. To that end, and given the unique legislative mandate for this refuge, we will emphasize the use of wildlife conservation easements for habitat management and/or public access for compatible outdoor recreation as an important tool of our land protection strategy.

Ultimately, it is the landowner who will determine what, when, or even if, land is purchased to become refuge. With available funding and an agreement in terms and price between the Service and the owner, land can be protected. The actual configuration of the purchase could include the whole parcel, a subdivision of the parcel, or only a portion of the ownership. Final action will be based on mutual agreement as to the type of protection strategy (fee or easement) employed. It is for these reasons and more, we estimate that, on average, approximately 90 percent (90%) of the land identified within the CFAs will be conserved.

Further, should another Federal or State agency or organization administer a program that is more compatible with the desires of the landowner, the Service will strive to connect the landowner to those opportunities. Examples include the FLP, CRP, and FRLP programs, and other easement, lease, and voluntary and incentive based protection options. This approach will be better for the landowner and allow the Service to expend its limited funds to protect lands that are most aligned with our Strategic Growth policy.

Once the landowner preference is identified and a description of what may be conveyed to the Service is described, an appraisal that meets stringent Federal requirements will be conducted. Willing-seller landowners interested in selling fee title ownership, easement, or sell a lease to the Service, and who give written permission, will initiate our process to work with the Department of the Interior's Office of Valuation Service to conduct, review, and approve an appraisal to determine market value. Once an appraisal has been approved, we can present an offer for the landowner's consideration. The Service is required by Federal law to offer 100 percent (100%) of the appraised market value or the interest in the property being conveyed; however, we can accept landowner offers of selling for less than the appraised value.

## **VII. Project Costs and Funding**

As of February 2016, approximately \$34 million has been used to purchase the current 37,000 acres of refuge lands. These funds were used to pay for direct land costs, plus incidental real estate expenses to cover appraisals, surveys, title work, and relocation expenses; resulting in an average \$921 per acre acquisition cost since the refuge was first established on October 3, 1997.

Using the previous per acre value, the proposed 99,507-acre refuge increase could increase the project cost by approximately \$91.2 million. Based on our financial capacity over the past fifteen years, it could take another 50 years to acquire the entire project. A long-term commitment of this nature is not at all uncommon when compared to the status of other Refuge System land protection projects, and in light of our willing-seller-only approach.

The legislated purposes in the Conte Refuge Act create both an opportunity and a justification for other Federal agencies to participate and leverage their human and financial resources within a partnership context, and in support of mutually-beneficial programmatic and landscape agency goals. These resources could be focused on public or private land within a CPA or CFA, and augment the efforts and accomplishments by the Service and many other partners.

There are many sources of funding that could be pursued to achieve conservation objectives and outcomes that contribute toward the refuge's legislated purposes. Sources of land conservation funding could be derived from: Land and Water Conservation Fund, Migratory Bird Conservation Fund, North American Wetlands Conservation Fund, State Wildlife Grants, FLP, CRP, and FRPP funds, WRE, Pittman-Robertson and Dingell-Johnson funds, and respective State conservation dollars. In addition, habitat restoration could be accomplished using: Partners for Fish and Wildlife Funds, Habitat Recovery Grants, State Wildlife Grants, Wildlife Habitat Incentive Program, Environment Quality Investment Program, and Coastal Program Funds. Further, additional resource outcomes could be realized using DOT and EPA funding. While many of these funding sources are outside our agency's annual budget allocation process, they could complement Service efforts, potentially decrease Service costs, and provide more options for landowners.



## VIII. Proposed Management Direction Under Service Ownership

### Land Management Direction

Emphasis will be on promoting habitat that improves and sustains biological diversity, integrity, and ecological function within habitat communities listed below. Additional details are available by CFA in the refuge's final CCP/EIS appendix A which details priority species, habitat targets (type and amount), and related management objectives and strategies. Below we present the general management objective for major habitat types which are outlined in more detail in the final CCP/EIS appendix A.

*Forested Upland and Wetland*—Protect, manage, and/or restore forested acres within the watershed to assemble resilient forest blocks valuable to conservation targets (i.e. migratory birds of conservation concern).

*Riparian Habitat and Floodplain Forest*—Protect, manage, and/or restore priority riparian areas, including forested floodplains and river and stream banks to promote habitat connectivity, migration and emigration corridors, and water quality.

*Shrub and Grassland*—Protect, manage, and/or restore grasslands and shrublands, consistent with site capability, within the watershed to support early successional dependent migratory bird species and NEC.

*Agricultural Land* —Support the conservation and sustainable use of agricultural land within the watershed to reduce the permanent loss or degradation of current and potential wildlife habitat.

*Non-forested Wetlands*—Protect, manage, and/or restore non-forested wetlands, including shrub swamps, peatlands, herbaceous marshes, and wet meadows to benefit declining migratory birds.

*Water Resources (Rivers, Streams, Lakes, and Ponds)*—Protect and restore water quality and in-stream structure, function, and process within the river mainstem and its tributaries, and lakes and ponds to benefit aquatic species, including federally listed threatened and endangered species.

*Tidal Wetlands and Adjoining Uplands (Salt, Brackish, and Fresh)*—Protect, maintain, and restore tidally influenced wetlands in the watershed to benefit migrating and wintering waterfowl and other migratory bird species and allow for their landward migration due to climate change.

As land is acquired from willing sellers and becomes a manageable unit, CFA specific habitat management plans will be developed in consultation with the public, partners, and other stakeholders. Species and habitats will be managed to protect ecosystem structure and function in an effort to provide viable habitat for wildlife in the face of climate and land use changes.

In appendix A, we also detail our general management direction for enhancing environmental, interpretive, and outreach programs and their delivery on refuge lands, while also continuing to expand opportunities off-refuge using the WoW Express, BAT Express, Adopt-a-Habitat program, “Conte Corners” and private lands program. In appendix A, we also emphasize our intent to continue robust hunting and fishing programs consistent with state regulations when deemed compatible, and to provide other outdoor recreational opportunities that provide quality, nature-based experiences, and which foster an appreciation for conserving natural resources and garner support for, and promote relevance of, the Refuge System.

## IX. Special Considerations

### Conservation Plans and Initiatives Guiding Development of the LPP

This proposal will contribute to a variety of important ecoregional landscape plans and partnership initiatives that include the ACJV Implementation Plan and the Black Duck Joint Venture Strategic Plan of the NAWMP, the Northern Atlantic Regional Shorebird Plan, the Waterbird Conservation Plan for the Mid-Atlantic/New England/Maritimes Region, the BCR 14 and 30 Plans, and the State WAPs in Connecticut, Massachusetts, New Hampshire, and Vermont. In all, we consulted over 60 other plans to help develop the land protection actions outlined in this proposal. The myriad of plans confirms the importance of the watershed to many governmental and non-governmental conservation organizations. These plans range from watershed-wide conservation plans to species-specific recovery plans, representing all major taxa, both terrestrial and aquatic. They are summarized in appendix M of the refuge's final EIS/CCP.

### **International, National, Regional, and State Designations**

Landscape conservation actions within the watershed date back to at least 1952 when the Connecticut River Watershed Council was created. Since that time, the watershed has been the subject of attention by many diverse agencies and organizations that recognize its significance as a landscape worth conserving. International, national, and state conservation and recreation designations recognize many attributes within the watershed for exceptional, high quality wildlife and fish habitat, as recreation destinations, for its working landscapes and many cultural and historic resources, including:

- The river and the watershed were designated by the Secretary of the Interior as the Nation's first, and only, National Blueway on May 24, 2012.
- The river was designated as an American Heritage River on July 30, 1998.
- The tidal wetlands complex in the vicinity of where the river meets the Long Island Sound was designated as a Ramsar Wetland of International Importance (under the Ramsar Convention) on October 14, 1994.
- Eleven areas with high quality habitat that are vital to birds and other biota are recognized by the National Audubon Society as Important Bird Areas (IBA). There is at least one IBA in each of the four States within the watershed. The refuge's Pondicherry and Nulhegan Basin Divisions include recognized IBAs.
- The river mainstem, from the Massachusetts stateline north to about Claremont, New Hampshire, is a NAWMP focus area and an IBA.
- Fourteen areas in or intersecting the watershed are designated as National Natural Landmarks, including a portion of the refuge's Pondicherry Division in New Hampshire and the Fannie Stebbins Unit in Massachusetts.
- The watershed is also a focus for the NALCC, the Northeast Region of the Service, and it is part of one of the five (5) large iconic landscapes identified by the Administration and a focus for the DOI, Department of Agriculture, and the Army Corps of Engineers.

## **X. Socioeconomic and Cultural Impacts**

### **Socioeconomic Impacts**

We do not predict significant adverse socioeconomic or cultural impacts as a result of this proposal or other components of the Service-preferred alternative C in the final CCP/EIS. We anticipate there will be an overall positive effect on the socioeconomic environment as a result of the action outlined in this document. If the Service protects lands identified in this proposal over an extended period (decades) of time, we believe positive benefits for communities in the watershed will include: increased property values in the vicinity of the conserved properties, increased watershed protection, maintenance of many traditional uses, increased opportunities for outdoor public use activities, and increased revenues for local businesses from refuge visitors who participate in hunting, fishing, wildlife observation, and other outdoor activities. Recreational use on national wildlife refuges nationally generated almost \$2.4 billion in total economic activity during fiscal year 2011, according to the Service's *Banking on Nature 2013: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation* report (Carver and Caudill 2013).

According to the Banking on Nature study, nearly 46.5 million people visited national wildlife refuges in 2011, supporting almost 35,000 jobs and producing about \$793 million in employment income. In addition, recreational spending on refuges generated nearly \$343 million in tax revenue at the local, county, State, and Federal levels. An estimated 87 percent (87%) of refuge visitors travel from outside the local area (Carver and Caudill 2013).

The potential exists for some adverse impacts, namely a potential decline in tax revenue to local governments (as lands come under Service ownership). However, this decline may or may not occur, since those lost tax

revenues could be offset partially by the Refuge Revenue Sharing (RRS) Program (<http://www.fws.gov/refuges/realty/rrs.html>; accessed October 2016). Funding of the RRS program will be dependent on future congressional appropriations and receipts generated by the sale of refuge products and access.

For refuge CCP planning, we enlisted the assistance of economists with the USGS Fort Collins Science Center, to assess the economic impact of the alternatives evaluated in the final CCP/EIS, including this land protection proposal. The full report is included as appendix I of the final CCP/EIS. Among other details and analysis, the report includes a description of the current economic setting and illustrates the refuge's economic contribution to local communities. The refuge management activities of greatest, direct economic impact in the watershed are:

- Refuge purchases of goods and services within the local communities.
- Refuge staff salary spending.
- Refuge visitor spending in the local communities.
- Revenues generated from timber harvesting for habitat management on the refuge.
- Refuge land purchases and how the equity is reinvested to affect local tax revenue.

The USGS economic report focuses on describing and assessing six focal sub-regions within the watershed. The sub-regions incorporate 11 counties that make up the bulk of the watershed and are central to the refuge's existing and proposed future land base. The sub regions described are:

- Northern Sub-Region: Essex County, Vermont, and Coos County, New Hampshire.
- White River Junction Sub-Region: Orange County, Vermont, Windsor County, Vermont, and Grafton County, New Hampshire.
- Tri-State Border Sub-Region: Windham County, Vermont, Cheshire County, New Hampshire, and Franklin County, Massachusetts.
- Greater Amherst Sub-Region: Hampshire County, Massachusetts.
- Greater Hartford Sub-Region: Hartford County, Connecticut.
- Southern Connecticut Sub-Region: Middlesex County, Connecticut.

Section 1 of the USGS report provides a description of the various regional economies and select local communities that comprise the watershed and specific management areas for the refuge. Section 2 is a qualitative discussion regarding the current and potential economic and fiscal impacts generated by the refuge from additional land acquisition. It also provides an in-depth discussion of ecosystem services and relative values in a qualitative manner, which we summarize below. Section 3 describes the methods used to conduct a regional economic impact analysis, followed by an analysis of the final CCP/EIS management strategies that could affect the local economy.

The report quantifies current contributions of the refuge to regional economies, but emphasizes that the economic impacts from additional land acquisition are highly dependent on the timing, amount, and distribution of those acquisitions. With the high level of uncertainty, and the many variables at play, it is not possible to precisely predict the economic impacts from a refuge expansion thus they are presented qualitatively. The authors predict that over time, any possible losses in local government revenues from property taxes, or from losses from agricultural and forestry production, will be at least partially offset by the gains from refuge management activities and spending within other economic sectors (food, recreation, and other service sectors) generated through refuge visitation. There is no expectation of a significant impact on the economies of any subregion as a result of the proposed refuge expansion. However, in some of the more forestry based economies, it could result in some diversification in the economic base in the service sectors.

While quantifying individual ecosystem service values was beyond the scope of their report, USGS authors report notes that the economic value of a refuge encompasses more than just the direct impacts to the regional economy. Refuges and other conservation areas also provide substantial nonmarket values (values for items not exchanged in established markets) such as conserving threatened and endangered species, preserving wetlands, developing future generations of citizen stewards and outdoor enthusiasts, and adding stability to

the ecosystem (Caudill and Henderson 2003). Other services include water supply and quality, flood protection, aesthetic beauty, and quality of life values. These natural “services” provided by the conserved landscape can be extremely valuable to one’s well-being and to society. A study by Ingraham and Foster (2008) attempted to value the bundle of ecosystem services provided by national wildlife refuges in the contiguous U.S. The authors determined that various habitats within the Refuge System were providing services valued at \$32.3 billion (2011 dollars) per year, or an average of \$2,900 per acre per year. As such, these ecosystem service values can be substantial and should not be overlooked or underestimated.

### **Cultural Resources**

Refuge lands will increase protection for cultural resources in the area. Service ownership will protect unidentified or undeveloped cultural sites from disturbance or destruction. Partnering with Native American Tribal Governments will aid in identifying and protecting sites, cultural landscapes, and specific biota of importance to the tribe(s). Potential interpretation and environmental education programs could continue to promote public understanding and appreciation of the area’s rich cultural resources. Taken together, we believe there to be a net positive effect to the cultural and historic resources of the region.

### **Impacts on Other Community Resources**

Many other values associated with the lands and waters in the watershed are important to communities. We mention below three resource values that would be protected and enhanced through our proposal.

### **Historical and Cultural Conservation**

The river has a long and storied history in the development of both Native and settlement cultures and played a pivotal role in the development of New England’s rural commerce. The proposal is respectful of the working landscape tradition and the New England Governors’ recent compact to sustain forestry and agriculture as a priority within this large working landscape. A concerted effort will be made by refuge staff to promote enrollment of working forests and farms into the appropriate voluntary landowner incentive program.

### **River and Riparian Conservation and Restoration**

The river is perhaps New England’s richest, bordered by some of the region’s most productive soils and floodplain forest habitat. Consistent with the refuge’s legislated purposes, the removal of barriers to the passage of aquatic species and improvements to aquatic and riparian habitat, are a prominent and priority focus for the refuge on public and private land. Many conservation organizations in the watershed view floodplain restoration as a priority, and many active efforts are underway. We will continue to support those efforts and assist in strategically planning where additional work to restore not only floodplain forests, but riparian forest, and natural water regimes (quality, rate, and timing) within the watershed.

### **Recreational Opportunities**

Providing and maintaining recreational opportunities, especially access to the river, is of paramount concern to local communities. This would be a priority on lands within our proposal, as it has been to-date on existing refuge lands. We would also continue to provide opportunities for fishing, hunting, wildlife observation, photography, environmental education, and interpretation. Snowmobiling is very popular in various regions of the watershed, and is permitted on refuge lands, where appropriate, compatible, and where the trail is part of an existing State-recognized trail system.

The proposal would enhance protection of the Appalachian Trail which meanders through the northern-half of the watershed, making its way through the impressive White Mountain National Forest in New Hampshire. Land acquisition would also enhance tourism in local communities. The middle portion of the watershed in Massachusetts is bordered by the Berkshire Mountains to the west, which have been attracting tourists and recreationists for decades. Towns in the southern portion near the mouth of the river heavily promote recreation opportunities associated with saltwater experiences.

Expanding Service ownership would increase public opportunities for appropriate and compatible wildlife-dependent recreation. In particular, hunting, fishing, wildlife observation, nature photography, environmental education, and interpretation would be encouraged where compatible. Increased recreational opportunities on and adjacent to refuge land could protect a dependable destination to accommodate the demand for traditional outdoor activities, maintaining elements of the local culture while attracting visitors, and potentially, an additional source of revenue for local and regional economies.

## **XI. Public Review of Proposal**

### **Public Scoping**

The Service recognizes that effective and responsive conservation begins with community involvement. We announced the initiation of the Conte Refuge CCP/EIS planning process and a public scoping and comment period through a *Federal Register* notice of intent on October 11, 2006. During this step, we sought public involvement in the planning process. From the responses we received, we developed a list of points of interest, challenges, opportunities, or any other item requiring a management decision.

During the public and partner scoping period we used the following techniques to ensure we reached out to a wide variety of stakeholders and obtain all of the points of interest, challenges, and opportunities identified by the public, our conservation partners, and other Service program staff:

- Distributed an “issues workbook” which asked recipients questions about their interest and concerns related to the refuge.
- Held public scoping meetings throughout the watershed where we explained the planning process and gathered comments. We held 9 meetings in the fall of 2006 and then another 12 in the winter of 2007 to 2008.
- Coordinated CCP planning team meetings with State fish and wildlife agency representatives and invited guest experts to share information.
- Attended meetings sponsored by the Friends of Conte Refuge and provided updates on CCP planning.
- Coordinated meetings with other Service programs and other Federal and State agencies.
- Responded to individual requests, or those from organized groups, to provide CCP planning updates.

### **Public Review and Comment of Draft Plan**

The draft CCP/LPP/EIS was made available for public review and comment for a period of 90 days from August 18 to November 16, 2015. Concurrently, a series of 14 information meetings were convened in the vicinity of CFAs to afford an opportunity for the affected public to ask questions and obtain additional information. In addition, four public hearings were held in each of the four states in the watershed. In each of the information meetings, we requested that prospective commenters provide us with as much rationale as possible, so that we could be more specific in our responses.

All comments received were posted to the refuge website and were viewable by anyone accessing the site. Comments received during the comment period were used to revise and refine the final CCP/EIS. The Service’s response to public comments is provided as appendix O to the final plan. The final CCP/EIS will be distributed for an additional 30-day review period. Notice of its availability will be published in the *Federal Register*. After review and approval by the Director, the final decision will be detailed in a Record of Decision and made available to the public.



## Attachment I

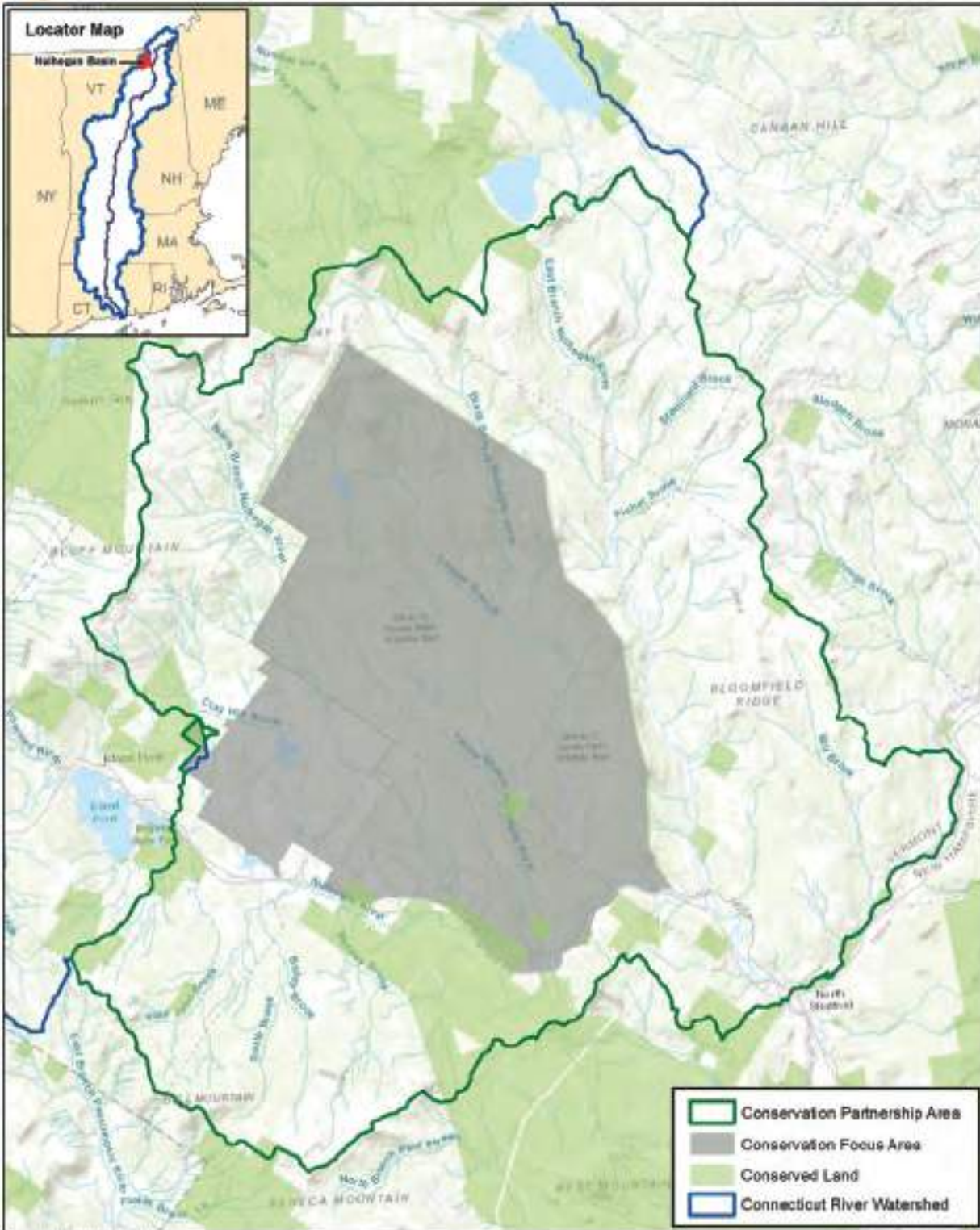
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Map CI.1. Nulhegan Basin Conservation Partnership Area



**U.S. Fish & Wildlife Service** Nulhegan Basin Conservation Partnership Area  
**Silvio O. Conte National Fish and Wildlife Refuge**



- Conservation Partnership Area
- Conservation Focus Area
- Conserved Land
- Connecticut River Watershed

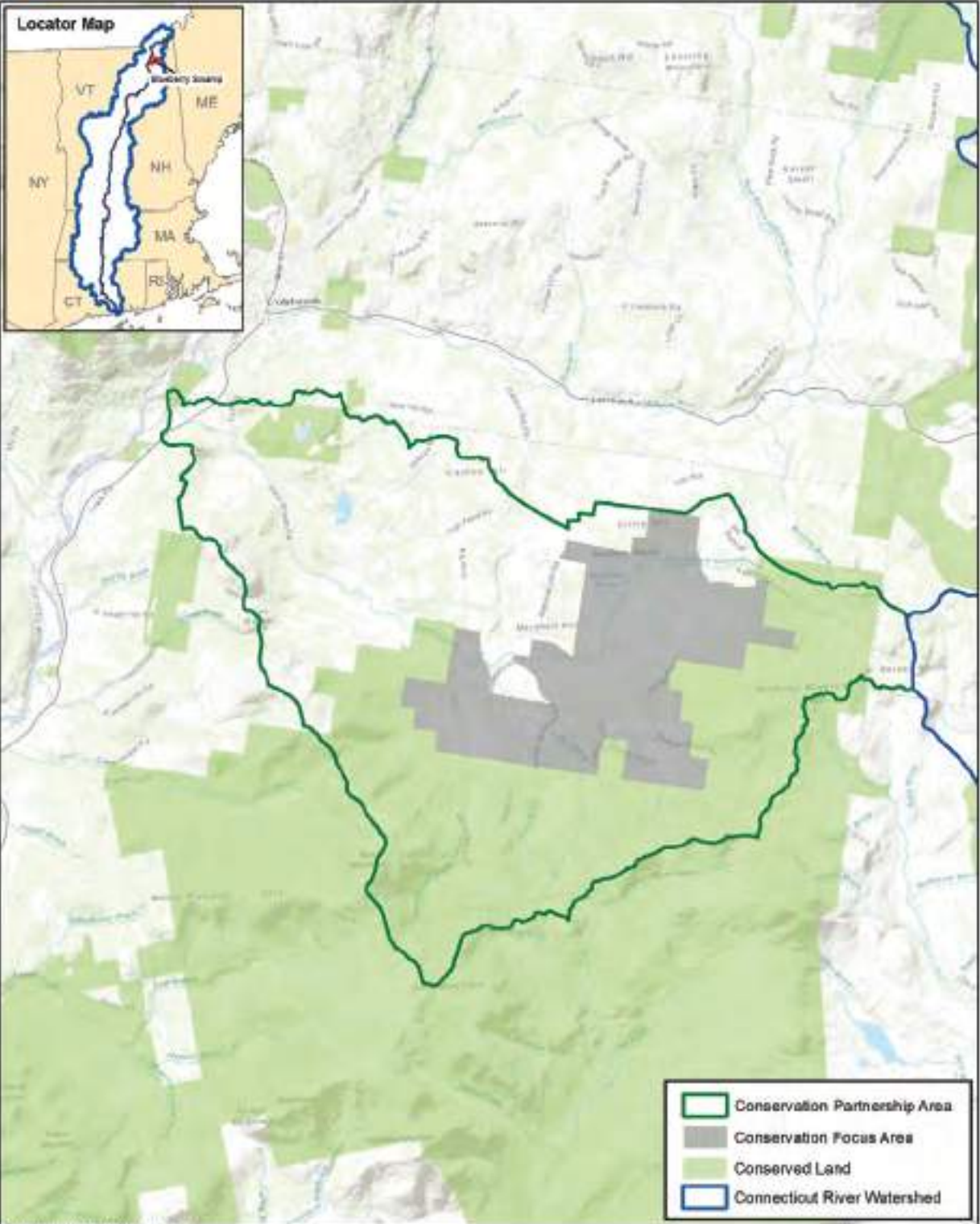
This map is not intended for use as a land survey or as a representation of land for purposes of law. The conservation lands layer (2014) was obtained from the National Conservation and Public Lands Data (NCLD) version 1.3.2 and 20. Other base layers were obtained from ESRI. Refuge lands information provided by the Refuge. For more information visit the USFWS National Program GIS website at <http://myplace.usfws.gov/gis/>. Map Print Date: 10/13/2017







Map CI.3. Blueberry Swamp Conservation Partnership Area



This map is not intended to be used as a land survey or as a representation of land ownership or boundaries. The conservation areas shown on this map are based on the best available information and are subject to change. Other land uses are shown in white. For more information, please contact the U.S. Fish and Wildlife Service at 1-800-852-9827. Map Date: 10/10/07

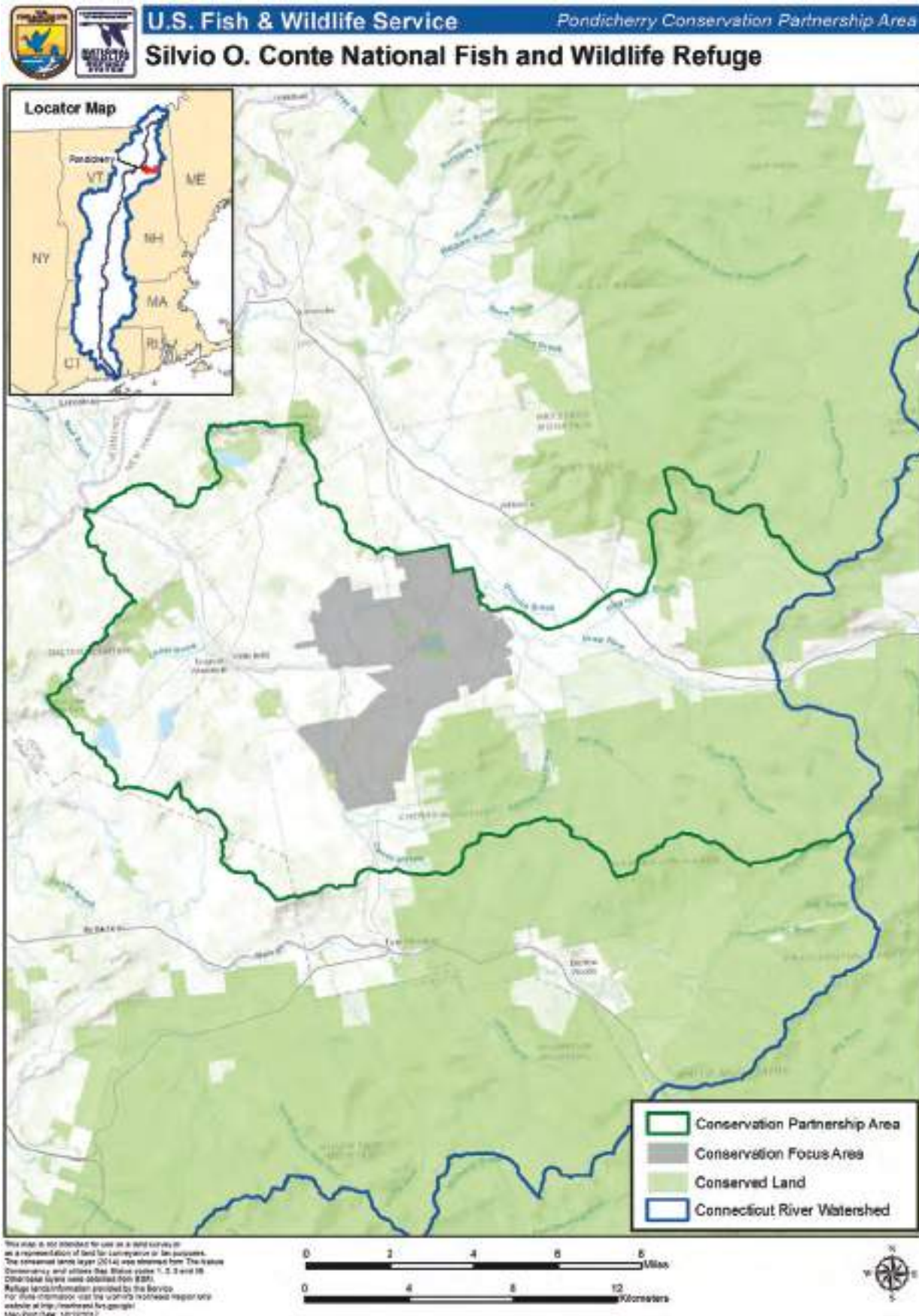




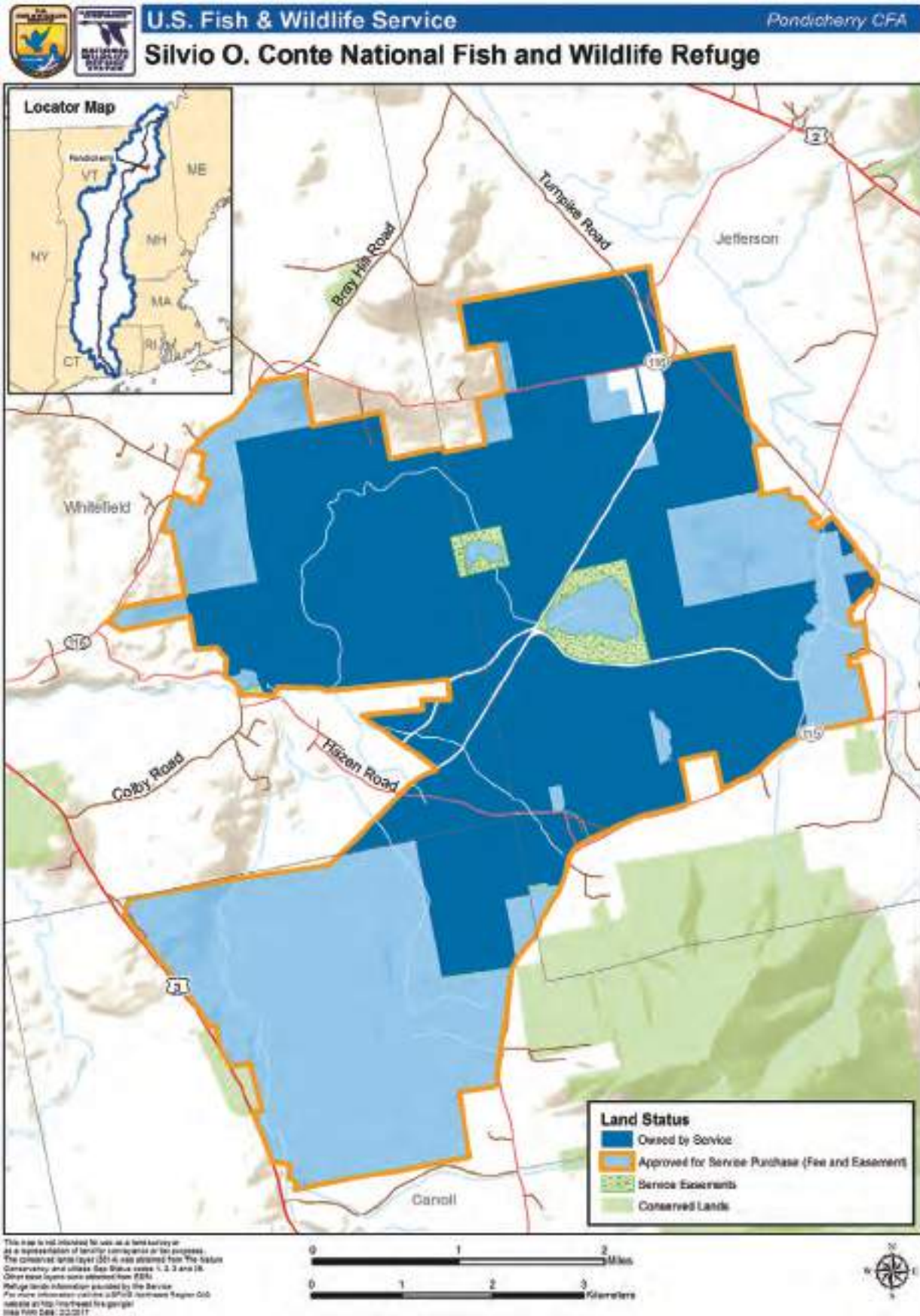




Map CI.5. Pondicherry Conservation Partnership Area

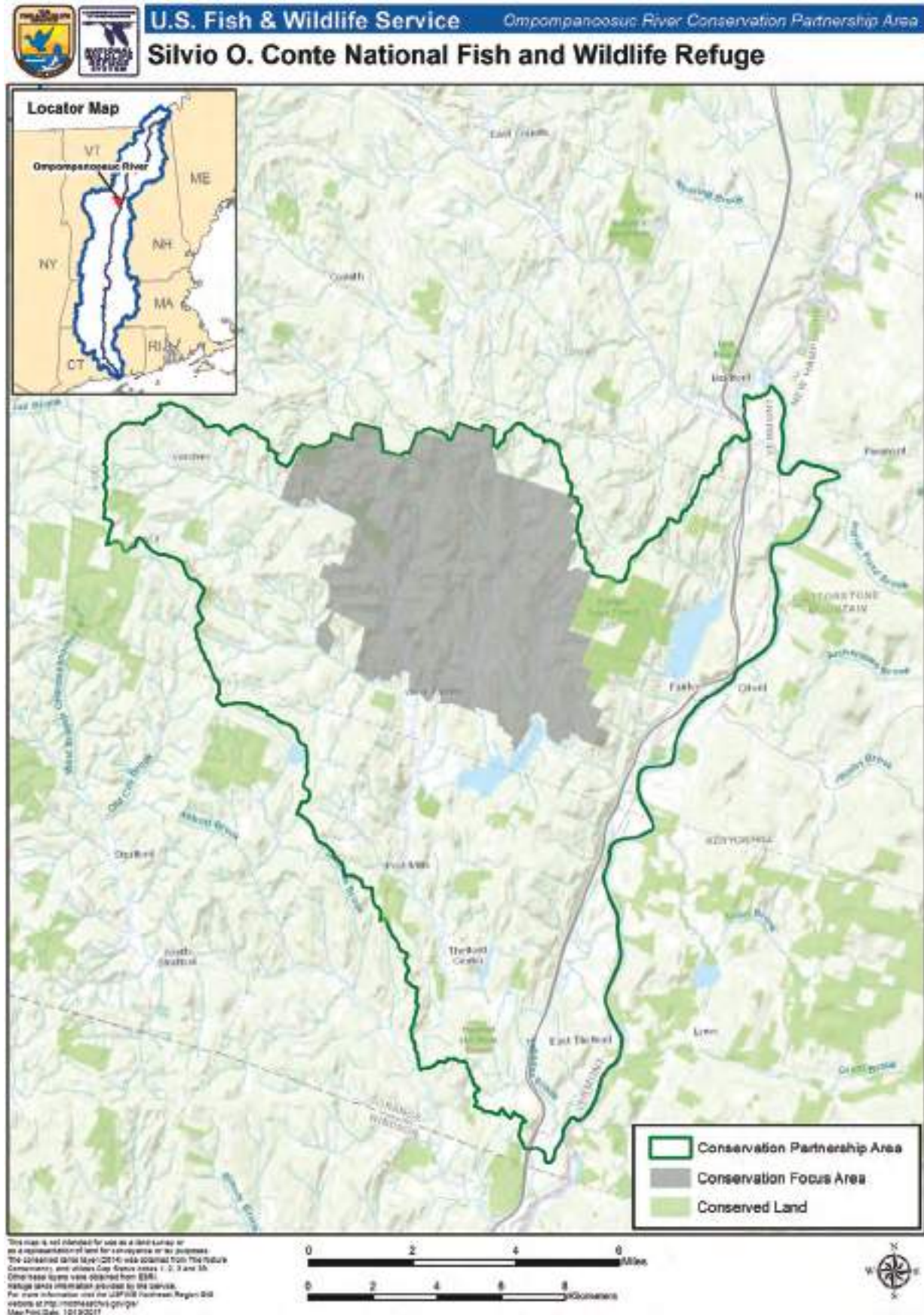


Map CI.6. Pondicherry CFA



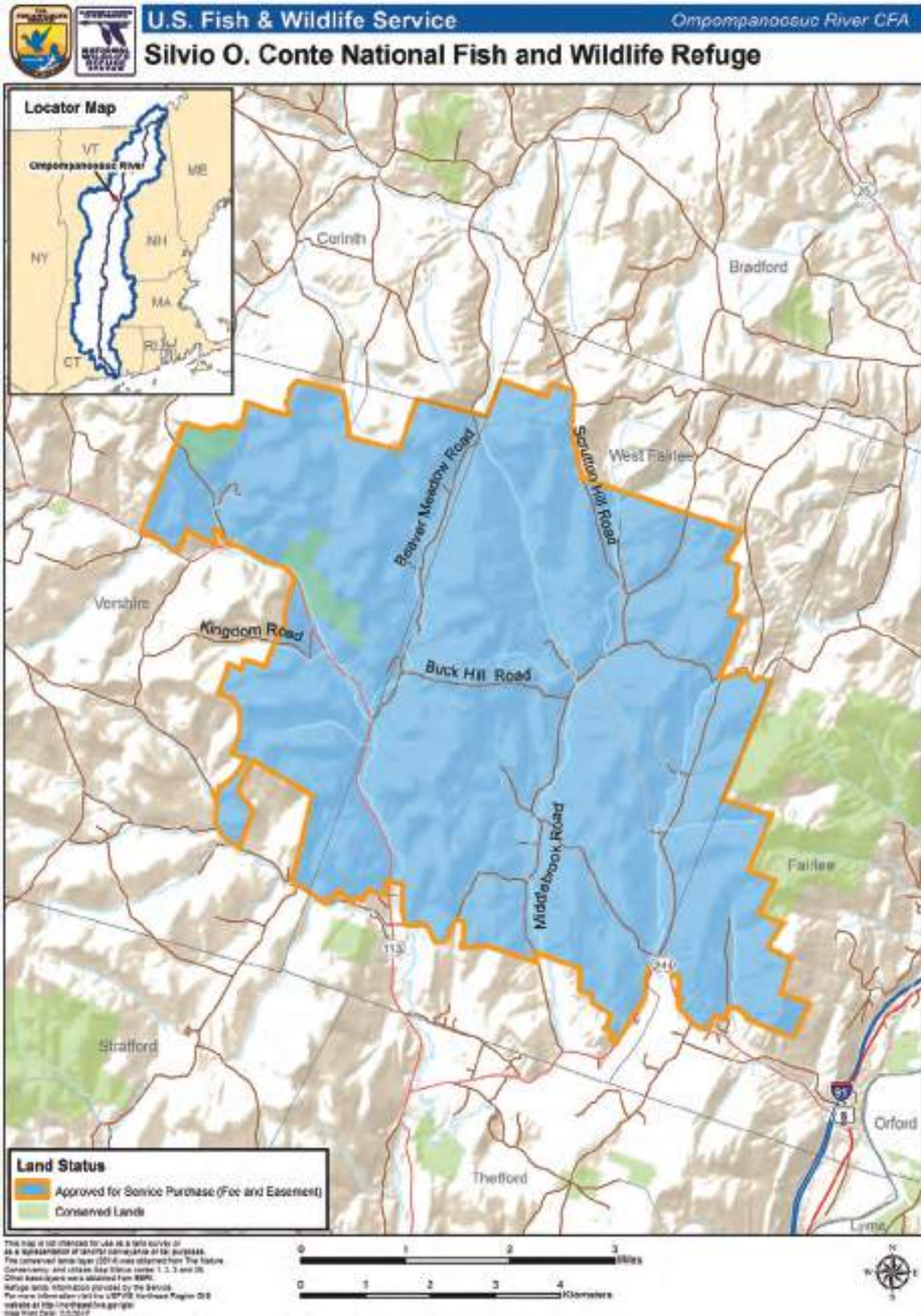


Map CI.7. Ompompanoosuc River Conservation Partnership Area



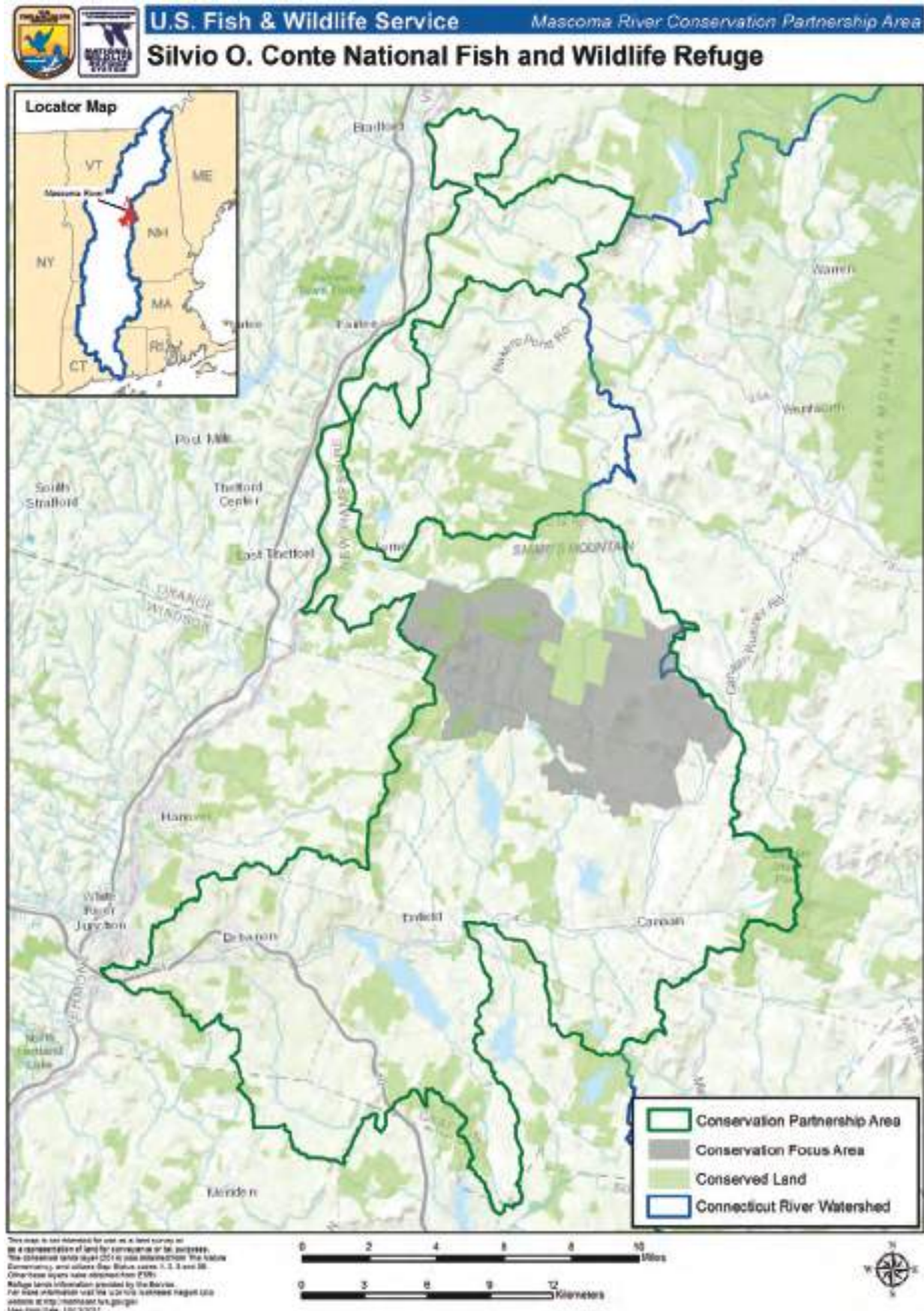


Map CI.8. Ompompanoosuc River CFA



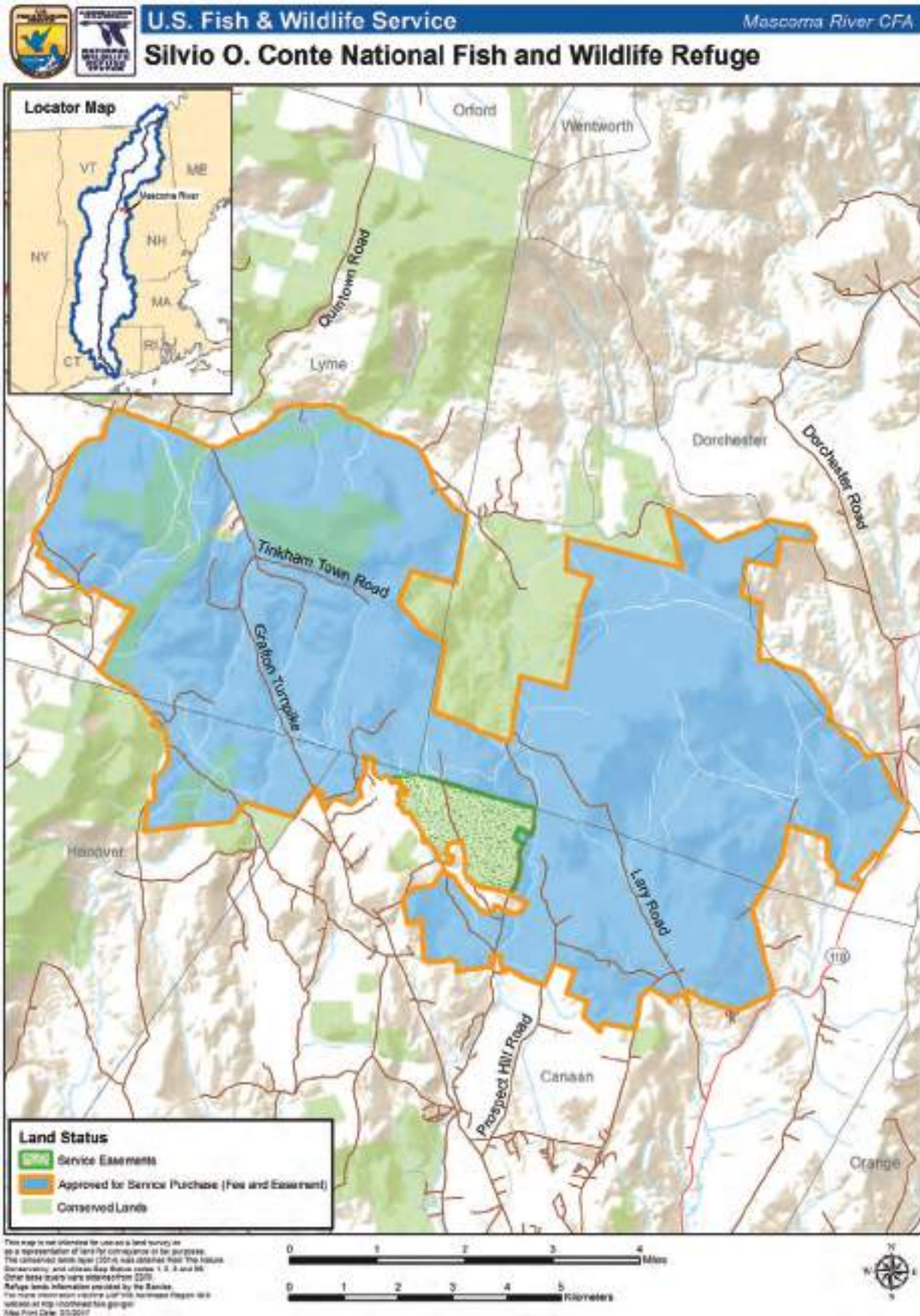


Map CI.9. Mascoma Conservation Partnership Area





Map CI.10. Mascoma CFA

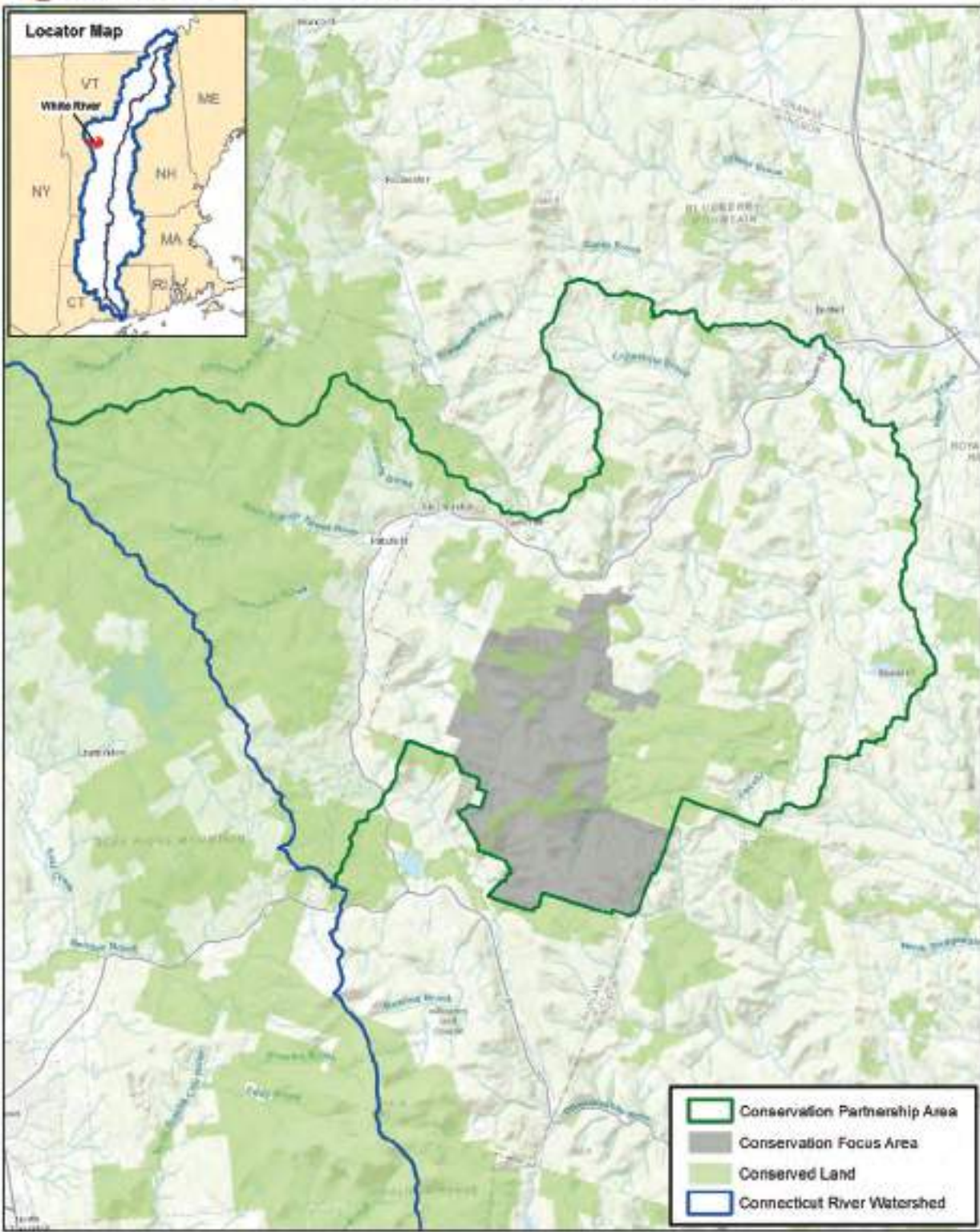




Map CI.11. White River Conservation Partnership Area



**U.S. Fish & Wildlife Service** White River Conservation Partnership Area  
**Silvio O. Conte National Fish and Wildlife Refuge**

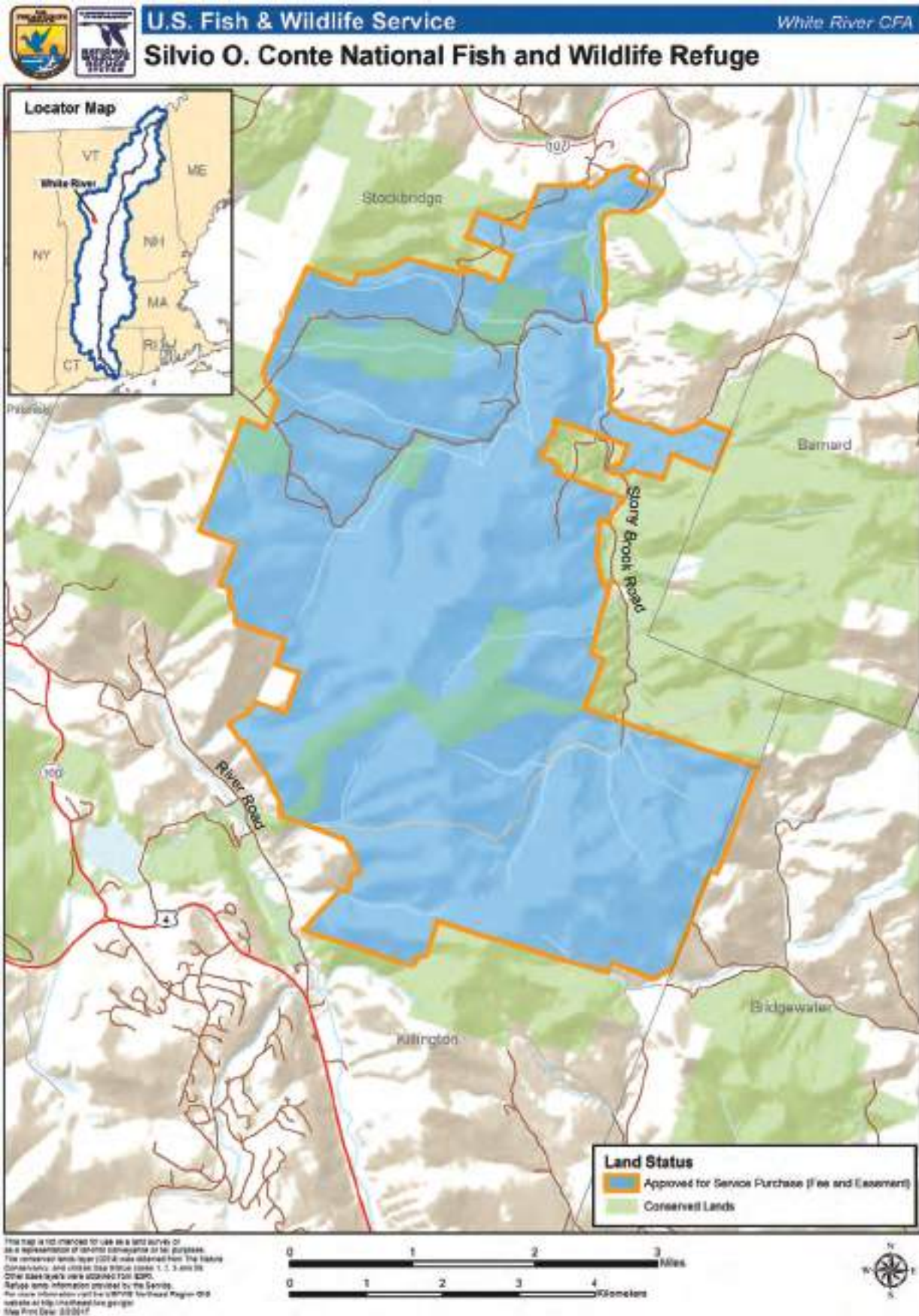


This map is intended for use as a land survey or as a representation of land for regulatory or tax purposes. THE CONTAINED DATA IS/ARE NOT GUARANTEED FOR THE PURPOSE OF CONVEYING AND/OR RECORDING PURPOSES. 1:50,000 Scale. Other data were obtained from GIS. Map data were obtained from the Census. For more information visit the USFWS website at <http://www.usfws.gov>. Map Print Date: 10/18/08





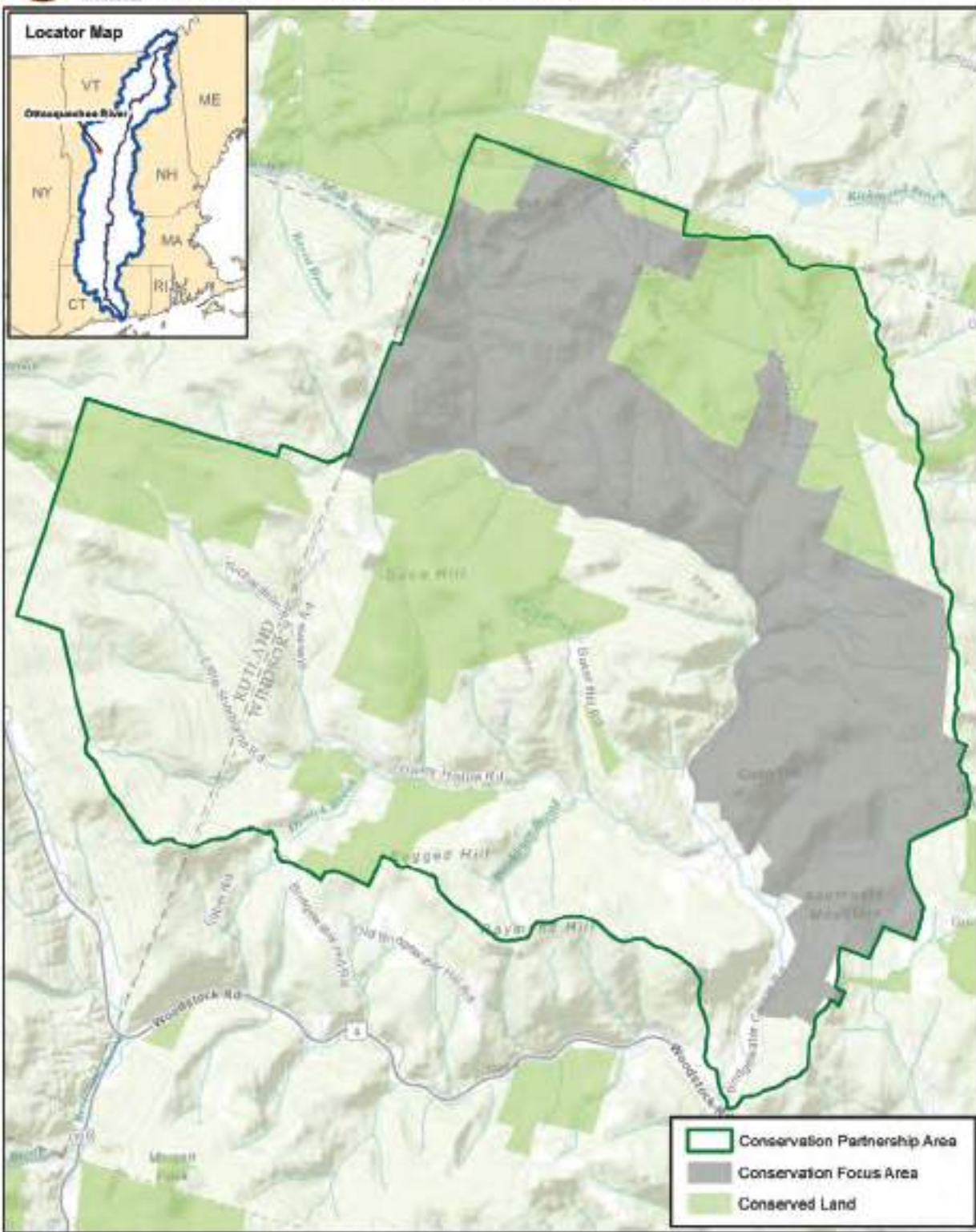
Map CI.12. White River CFA



Map CI.13. Ottauquechee River Conservation Partnership Area



U.S. Fish & Wildlife Service Ottauquechee River Conservation Partnership Area  
Silvio O. Conte National Fish and Wildlife Refuge

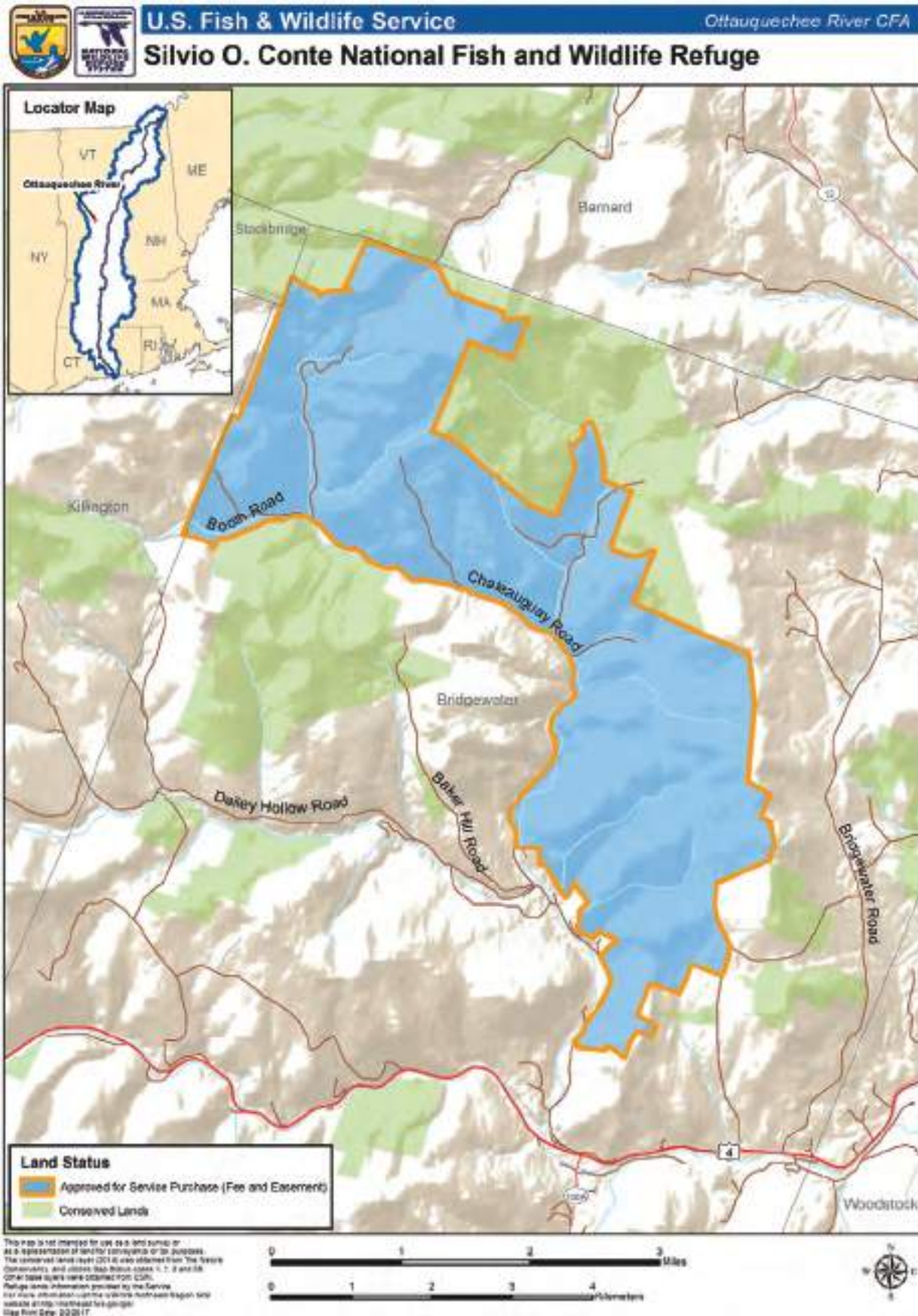


This map is intended for use as a field survey or as a representation of land for conservation purposes. The content and layout (2014) was obtained from the Nature Conservancy and other Gap Status units 1, 2, 3 and 20. Other base maps were obtained from USGS. Map data information provided by the Bureau of Land Management and the USFWS National Wetland Inventory is available at <http://nwr.fws.gov> and <http://www.fws.gov>.





Map CI.14. Ottaquechee River CFA

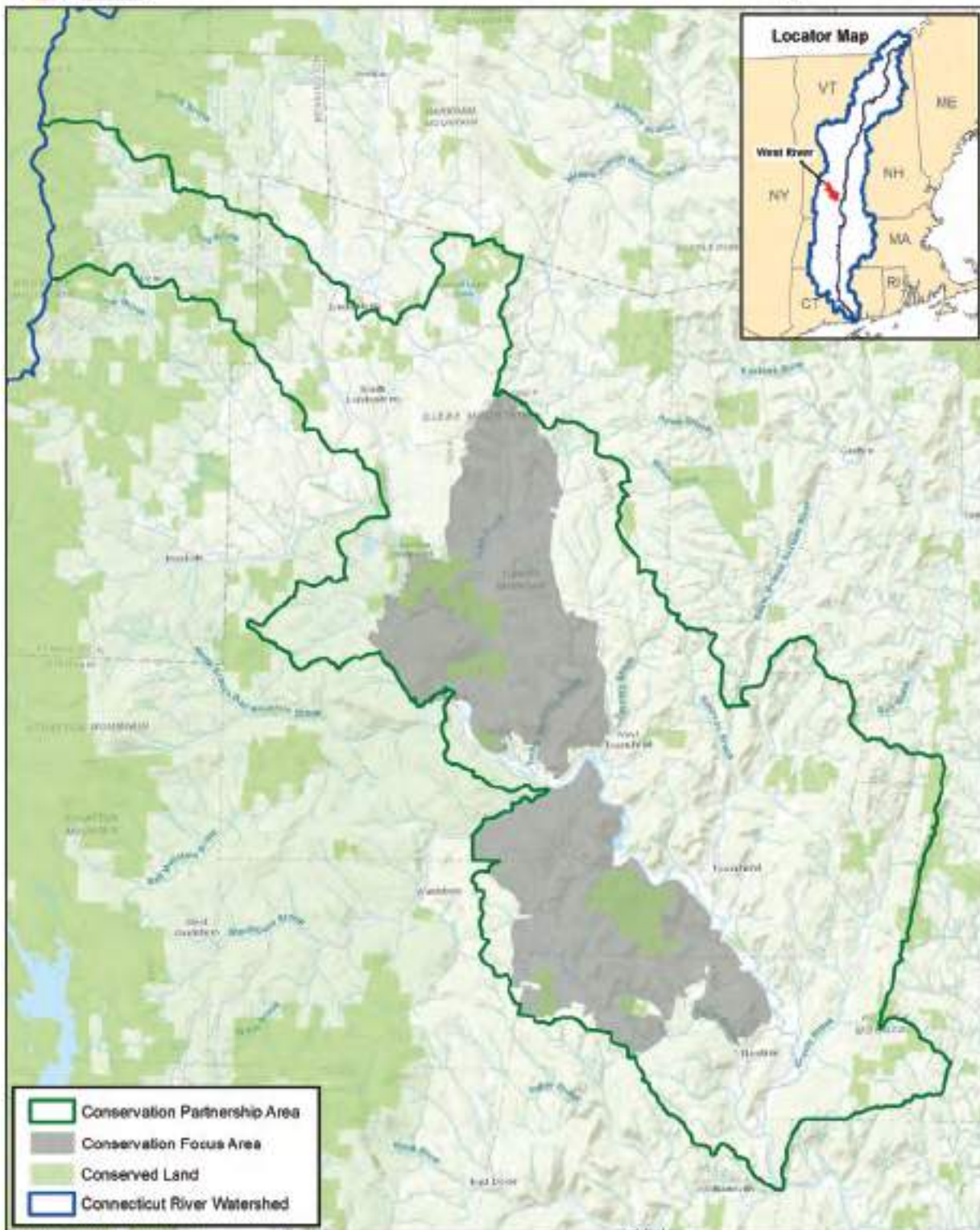




Map CI.15. West River Conservation Partnership Area



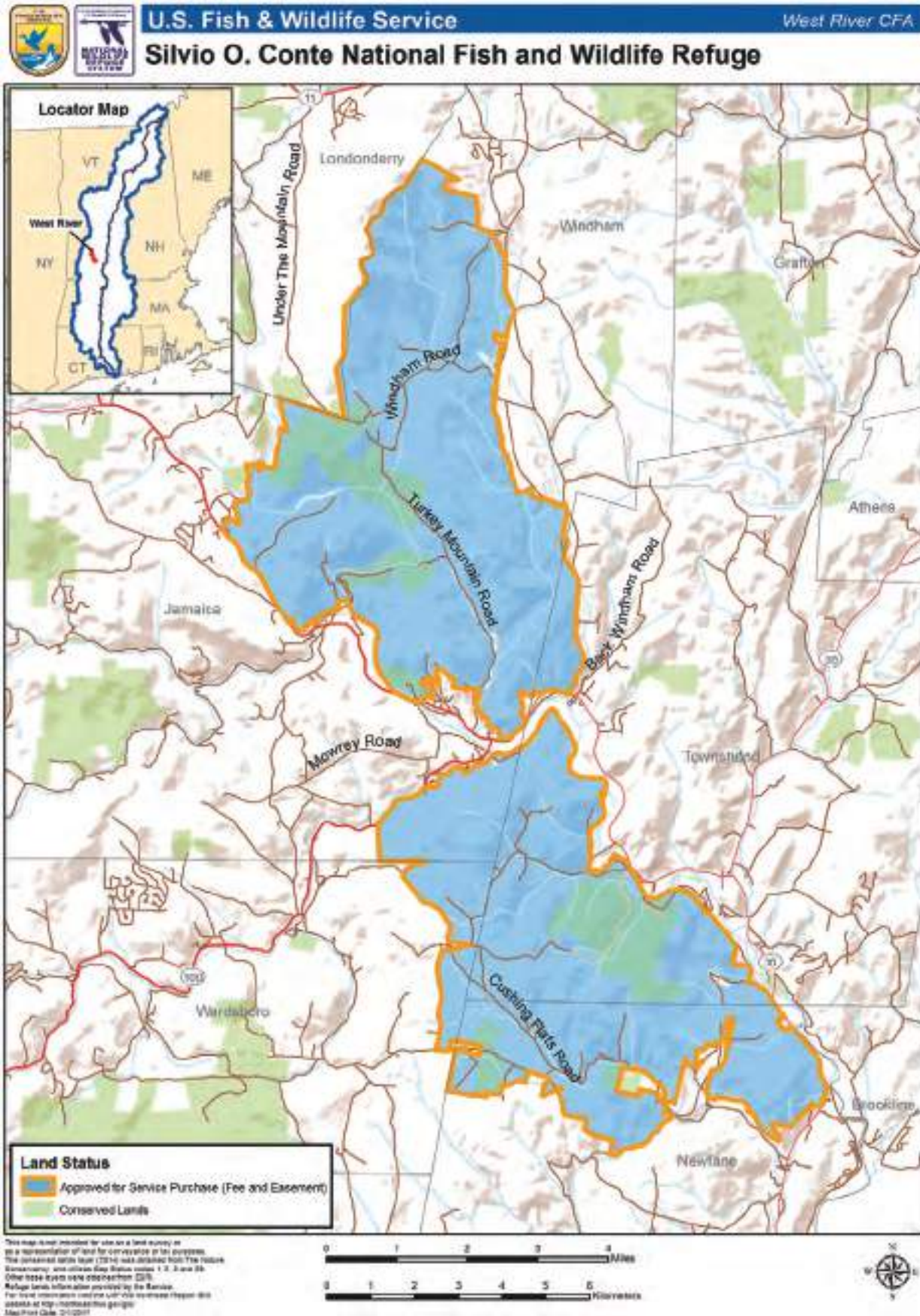
**U.S. Fish & Wildlife Service** *West River Conservation Partnership Area*  
**Silvio O. Conte National Fish and Wildlife Refuge**



This map is not intended for use as a title survey or as a representation of title for purposes of fee purchase. The conserved lands layer (2014) was obtained from The Nature Conservancy, and other map data comes from 1:25,000 scale 2D Ortho base layers were obtained from USGS. Refuge lands information provided by the agency. For more information visit the USFWS Northeast Region Web website at <http://www.fws.gov>. Map Print Date: 10/18/2017

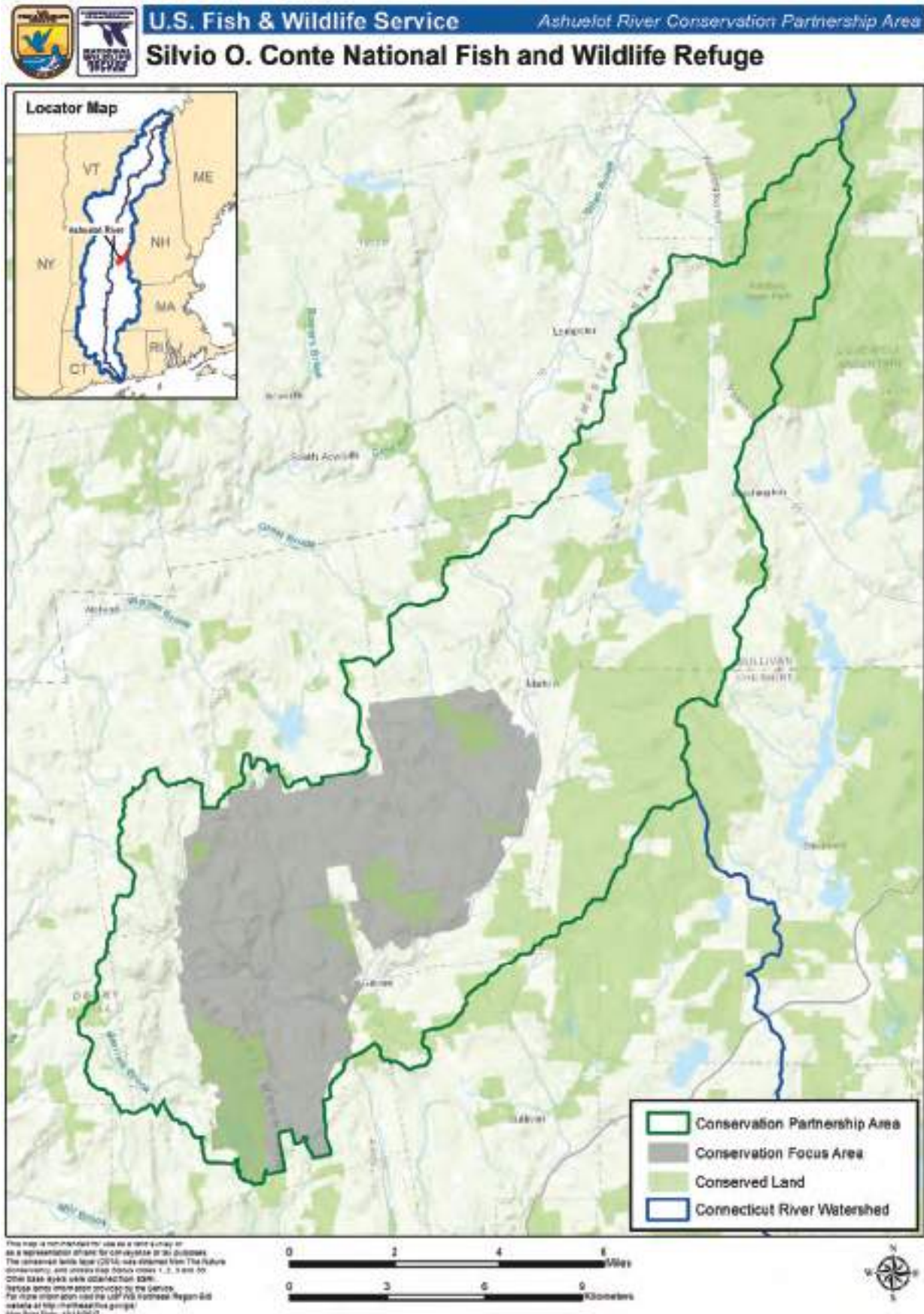


Map CI.16. West River CFA



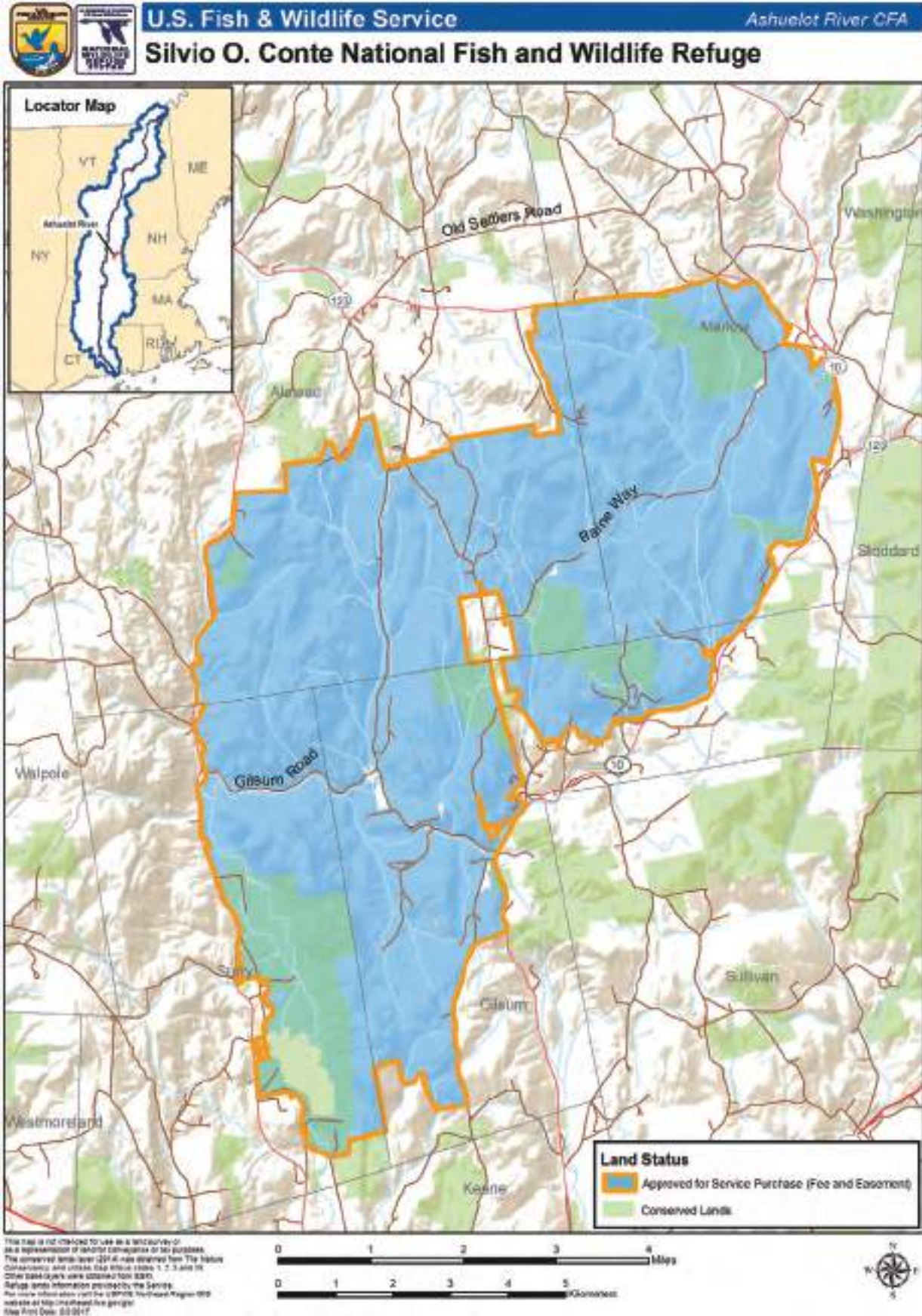


Map CI.17. Ashuelot River Conservation Partnership Area





Map CI.18. Ashuelot River CFA





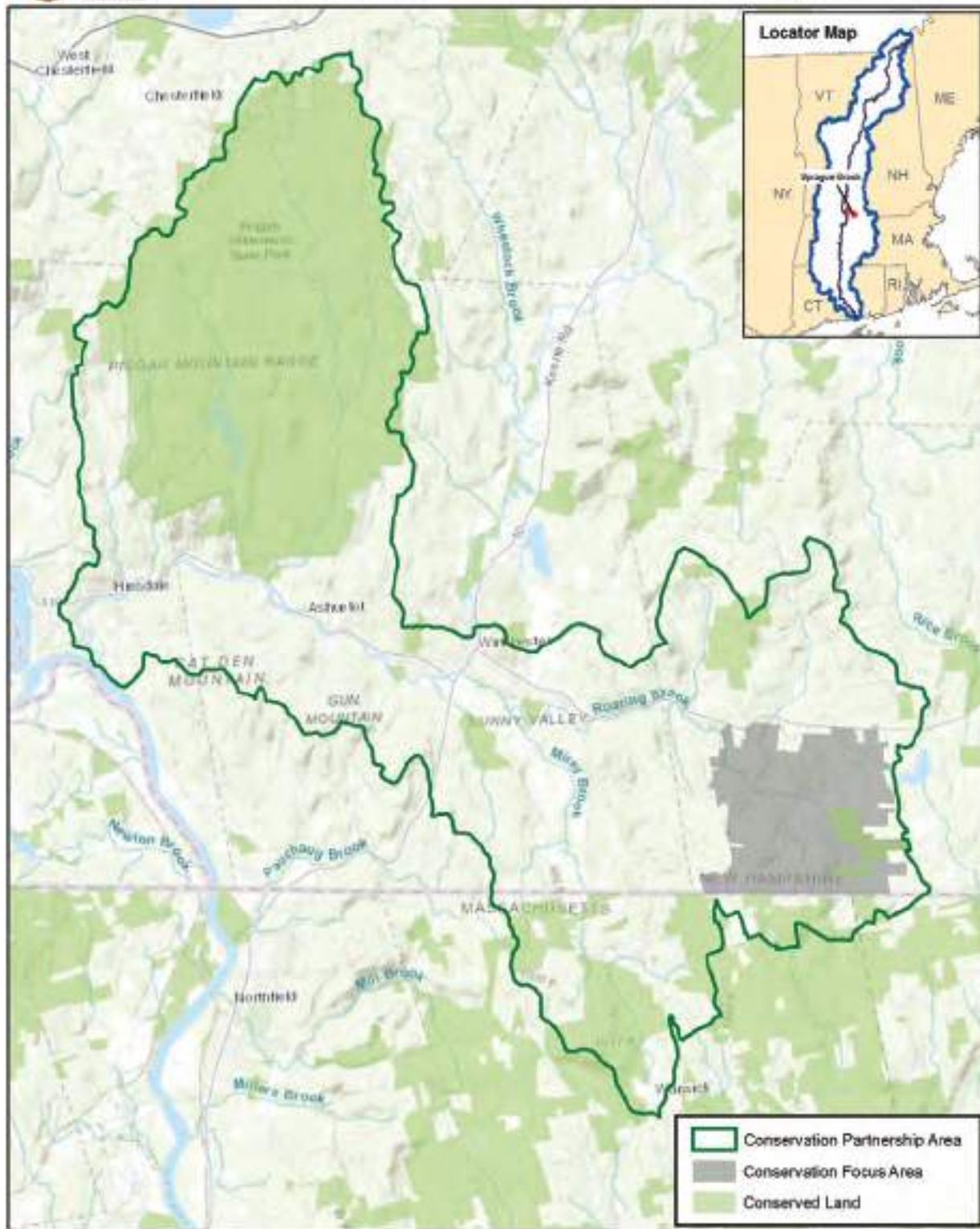
Map CI.19. Sprague Brook Conservation Partnership Area



U.S. Fish & Wildlife Service

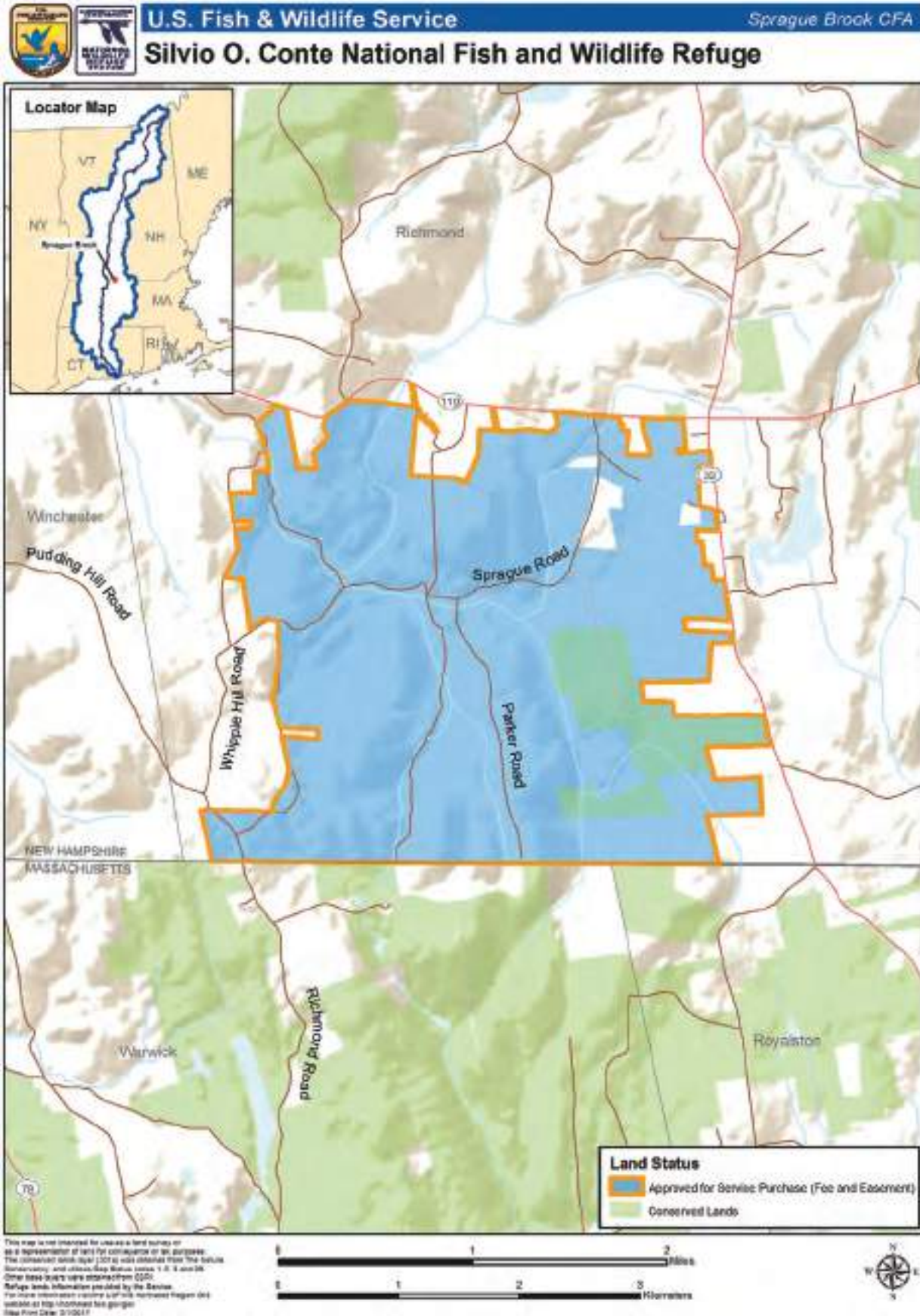
Sprague Brook Conservation Partnership Area

Silvio O. Conte National Fish and Wildlife Refuge



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Map CI.20. Sprague Brook CFA

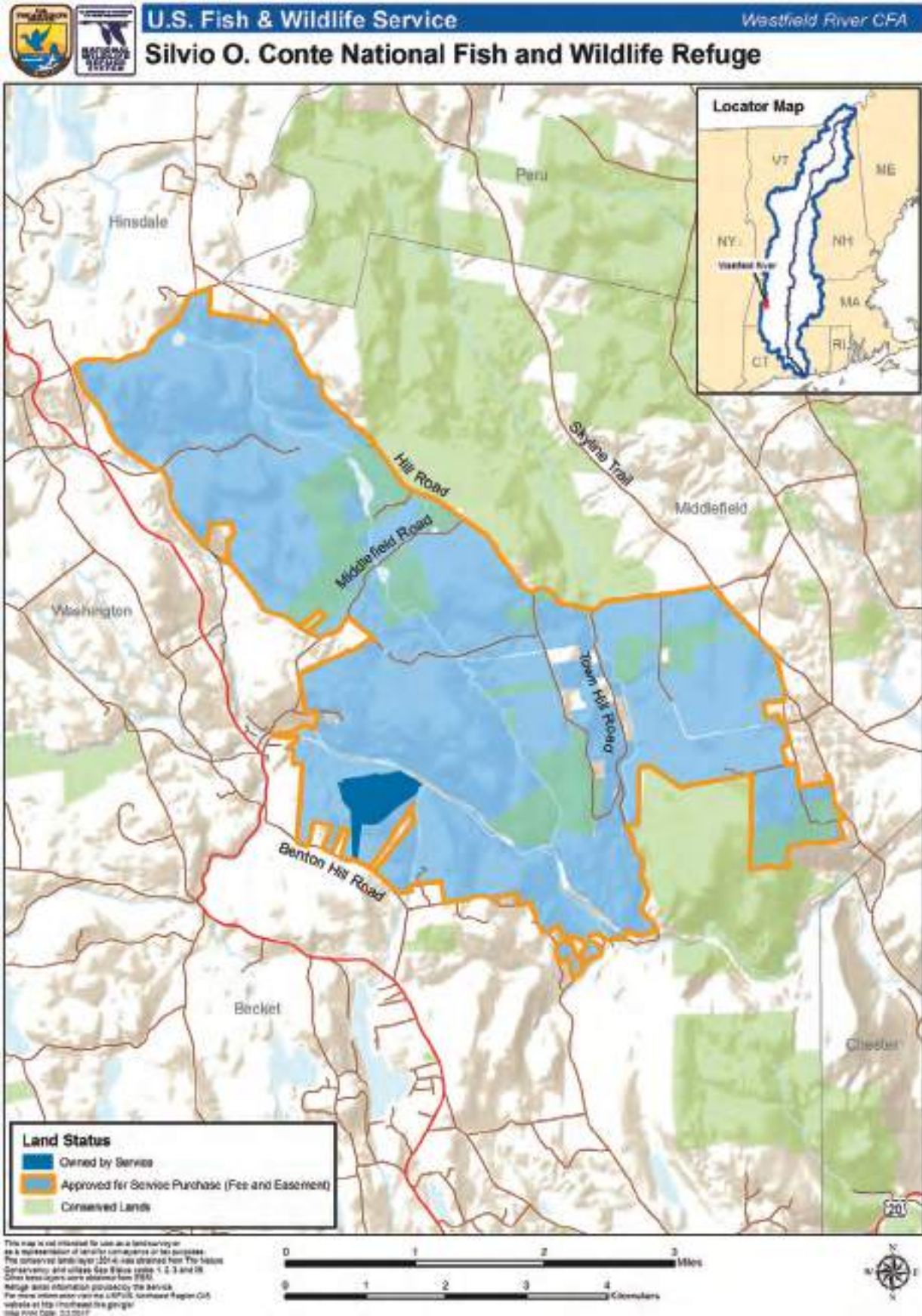






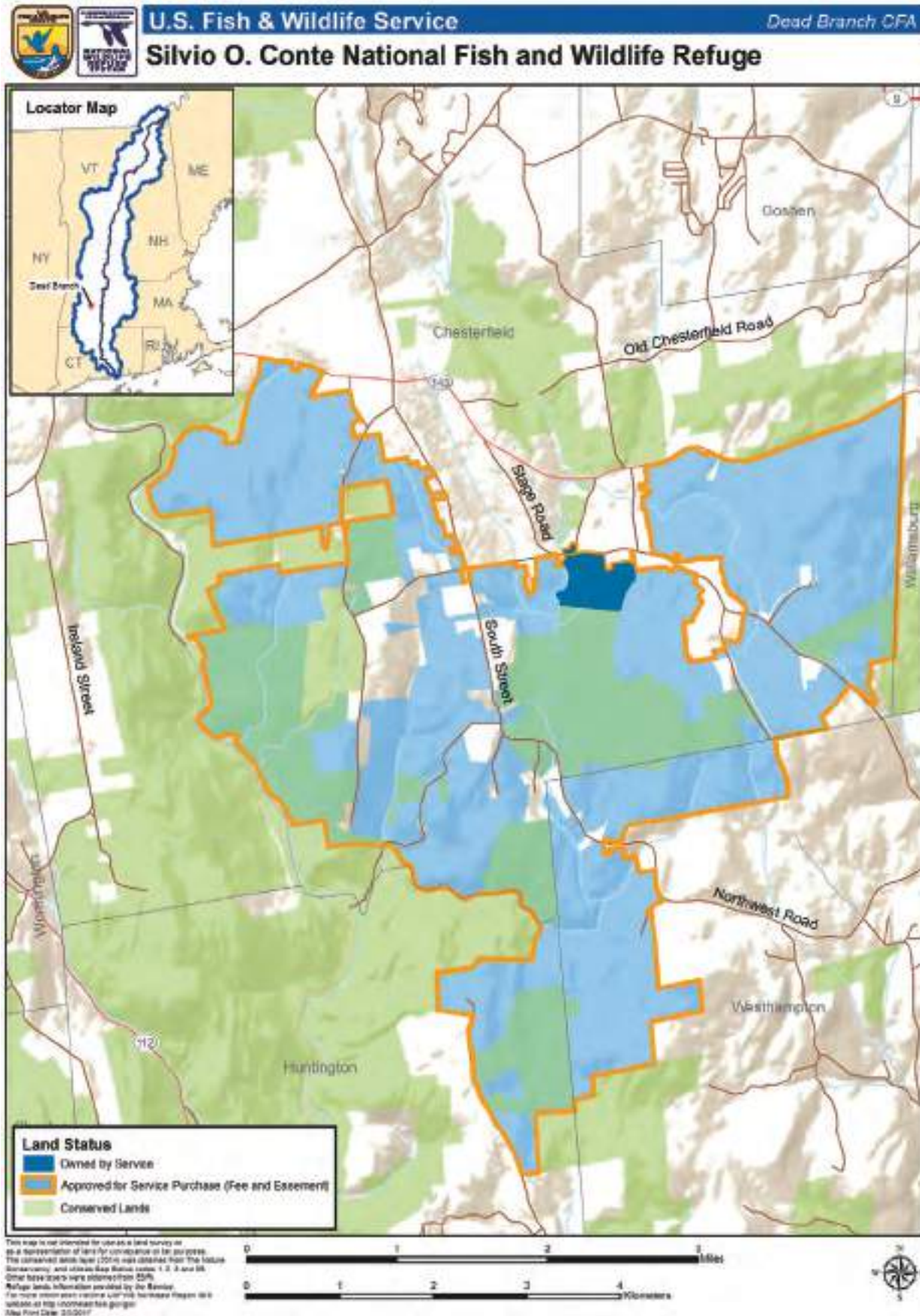


Map CI.22. Westfield River CFA





Map CI.23. Dead Branch CFA



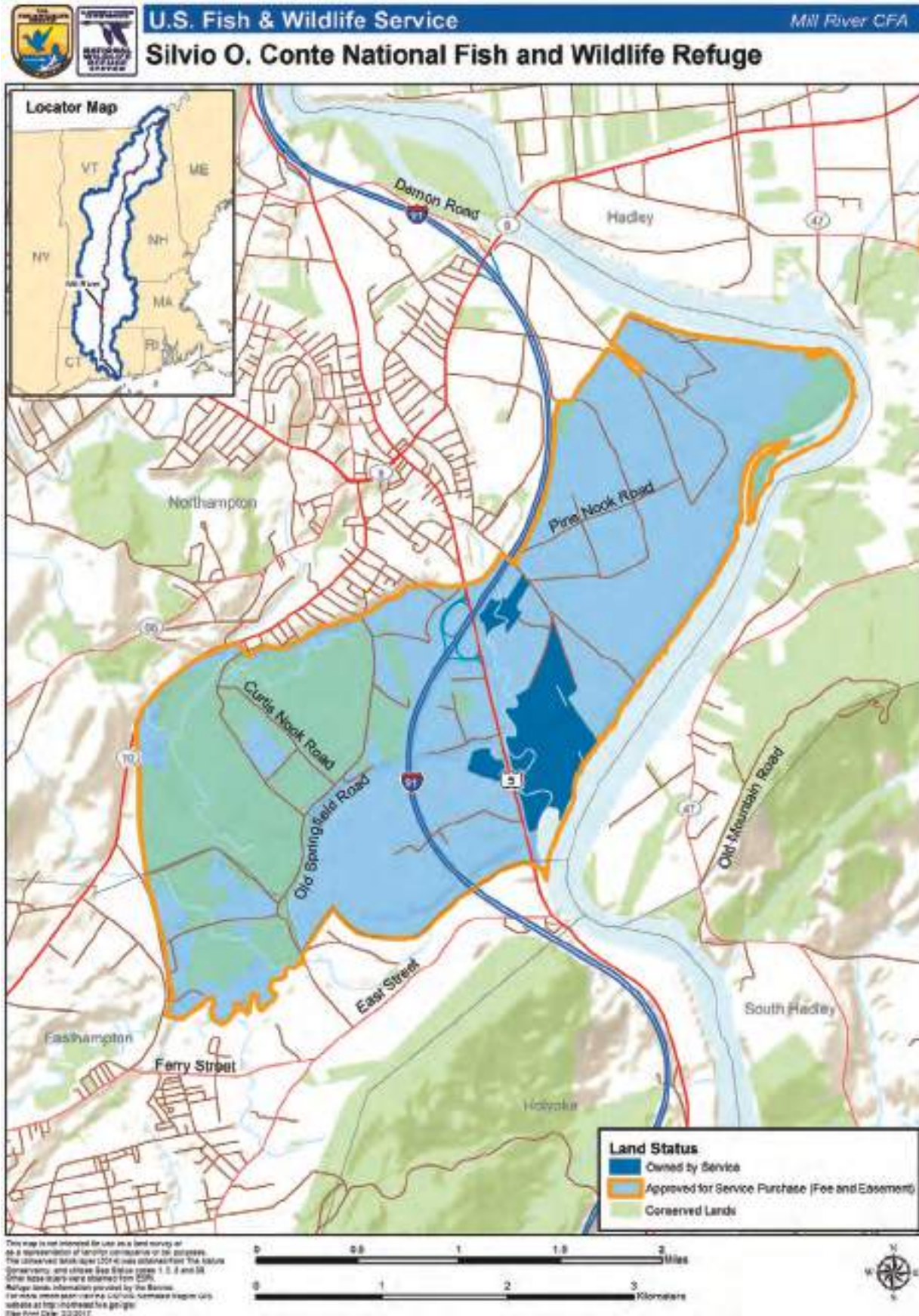


Map CI.24. Mill River Conservation Partnership Area



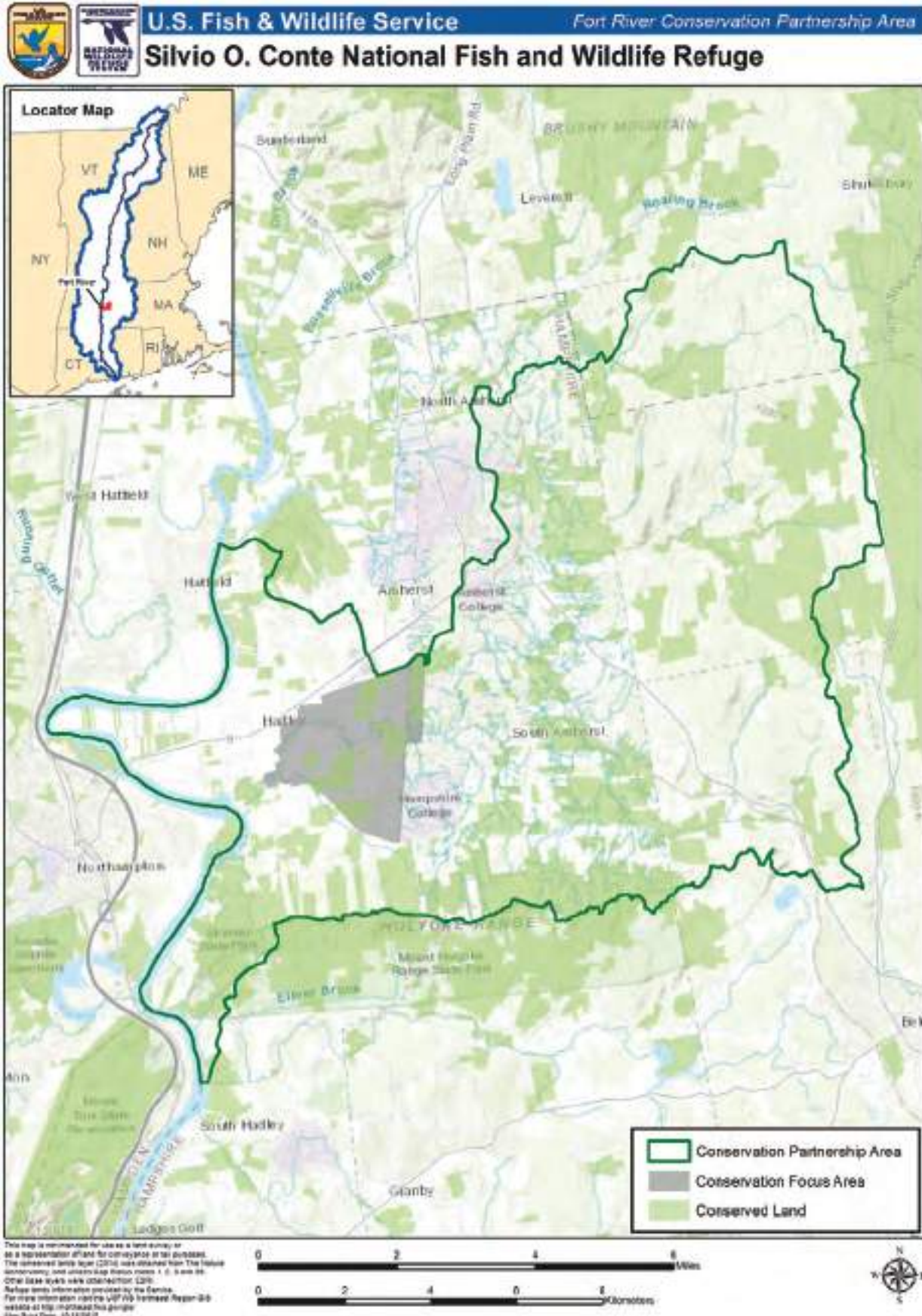


Map CI.25. Mill River CFA

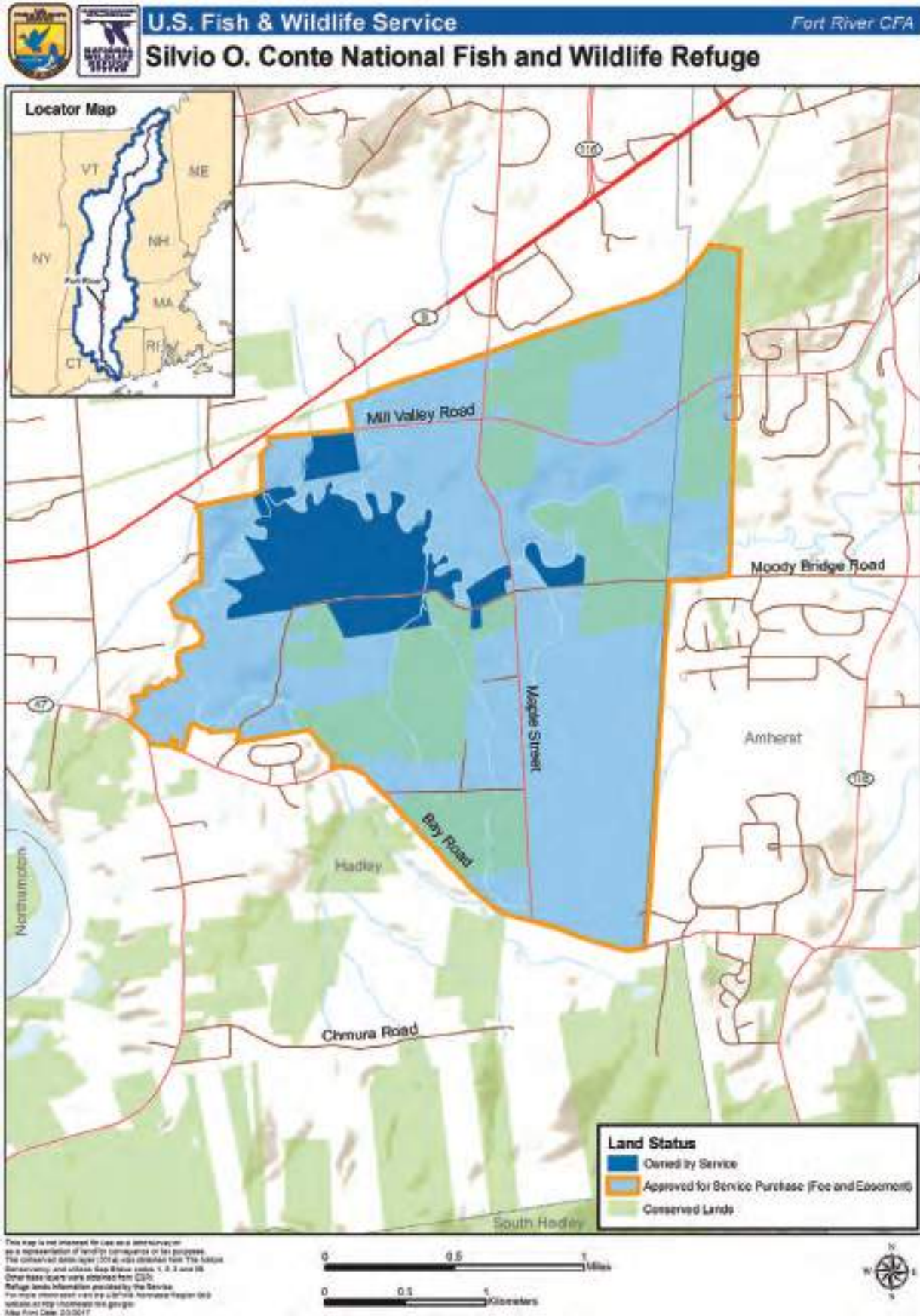




Map CI.26. Fort River Conservation Partnership Area



Map CI.27. Fort River CFA

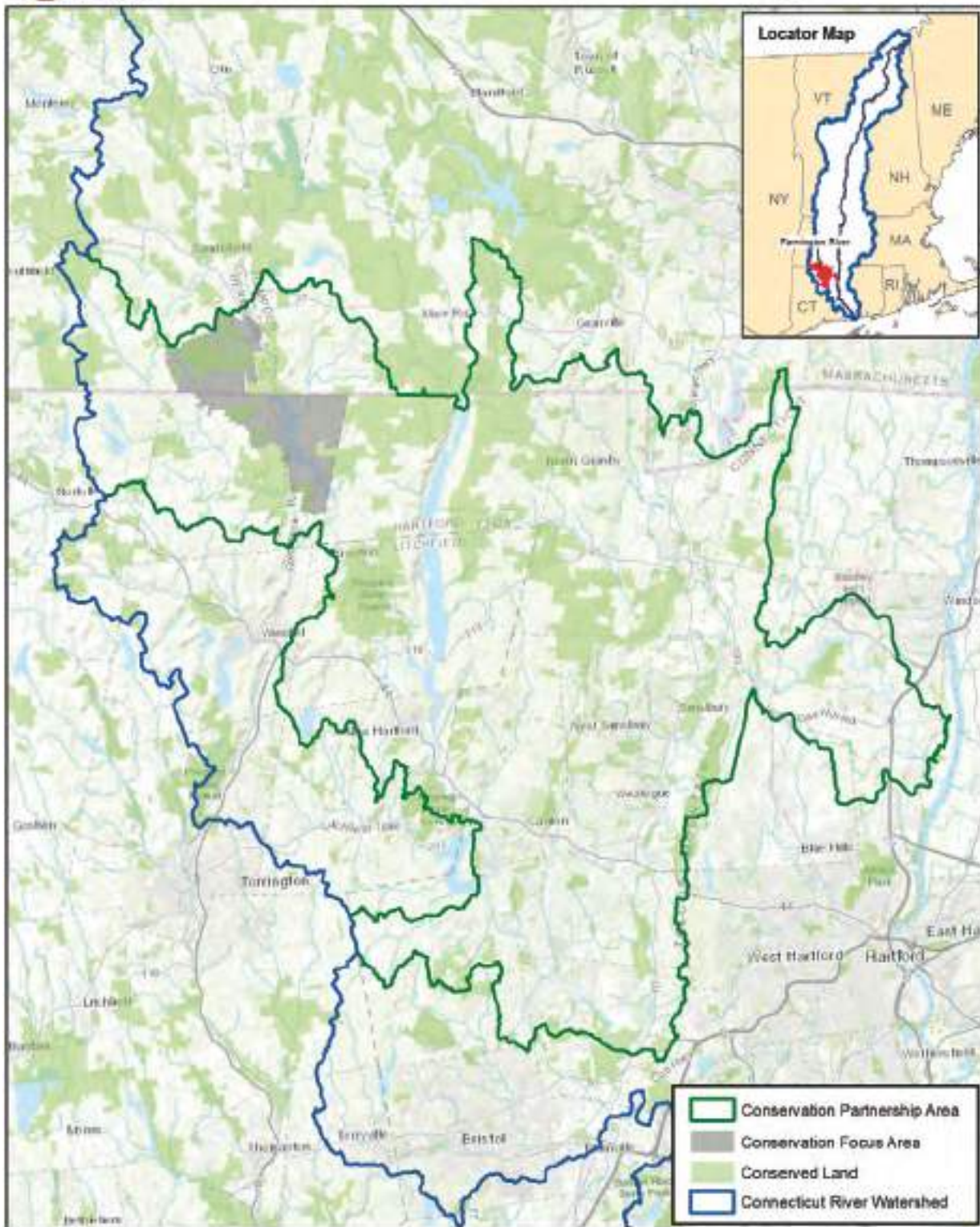




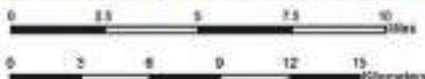
Map CI.28. Farmington River Conservation Partnership Area



**U.S. Fish & Wildlife Service** Farmington River Conservation Partnership Area  
**Silvio O. Conte National Fish and Wildlife Refuge**

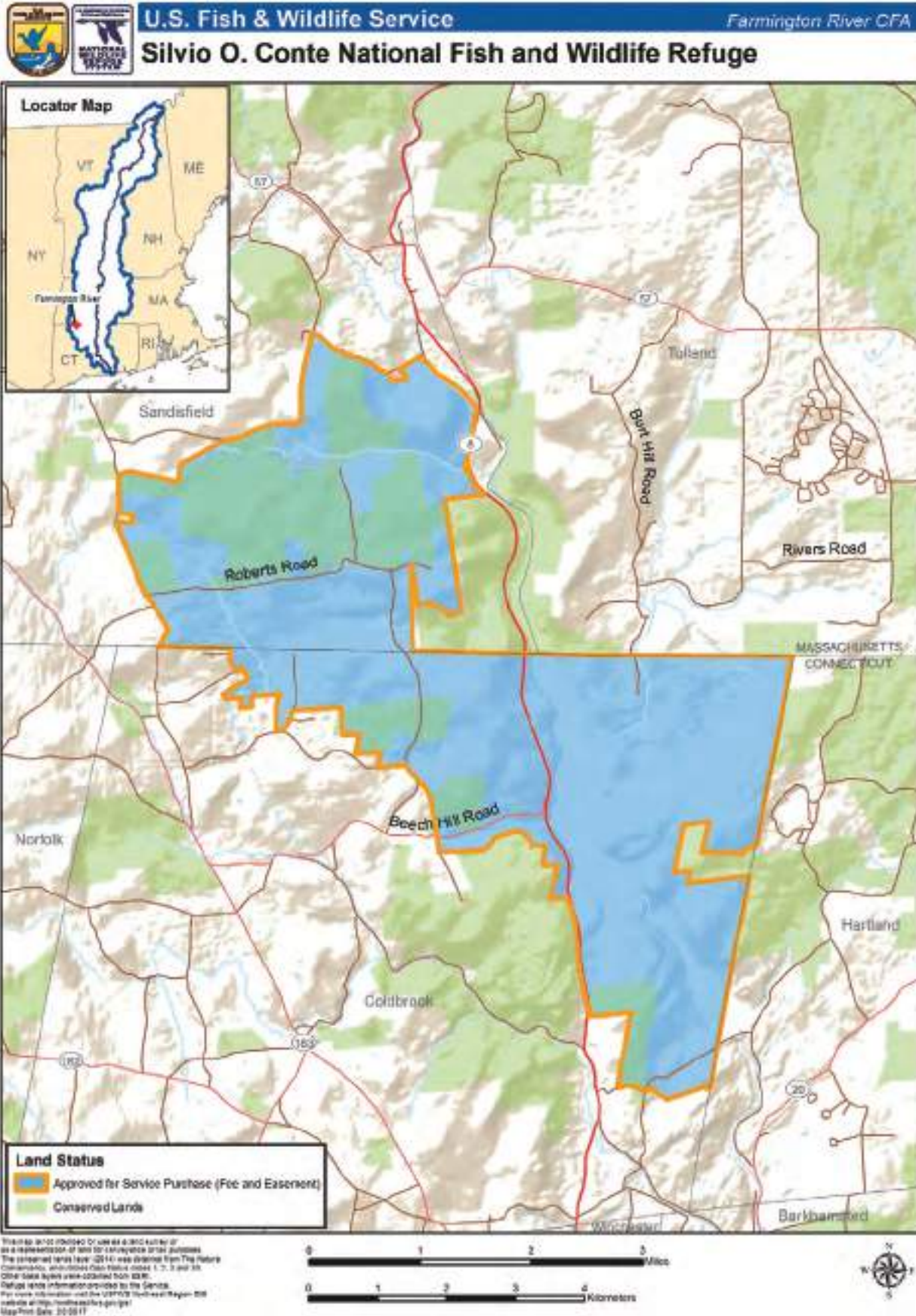


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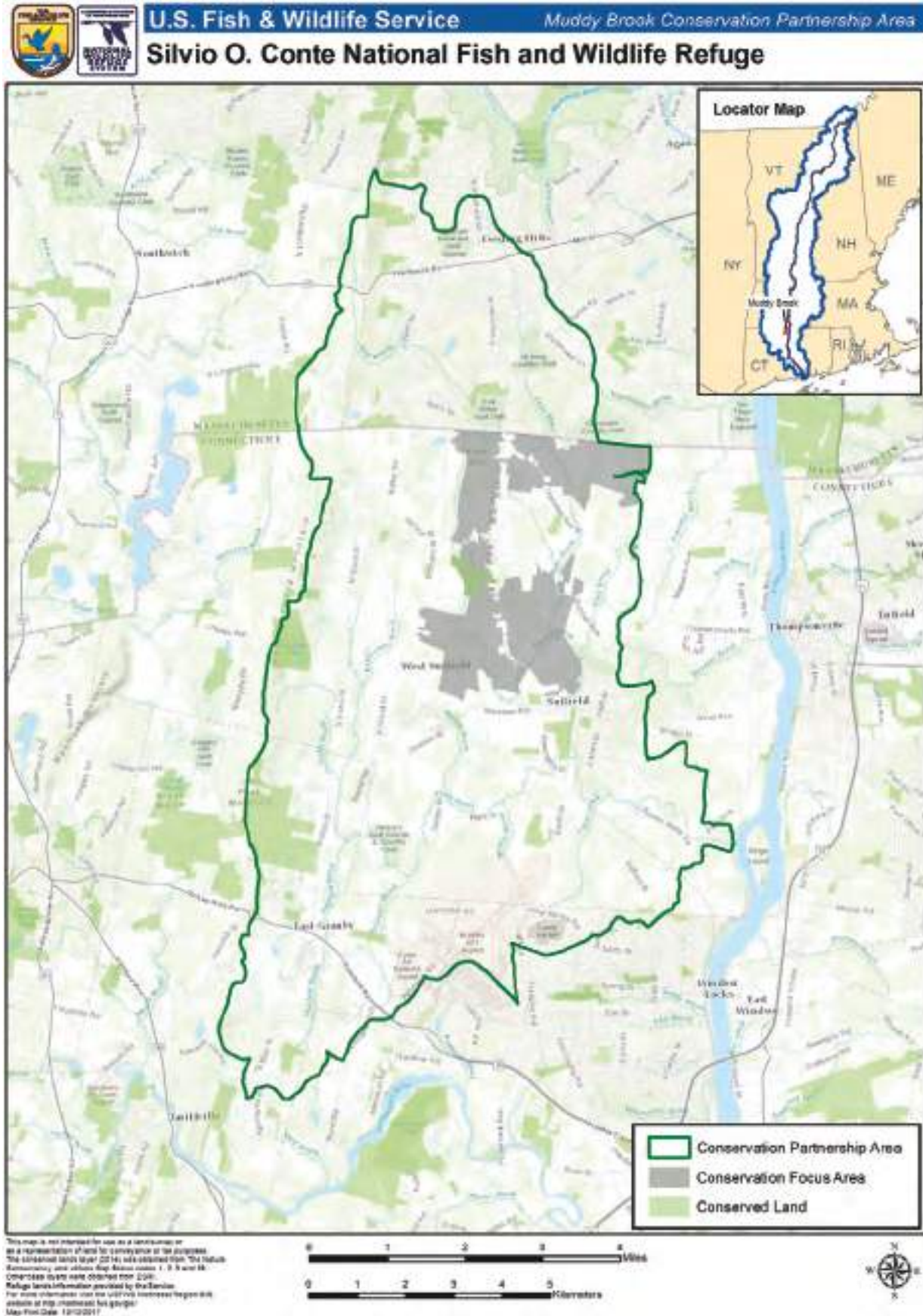


Map CI.29. Farmington River CFA

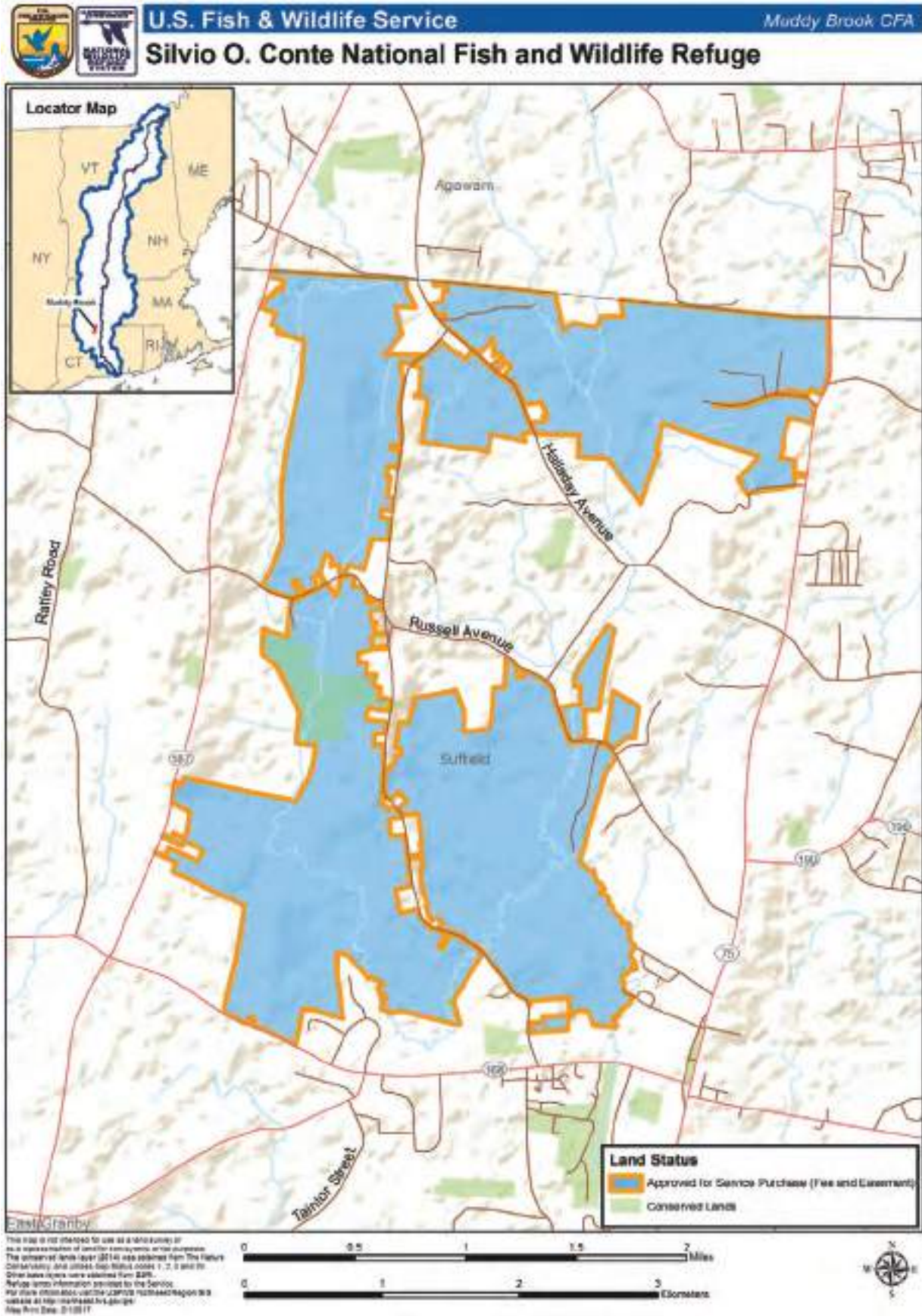




Map CI.30. Muddy Brook Conservation Partnership Area



Map CI.31. Muddy Brook CFA





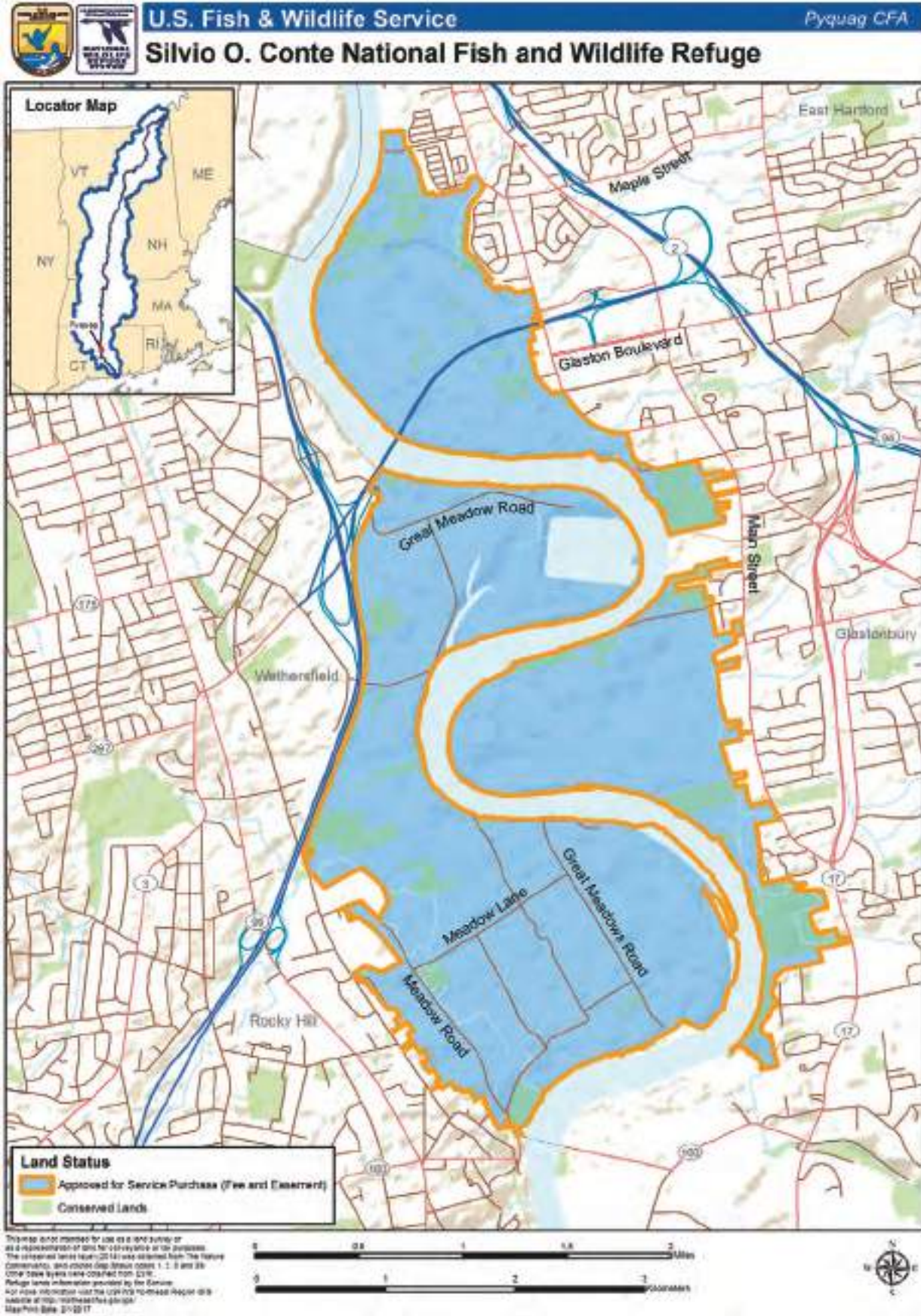






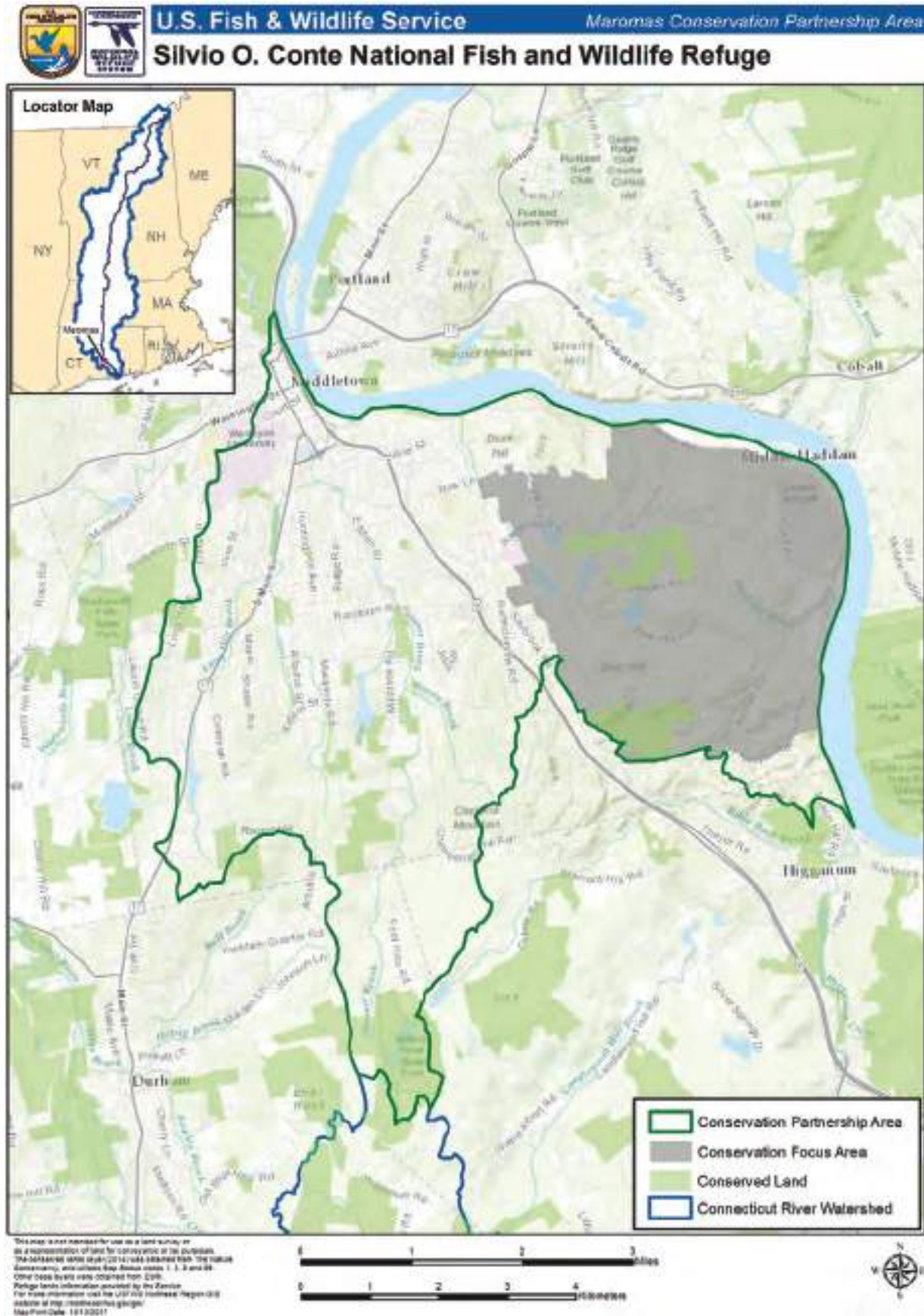


Map CI.34. Pyquag CFA





Map CI.35. Maromas Conservation Partnership Area





Map CI.36. Maromas CFA

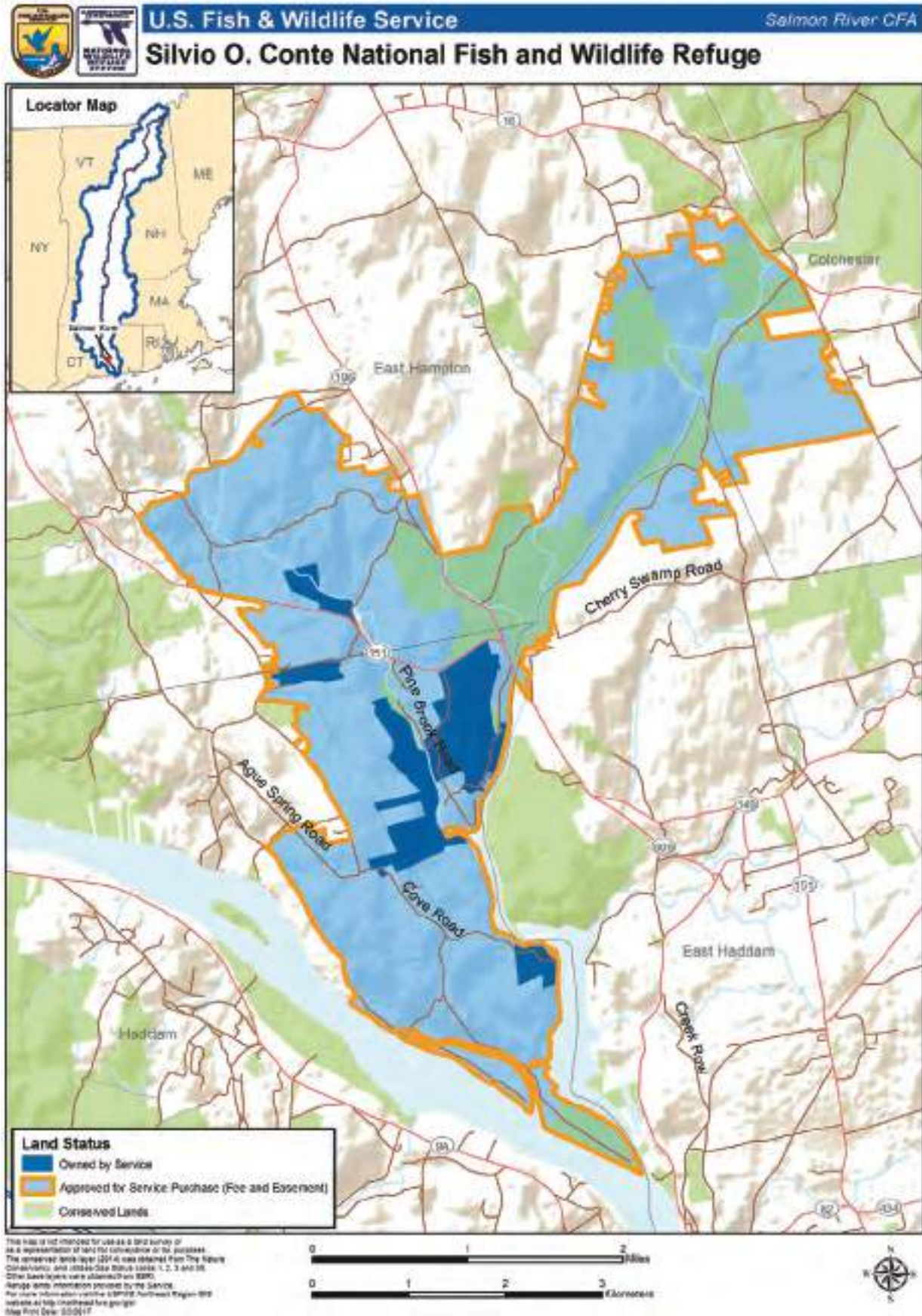








Map CI.38. Salmon River CFA

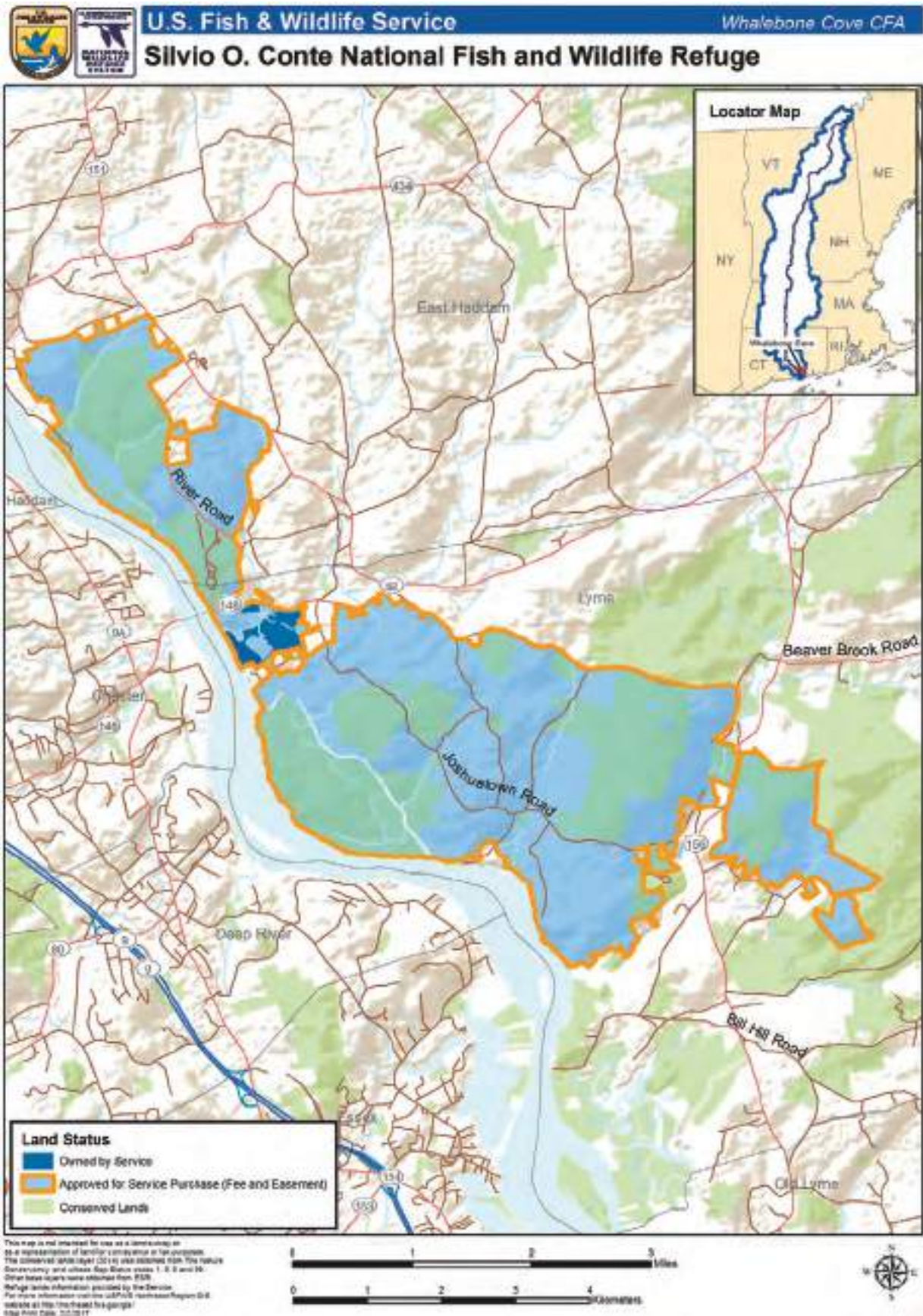






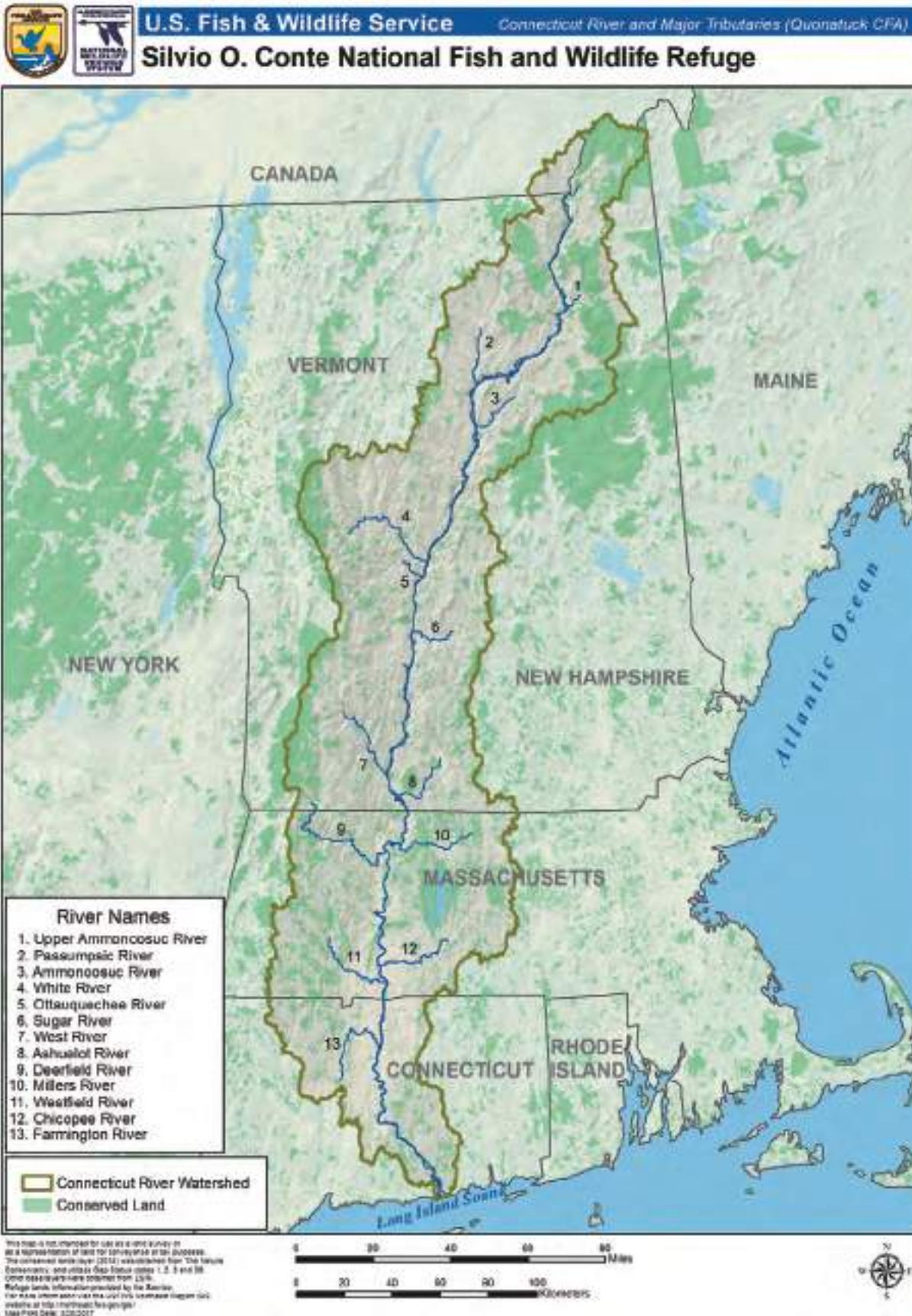


Map CI.40. Whalebone Cove CFA





Map CI.41. Quonatauck Conservation Focus Area (approximately based on the 100-year floodplain along main stem and major tributaries)





## Attachment II

### Proposed Land Protection Plan for Silvio O. Conte National Fish and Wildlife Refuge Contributions of Plan to Waterfowl and other Migratory Bird Objectives

In this attachment, we provide estimates of the potential number of breeding birds that could be supported within the proposed Conte Refuge CFAs and the acres of potentially suitable breeding habitat within those proposed CFAs. These CFAs are included as part of the refuge's final CCP/EIS Service-preferred alternative C. We provide these estimates for six neotropical migrant species that are: (1) identified as Priority Refuge Resources of Concern; (2) are identified as priority species within BCR plans; and, (3) represent the range of upland and wetland habitat types within the CFAs. The six species are:

- Wood thrush.
- Canada warbler.
- Blackburnian warbler.
- Black-throated blue warbler.
- American woodcock.
- Bobolink.

Four of these six species (wood thrush, blackburnian warbler, American woodcock, and bobolink) have been identified as representative (also referred to as "surrogate") species by the NALCC. In addition to the breeding neotropical migrants, we identify potential contributions of the CFAs to waterfowl habitat, American black duck and wood duck breeding populations, and neotropical migrant stopover habitat.

We also present population estimates and acres of potentially suitable habitat contributed by existing conserved lands within the watershed. Looking at existing conserved lands provides perspective on what additional migratory bird benefits would be provided to the conservation estate by acquiring the proposed lands within the CFAs. We compare our estimates for the CFAs and conserved lands to population and habitat objectives that have been established at the BCR and State scales as reported in the BCRs 14 (Atlantic Northern Forest—<http://acjv.org/planning/bird-conservation-regions/bcr-14/> Accessed October 2016) and 30 (New England—Mid-Atlantic Coast - [http://www.acjv.org/BCR\\_30/BCR30\\_June\\_23\\_2008\\_final.pdf](http://www.acjv.org/BCR_30/BCR30_June_23_2008_final.pdf). Accessed October 2016) or the Partners in Flight North American Landbird Conservation Plan (<http://www.partnersinflight.org/plans/landbird-conservation-plan/>. Accessed October 2016).

Bird population estimates were derived by applying published density estimates by habitat types (e.g., from the Birds of North America species accounts) to the acres of the different habitat types occurring within the CFAs. We have also included in our analyses the 8,000 acres of undesignated lands to be part of the Quonotuck CFA by assuming that these lands will represent approximately 1,500 acres of tidal marsh and floodplain habitat along the mouth and lower extremities of the river in Connecticut, approximately 1,500 acres of floodplain forest along the river and major tributaries in Massachusetts, and approximately 5,000 acres of floodplain forest along the upper portion of the river and major tributaries and distributed evenly between New Hampshire and Vermont. We typically used numbers at the lower end of the range of published density estimates because high densities usually reflect the most suitable habitat but we are trying to estimate populations across the landscape, which will include a range of habitat quality. We also acknowledge that the published bird population objectives typically reflect relatively low densities at landscape scales, and we wanted our estimates to be as comparable with those objectives as possible.

#### Summary of Proposed Conte Refuge Land Acquisition Contributions to Migratory Birds

The proposed land acquisition by Conte Refuge under the final CCP/EIS alternative C will make significant contributions to state-level breeding population objectives for several neotropical migrants and toward overall waterfowl habitat objectives as well as toward breeding habitat for two high priority waterfowl species. We evaluated the potential for this proposal to benefit four neotropical migrant birds. For the wood thrush and Canada warbler, the proposed acquisitions could potentially meet 2 to 11 percent of the four States' breeding population objectives. For the black-throated blue warbler, we estimate that the proposed land acquisition within the CFAs could potentially contribute 10 to 20 percent of the State's breeding population objectives. For the blackburnian warbler, our proposal could contribute between 4 to 12 percent of the State's objectives.

The proposed land acquisition would also make significant contributions to the habitat objectives for three waterfowl focus areas identified in the ACJV's Waterfowl Implementation Plan: the Connecticut River and Tidal Wetlands Complex Focus Area in Connecticut, the Connecticut River Focus Area in New Hampshire and Vermont, and the Lake Memphremagog Focus Area in northern Vermont. The proposed land acquisition will also protect significant breeding habitat for American black duck and wood duck, potentially supporting approximately 1,000 and 4,000 breeding pairs, respectively.

In addition, a study of neotropical migrant habitat use during migration suggests that habitat protection within the watershed will have significant benefits for supporting neotropical migrants during the spring migratory period, especially forest and shrub wetlands along the mainstem of the river.

### **A. Wood thrush**

Through the acquisition of the proposed lands within CFAs in the watershed, Conte Refuge lands would provide deciduous and mixed upland forests and forested wetlands representing potentially suitable habitat for wood thrush. With protection and appropriate management (to be specified in refuge habitat management plans), these lands have the potential to support an estimated wood thrush population of 31,180 birds. With protection and appropriate management within the network of conserved lands in the watershed, the network could potentially support an estimated wood thrush population of 273,145 birds on 1,362,025 acres of potentially suitable habitat for this species. Breaking these bird population and habitat numbers down by BCRs and comparing them to established population and habitat objectives for BCRs 14 and 30 results in the following comparisons:

	<b>BCR 14<sup>1</sup></b> Population Objectives. = 1,462,100 Habitat Objectives = 9,031,900ac	<b>BCR 30<sup>2</sup></b> Population Objectives = 825,000 Habitat Objectives = 6,875,000ac
<b>Wood thrush</b>		
<b>Population Estimates</b> (# of individuals)		
Estimated population on all <b>CFAs</b>	26,040	5,138
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	1.8%	0.6%
Estimated population on all <b>Conserved Lands</b>	250,010	23,135
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	17%	2.8%
<b>Acres of Habitat</b>		
Acres of potentially suitable habitat on <b>CFAs</b>	112,085	43,365
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	1.2%	0.6%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	1,263,710	98,315
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	14%	1.4%

<sup>1</sup> Population and habitat objectives from the BCR 14 Bird Conservation Plan.

<sup>2</sup> Population and habitat objectives from the BCR 30 Bird Conservation Plan.

The proposed CFAs will provide a disproportionately large contribution to the BCR14 population and habitat objectives for wood thrush. The total proposed CFA acreage only represents 0.2 percent of total acres in BCR 14, but will contribute 1.2 percent of the BCR 14 wood thrush habitat objective and 1.8 percent of the BCR 14 wood thrush population objective. We also provide the following breakdown of these bird population and habitat numbers for wood thrush by state:

	<b>Connecticut</b> Population Objectives = 150,000	<b>Massachusetts</b> Populations Objectives = 155,000	<b>New Hampshire</b> Population Objectives = 200,910	<b>Vermont</b> Population Objectives = 242,390
<b>Wood thrush</b>	Habitat Objectives = 1,250,000ac	Habitat Objectives = 957,510ac	Habitat Objectives = 1,241,120ac	Habitat Objectives = 1,497,365ac
<b>Population Estimates</b> (# of individuals)				
Estimated population on all <b>CFAs</b>	5,138	3,915	9,505	13,300
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	3.4%	2.5%	4.7%	5.5%
Estimated population on all <b>Conserved Lands</b>	23,130	77,035	77,590	91,715
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	15%	50%	39%	38%
<b>Acres of Habitat</b>				
Acres of potentially suitable habitat on <b>CFAs</b>	43,365	19,565	47,170	65,865
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	3.5%	2.0%	3.8%	4.4%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	98,315	387,990	383,900	453,740
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	7.9%	41%	31%	30%

### **B. Canada warbler**

Through the acquisition of the proposed lands within CFAs in the watershed, Conte Refuge lands would provide upland forests, forested wetlands, and shrub wetlands representing potentially suitable habitat for Canada warbler. With protection and appropriate management (to be specified in habitat management plans), these acres have the potential to support an estimated Canada warbler population of 4,790 birds. With protection and appropriate management within the conserved lands network in the watershed, the network could potentially support an estimated Canada warbler population of 42,170 birds on 1,656,725 acres of potentially suitable habitat for this species. Breaking these bird population and habitat numbers down by



BCR and comparing them to established population and habitat objectives for BCRs 14 and 30 results in the following comparisons:

<b>Canada warbler</b>	<b>BCR 14<sup>1</sup></b> Pop. Obj. = 272,600 Habitat Obj. = 11,937,630ac	<b>BCR 30<sup>2</sup></b> Pop. Obj. = 6,000 Habitat Obj. = 235,720ac
<b>Population Estimates</b> (# of individuals)		
Estimated population on all <b>CFAs</b>	4,300	490
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	1.6%	11%
Estimated population on all <b>Conserved Lands</b>	40,030	2,140
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	15%	48%
<b>Acres of Habitat</b>		
Acres of available habitat on all <b>CFAs</b>	165,800	44,050
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	1.4%	22%
Acres of available habitat on all <b>Conserved Lands</b>	1,558,575	98,150
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	13%	50%

<sup>1</sup> Population objective from the BCR 14 Bird Conservation Plan; habitat objective calculated based on estimated densities from published studies.

<sup>2</sup> Population objective from the PIF Landbird Conservation Plan and PIF population estimates database; habitat objective calculated based on estimated densities from published studies

We also provide the following breakdown of these bird population and habitat numbers for Canada warbler by state:

<b>Canada warbler</b>	<b>Connecticut</b> Pop. Obj. = 4,500 Habitat Obj. = 197,065ac	<b>Massachusetts</b> Pop. Obj. = 12,000 Habitat Obj. = 473,289	<b>New Hampshire</b> Pop. Obj. = 30,000 Habitat Obj. = 1,178,600	<b>Vermont</b> Pop. Obj. = 28,500 Habitat Obj. = 1,119,675
<b>Population Estimates</b> (# of individuals)				
Estimated population on all <b>CFAs</b>	490	455	1,520	2,295
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	11%	3.8%	5.1%	8.1%
Estimated population on all <b>Conserved Lands</b>	2,140	9,410	15,265	14,520
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	48%	78%	51%	51%

<b>Canada warbler</b>	<b>Connecticut</b> Pop. Obj. = 4,500 Habitat Obj. = 197,065ac	<b>Massachusetts</b> Pop. Obj. = 12,000 Habitat Obj. = 473,289	<b>New Hampshire</b> Pop. Obj. = 30,000 Habitat Obj. = 1,178,600	<b>Vermont</b> Pop. Obj. = 28,500 Habitat Obj. = 1,119,675
<b>Acres of Habitat</b>				
Acres of potentially suitable habitat on <b>CFAs</b>	44,050	20,175	58,470	87,155
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	22%	3.8%	4.5%	7.0%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	98,150	400,410	582,870	560,760
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	50%	85%	49%	50%

### **C. Blackburnian warbler**

Through the acquisition of the proposed lands within CFAs in the watershed, Conte Refuge lands would provide coniferous and mixed upland forests representing potentially suitable habitat for blackburnian warbler. With protection and appropriate management (to be specified in habitat management plans), these acres have the potential to support an estimated blackburnian warbler population of 26,580 birds. With protection and appropriate management within the conserved lands network in the watershed, the network could potentially support an estimated blackburnian warbler population of 232,720 birds on 1,636,020 acres of potentially suitable habitat for this species. Breaking these bird population and habitat numbers down by BCRs and comparing them to established population and habitat objectives for BCRs 14 and 30 results in the following comparisons:

<b>Blackburnian warbler</b>	<b>BCR 14<sup>1</sup></b> Pop. Obj. = 850,000 Habitat Obj. = 14,002,330ac	<b>BCR 30<sup>2</sup></b> Pop. Obj. = 8,000 Habitat obj. = 494,200ac
<b>Population Estimates</b> (# of individuals)		
Estimated population on all <b>CFAs</b>	26,070	508
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	3.1%	6.4%
Estimated population on all <b>Conserved Lands</b>	231,640	2,160
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	27%	27%

<b>Blackburnian warbler</b>	<b>BCR 14<sup>1</sup></b> Pop. Obj. = 850,000 Habitat Obj. = 14,002,330ac	<b>BCR 30<sup>2</sup></b> Pop. Obj. = 8,000 Habitat obj. = 494,200ac
<b>Acres of Habitat</b>		
Acres of potentially suitable habitat on all <b>CFAs</b>	139,285	43,240
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	1.0%	8.7%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	1,539,915	96,110
Percent (%) of BCR habitat objective contributed by <b>Conserved Lands</b>	11%	19%

<sup>1</sup> Population objective from the PIF Landbird Conservation Plan and PIF population estimates database; habitat objective calculated based on estimated densities from published studies.

<sup>2</sup> Population objective from the PIF Landbird Conservation Plan and PIF population estimates database; habitat objective calculated based on estimated densities from published studies.

The proposed CFAs will provide a disproportionately large contribution to the BCR14 population and habitat objectives for blackburnian warbler. The total proposed CFA acreage only represents 0.2 percent of total acres in BCR 14, but will contribute 1.0 percent of the BCR 14 wood thrush habitat objective and 3.1 percent of the BCR 14 wood thrush population objective.

We also provide the following breakdown of these bird population and habitat numbers for blackburnian warbler by state:

<b>Blackburnian warbler</b>	<b>Connecticut</b> Pop. Obj. = 8,000 Habitat Obj. = 494,200ac	<b>Massachusetts</b> Pop. Obj. = 80,000 Habitat Obj. = 1,317,870ac	<b>New Hampshire</b> Pop. Obj. = 170,000 Habitat Obj. = 2,800,470ac	<b>Vermont</b> Pop. Obj. = 110,000 Habitat Obj. = 1,812,070ac
<b>Population Estimates</b> (# of individuals)				
Estimated population on all <b>CFAs</b>	510	3,035	8,760	12,780
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	6.4%	3.8%	5.2%	12%
Estimated population on all <b>Conserved Lands</b>	2,160	58,390	78,980	82,630
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	27%	73%	46%	75%



	<b>Connecticut</b> Pop. Obj. = 8,000 Habitat Obj. = 494,200ac	<b>Massachusetts</b> Pop. Obj. = 80,000 Habitat Obj. = 1,317,870ac	<b>New Hampshire</b> Pop. Obj. = 170,000 Habitat Obj. = 2,800,470ac	<b>Vermont</b> Pop. Obj. = 110,000 Habitat Obj. = 1,812,070ac
<b>Blackburnian warbler</b>				
<b>Acres of Habitat</b>				
Acres of potentially suitable habitat on <b>CFAs</b>	43,240	19,500	56,380	84,810
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	8.7%	1.5%	2.0%	4.7%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	96,110	392,615	564,870	543,725
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	19%	30%	20%	30%

**D. Black-throated blue warbler**

Through the acquisition of the proposed lands within CFAs in the watershed, Conte Refuge lands would provide deciduous and mixed upland forests representing potentially suitable habitat for black-throated blue warbler. With protection and appropriate management (to be specified in habitat management plans), these acres have the potential to support an estimated black-throated blue warbler population of 25,410 birds. With protection and appropriate management within the conserved lands network in the watershed, the network could potentially support an estimated black-throated blue warbler population of 216,940 birds on 1,478,170 acres of potentially suitable habitat for this species. Breaking these bird population and habitat numbers down by BCRs and comparing them to established population and habitat objectives for BCRs 14 and 30 results in the following comparisons:

	<b>BCR 14<sup>1</sup></b> Pop. Obj. = 565,680 Habitat Obj. = 9,318,619ac	<b>BCR 30<sup>2</sup></b> Pop. Obj. = 5,000 Habitat Obj. = 308,875ac
<b>Black-throated blue warbler</b>		
<b>Population Estimates</b> (# of individuals)		
Estimated population on all <b>CFAs</b>	24,200	1,210
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	4.3%	24%
Estimated population on all <b>Conserved Lands</b>	214,300	2,640
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	38%	53%

<b>Black-throated blue warbler</b>	<b>BCR 14<sup>1</sup></b> Pop. Obj. = 565,680 Habitat Obj. = 9,318,619ac	<b>BCR 30<sup>2</sup></b> Pop. Obj. = 5,000 Habitat Obj. = 308,875ac
<b>Acres of Habitat</b>		
Acres of potentially suitable habitat on all <b>CFAs</b>	140,410	42,310
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	1.5%	14%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	1,381,430	96,740
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	15%	31%

<sup>1</sup> Population objective from the BCR 14 Bird Conservation Plan; habitat objective calculated based on estimated densities from published studies.

<sup>2</sup> Population objective from the PIF Landbird Conservation Plan and PIF population estimates database; habitat objective calculated based on estimated densities from published studies.

The proposed CFAs will provide a disproportionately large contribution to the BCR14 and BCR 30 population and habitat objectives for black-throated blue warbler. The total proposed CFA acreage only represents 0.2 percent of total acres in BCR 14, but will contribute 1.5 percent of the BCR 14 black-throated blue warbler habitat objective and 4.3 percent of the BCR 14 black-throated blue warbler population objective. Similarly, the total proposed CFA acreage represents 0.1 percent of BCR 30, but will contribute 9.8 percent of the BCR 30 black-throated blue warbler habitat objective and 17 percent of the BCR 30 black-throated blue warbler population objective.

We also provide the following breakdown of these bird population and habitat numbers for black-throated blue warbler by state:

<b>Black-throated blue warbler</b>	<b>Connecticut</b> Pop. Obj. = 7,000 Habitat Obj. = 432,425ac	<b>Massachusetts</b> Pop. Obj. = 30,000 Habitat Obj. = 494,200ac	<b>New Hampshire</b> Pop. Obj. = 60,000 Habitat Obj. = 988,400	<b>Vermont</b> Pop. Obj. = 60,000 Habitat Obj. = 988,400
<b>Population Estimates</b> (# of individuals)				
Estimated population on all <b>CFAs</b>	1,210	3,035	8,175	11,740
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	17%	10%	14%	20%
Estimated population on all <b>Conserved Lands</b>	2,640	58,295	65,475	76,740
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	38%	194%	109%	128%

	<b>Connecticut</b> Pop. Obj. = 7,000 Habitat Obj. = 432,425ac	<b>Massachusetts</b> Pop. Obj. = 30,000 Habitat Obj. = 494,200ac	<b>New Hampshire</b> Pop. Obj. = 60,000 Habitat Obj. = 988,400	<b>Vermont</b> Pop. Obj. = 60,000 Habitat Obj. = 988,400
<b>Black-throated blue warbler</b>				
<b>Acres of Habitat</b>				
Acres of potentially suitable habitat on <b>CFAs</b>	42,310	19,815	52,300	83,950
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	9.8%	4.0%	5.7%	8.5%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	96,745	394,035	438,455	509,535
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	22%	80%	44%	52%

### **E. American woodcock**

Through the acquisition of the proposed lands within CFAs in the watershed, Conte Refuge lands would provide upland forest, forested wetland, and wet shrub habitat representing potentially suitable habitat for American woodcock. With protection and appropriate management (to be specified in habitat management plans), these acres have the potential to support an estimated American woodcock population of 4,565 birds. With protection and appropriate management within the network of conserved lands in the watershed, the network could potentially support an estimated American woodcock population of 38,080 birds on 1,496,670 acres of potentially suitable habitat for this species. Breaking these bird population and habitat numbers down by BCRs and comparing them to established population and habitat objectives for BCRs 14 and 30 results in the following comparisons:

	<b>BCR 14<sup>1</sup></b> Pop. Obj.* = 163,090 Habitat Obj. = 4,006,045ac	<b>BCR 30<sup>1</sup></b> Pop. Obj.* = 46,268 Habitat obj. = 2,230,080ac
<b>American woodcock</b>		
<b>Population Estimates</b> (# of individuals)		
Estimated population on all <b>CFAs</b>	3,655	910
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	2.2%	2.0%
Estimated population on all <b>Conserved Lands</b>	36,045	2,035
Percent (%) of BCR population objective contributed by all <b>Conserved Lands</b>	22%	4.4%



<b>American woodcock</b>	<b>BCR 14<sup>1</sup></b> Pop. Obj.* = 163,090 Habitat Obj. = 4,006,045ac	<b>BCR 30<sup>1</sup></b> Pop. Obj.* = 46,268 Habitat obj. = 2,230,080ac
<b>Acres of Habitat</b>		
Acres of potentially suitable habitat on all CFAs	141,720	43,870
Percent (%) of BCR habitat objective contributed by all CFAs	3.5%	2.0%
Acres of potentially suitable habitat on <b>Conserved Lands</b>	1,398,520	98,150
Percent (%) of BCR habitat objective contributed by all <b>Conserved Lands</b>	35%	4%

<sup>1</sup> Population objectives presented from the American Woodcock Conservation Plan ([http://timberdoodle.org/sites/default/files/woodcockPlan\\_0.pdf](http://timberdoodle.org/sites/default/files/woodcockPlan_0.pdf); accessed October 2016) are expressed in terms of number of singing males to be added to the current breeding population and habitat objectives are expressed in terms of number of additional early succession acres needed to support those additional birds.

#### Assessing Contribution of Potential Management Activities to Create Successional Habitat

Active habitat management to create successional habitat for American woodcock and other disturbance-dependent wildlife (e.g., NEC) is likely to be incorporated into the habitat management plans for various CFAs in the watershed. Three of the CFAs occur within NEC focus areas, where there are targets of maintaining 1,000 acres of early successional habitat within each NEC focus area. Conte Refuge lands would not be contributing all these acres to each NEC focus area, but for the purposes of this analysis, we assume that the refuge would plan to contribute about 25 percent of these acres, or 775 acres across the three NEC focus areas. In addition, we assume that following recent management history on the refuge, approximately 60 acres will be actively managed every 5 years within acquired forest land, for a total of 180 acres over the 15 year period of this CCP. On the acres to be actively managed for early successional habitat, we assume breeding woodcock densities to be twice the density in appropriate habitat types without active management. Under these assumptions for active habitat management for early successional habitat, a total American woodcock population of 4,610 could be supported within the CFAs, with BCR breakdowns as follows:

<b>American woodcock</b>	<b>BCR 14</b> Pop. Obj. = 163,090 Habitat Obj. = 4,006,045ac	<b>BCR 30</b> Pop. Obj. = 46,268 Habitat obj. = 2,230,080ac
Estimated population on all CFAs	3,665	945
Percent (%) of BCR population objective contributed by all CFAs	2.2%	2.0%
Acres of potentially suitable habitat on CFAs	141,900	44,645
Percent (%) of BCR habitat objective contributed by all CFAs	3.5%	2.0%

**F. Bobolink**

Under the final CCP/EIS alternative C, Conte Refuge would potentially acquire pasture, hay, grassland, and other lower quality agricultural lands within the watershed. As these lands are acquired, they will be assessed to determine what their best habitat contribution is and to decide if those in grassland habitat will continue to be maintained as grassland habitat.

The National Land Cover Dataset (NLCD 2006) suggests that approximately 50 percent of the pasture, hay, grassland, and agricultural lands within the Connecticut River Valley are typically maintained in grassland habitat (pasture, hay, or grassland) and about 50 percent are maintained in row crop agriculture. Based on this information, we anticipate that up to 4,105 acres of grassland habitat could be restored after the existing grassland, hay, and pasture is acquired under the draft CCP/EIS alternative C.

With protection and appropriate management (to be specified in habitat management plans) of these acres within the CFAs, Conte Refuge lands could potentially support an estimated bobolink population of 920 birds on 4,105 acres of potentially suitable grassland habitat. Breaking these bird population and habitat numbers down by BCRs and comparing them to established population and habitat objectives for BCRs 14 and 30 results in the following comparisons. We also provide estimates of bobolink populations and acres of potentially suitable habitat on the existing conserved lands network within the watershed for comparison with lands targeted by the proposed land acquisition.

	<b>BCR 14<sup>1</sup></b> Pop. Obj. = 1,535,965 Habitat Obj. = 3,795,370ac	<b>BCR 30<sup>2</sup></b> Pop. Obj. = 30,000 Habitat obj. = 74,130ac
<b>Bobolink</b>		
<b>Population Estimates</b> (# of individuals)		
Estimated population on all <b>CFAs</b>	555	365
Percent (%) of BCR population objective contributed by all <b>CFAs</b>	0.03%	1.2%
Estimated population on existing <b>Conserved Lands</b>	10,020	170
Percent (%) of BCR population objective contributed by <b>Conserved Lands</b>	0.7%	0.6%
<b>Acres of Habitat</b>		
Acres of potentially suitable habitat in <b>CFAs</b>	1,370	2,735
Percent (%) of BCR habitat objective contributed by all <b>CFAs</b>	0.03%	3.7%
Acres of potentially suitable habitat on existing <b>Conserved Lands</b>	24,765	1,285
Percent (%) of BCR habitat objective contributed by <b>Conserved Lands</b>	0.7%	1.7%

<sup>1</sup> Population objective from the BCR 14 Bird Conservation Plan; habitat objective calculated based on estimated densities from published studies.

<sup>2</sup> Population objective from the PIF Landbird Conservation Plan and PIF population estimates database; habitat objective calculated based on estimated densities from published studies.

### **G. Waterfowl habitat, American black duck, and wood duck**

The ACJV has established habitat objectives within waterfowl focus areas for supporting the full suite of waterfowl occurring within the ACJV boundaries. Three of these focus areas exist within the watershed: (1) the Connecticut River and Tidal Wetlands Complex Focus Area along the lower Connecticut River in Connecticut, (2) the Connecticut River Focus Area, which runs along the Connecticut River in New Hampshire and Vermont, from the Massachusetts border to the river origin, and (3) the Lake Memphremagog Focus Area in Essex and Orleans County in northern Vermont.

American black duck is a high priority species for the NAWMP, the ACJV, BCR 14, and is the focus of the Black Duck Joint Venture. The ACJV is currently in the process of establishing breeding population objectives for this species, but they were not available yet at the time this document was written. We provide estimates of acres of potential black duck habitat within CFAs and the estimated number of breeding black duck pairs that could potentially be supported by this habitat. Comparisons with population objectives can be done when the breeding population objectives have been completed by the ACJV.

Wood duck is identified as a high priority species for the Atlantic Flyway Council and as a continentally high priority species for the NAWMP. BCR 14 is recognized by the NAWMP as a high priority region for breeding need and BCR 30 is considered a moderate priority region for breeding need for wood duck. While no regional population objectives have been established for wood duck, the regional priority rankings suggest that the watershed can make significant contributions to sustaining the Atlantic Flyway population at or above target levels for harvest management purposes.

By protecting additional freshwater wetlands and saltmarsh, contributions that the proposed land protection under draft CCP/EIS alternative C could be expected to make toward waterfowl habitat objectives within the ACJV waterfowl focus areas and toward supporting breeding populations of American black duck and wood duck are as follows:

<b>ACJV Waterfowl Focus Area</b>	<b>ACJV Waterfowl Habitat Objective (acres)</b>	<b>Acres of wetland habitat in CFAs within Focus Areas</b>	<b>Percent (%) of Waterfowl Habitat Objective contributed by CFAs</b>
Connecticut River and Tidal Wetlands Complex – in CT	1,157	1,700	147%
Connecticut River – in NH	3,200	3,100	97%
Connecticut River – in VT	250	1,240	496%
Lake Memphremagog –in VT	5,101	3,969	78%
Total for entire Atlantic Flyway	1,577,594	10,009	0.6%



State	Acres of Potential Wood Duck Breeding Habitat in all CFAs (including freshwater wetland and forested wetland)	Potential Breeding American Black Duck Population Supported within CFAs (# of breeding pairs, estimated at 0.1-0.05 pairs/ha of potential habitat, depending on suitability <sup>1</sup> )	Potential Breeding Wood Duck Population Supported within CFAs (# of breeding pairs, estimated at 0.25 pairs/acre of potential habitat <sup>2</sup> )
CT	6,685	135	1,671
MA	2,590	520	648
NH	3,816	154	954
VT	3,378	137	845
Watershed Total	16,469	946	4,118

<sup>1</sup> Based on estimates of breeding pair estimates from *Maisonneuve, et al. 2006. Journal of Wildlife Management. 70:450-459; and Merendinno and Ankney. 1994. Condor. 96:411-421.*

<sup>2</sup> Based on estimates of cavity densities presented in *Dugger and Fredrickson. 1992. Life History and Habitat Needs of the Wood Duck in The Waterfowl Management Handbook. Fish and Wildlife Leaflet 13. U.S. Fish and Wildlife Service, Washington, DC. ([http://www.nwrc.usgs.gov/wdb/pub/wmh/13\\_1\\_6.pdf](http://www.nwrc.usgs.gov/wdb/pub/wmh/13_1_6.pdf); Accessed October 2016)*

### **H. Migratory Stopover Habitat**

An excerpt from a 2016 report (in review), commissioned by the Service's Northeast Region, which used Doppler radar data to assess densities of migratory birds in the Northeast during fall migration, highlights the significance of stop-over habitat to migratory birds (Buler et. al, 2016). According to this study, landbirds stop frequently during their migratory journey and spend upwards of ninety-five percent (95%) of their time resting and refueling at stopover sites rather than in actual migratory flight (Alerstam 2003; Hedenström and Alerstam 1997). The migratory phase could be a limiting period of the annual cycle in many of these species (Sillert and Holmes 2002, Newton 2006, Faaborg et al. 2010a, 2010b). For example, black-throated blue warblers (*Setophaga caerulescens*) sustain up to 85% of their total adult mortality during migratory movements. Thus, identifying important stopover sites is a critical step in development of comprehensive conservation plans for migratory landbirds (Hutto 2000, Rich et al. 2004, Mehlman et al. 2005, Sheehy et al. 2011). Furthermore, the Buler et. al study indicates that during 2008 to 2014, there was a 29% decline in stopover densities of migratory birds. They conclude, "This is alarming, but must be considered seriously as a sign that aggregate populations of migratory land birds that migrate through Region 5 are experiencing rapid declines in their post-breeding population sizes since the radars comprehensively measure 25% of the land area within Region 5 in a systematic, consistent, and quantitative way."

Three studies have been conducted in the watershed to assess its importance to migratory birds. The first study was conducted in the late 1990's, to assess spring stopover habitat use by migrant birds within the watershed. The study was conducted by Smith College through funding by Conte Refuge and the Service's Northeast Region–Migratory Bird Program. It provides indications of the importance of the watershed to spring migrating birds (<http://www.science.smith.edu/stopoverbirds/index.html>; accessed October 2016). Over three years (1996 to 1998), observers conducted 8,640 point count surveys and counted a total of 102,259 birds. The results demonstrated that spring migrant birds using the Eastern Flyway reach the southern portions of the watershed in large numbers, then disperse throughout the watershed and beyond as they continue north. Almost half (47 percent) of the birds counted within the defined count circles were at sites along the mainstem of the river. This trend was even more pronounced along the Connecticut and Massachusetts portions of the river and during the early periods of spring migration. Forested wetlands and shrub swamps are likely to be particularly valuable habitats along the mainstem of the river because they provide more food and protection earlier in the spring migratory period due to warmer air and water temperatures and earlier tree leaf-out. Overall density of birds observed decreased by about half from south to north, as birds dispersed away from

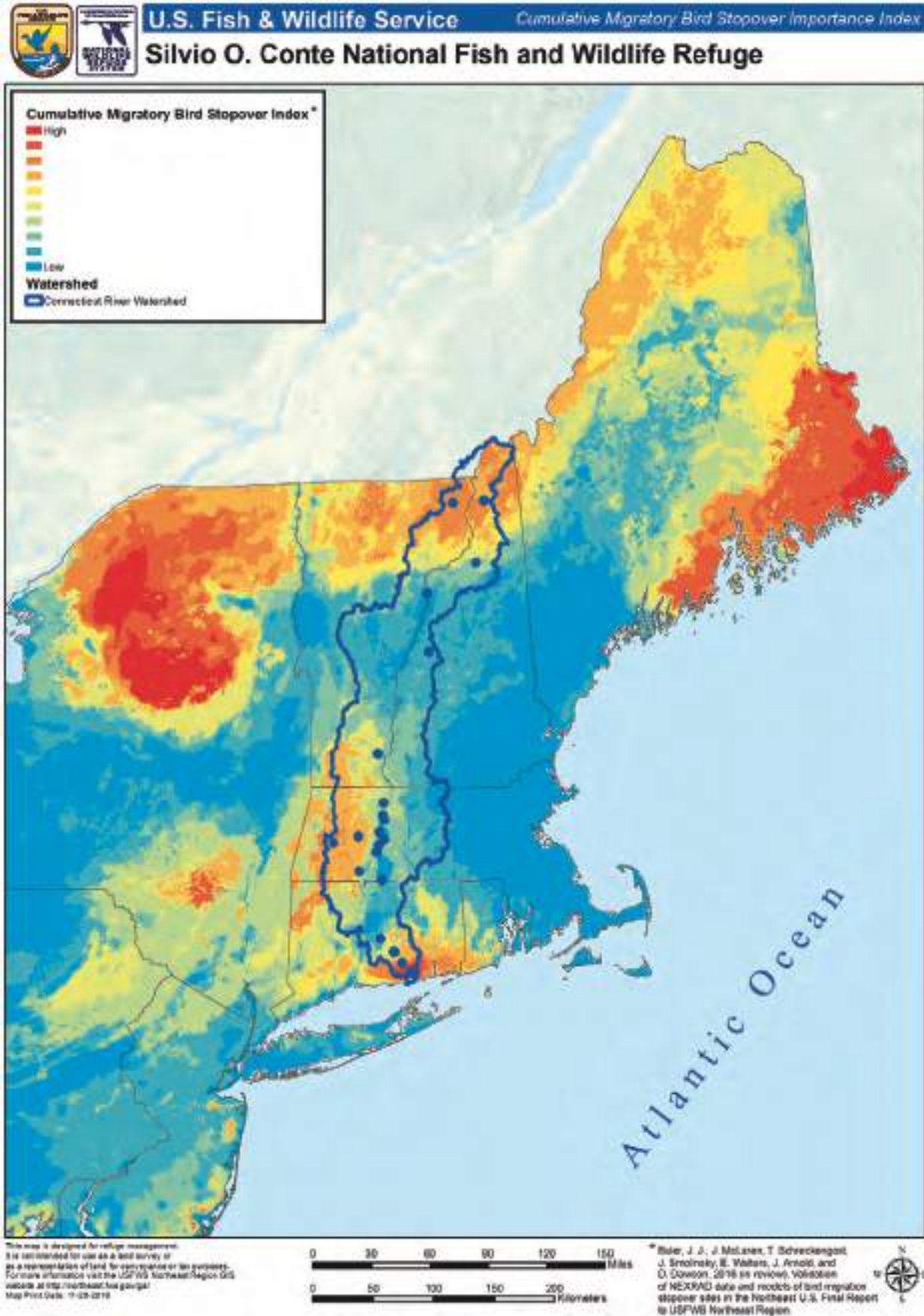
the mainstem of the river as they moved north. The mouth and lower mainstem of the river may serve as a landscape feature used by many Eastern Flyway migrants to orient north after reaching the southern New England coast.

In 2015 and 2016, another study of migratory birds was conducted in the watershed using nanotags. A final report has not been drafted, but preliminary results shed light on several key aspects of migratory bird movement and stopover areas within the watershed: 1) migrants make extended stopovers (up to 2 weeks) within the watershed, 2) they do not move exclusively along the Connecticut River valley during either spring or fall migration; and, 3) the point count data collected on habitat associations of migrants, and the preliminary analyses, suggests that migrants concentrate along forest-shrubland edges during stopover (D. King, USFS, pers comm. 2016).

The most recent study was conducted by Buler et al from 2008 to 2014 using radar to assess migration routes and concentration areas throughout the Northeast. The specific purpose of the study was to identify the spatial distribution of important stopover sites for southbound (fall) migrating birds throughout the Northeast Region, and to gain a better ecological understanding of the relationships of migrants to stopover habitats through field surveys focused in the Mid-Atlantic Coastal Plain. The study used a national network of weather surveillance radars (WSR-88D) to detect birds in flight and then to map and study the spatial distribution of landbirds shortly after they leave daytime stopover sites to embark on nocturnal migratory flights. They also used the radar observations to develop models to predict potentially important stopover sites in areas where radar data is not available. These initial maps offer tremendous potential to inform conservation planning. Map CII.1 is a map from the 2016 report which portrays an index of the cumulative importance (indicated as high, medium, and low densities) of stop over areas with our proposed CFAs overlaid. The mouth of the Connecticut River and surrounding area, and the upper reaches of the watershed, are two of four general “hotspot” stopover areas used by fall-migrating landbirds in the Northeast.

The results of these studies suggest that habitat protection, particularly within the lower sections and upper reaches of the watershed, will have significant benefits for supporting neotropical migrants during migration, especially floodplain forest and shrub- wetland habitats along the mainstem of the Connecticut River and its mouth.

Map CII.1. Cumulative Migratory Bird Stopover Importance Index





## Attachment III

### Conservation Focus Area (CFA) Parcel Tables and Corresponding Parcel Maps

The following table (CIII.1) and map (CIII.1) provide an example of how the approximately 5,000 individual land parcels are detailed in our proposal. Access to CFA parcel maps and tier assignments that comprise the full project is available on our Website at [http://www.fws.gov/refuge/Silvio\\_O\\_Conte/what\\_we\\_do/conservation.html](http://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/conservation.html).

The following example of table and corresponding map present the unique map identifier for each individual parcel, the parcel's official identifier in town or county records, its size in acres, whether it is currently in public or private ownership, our priority ranking for the parcel represented in tiers, the State it is in, the Town it is in, and whether it has any existing conservation status.

As detailed in Part IV of the LPP, we plan to only acquire either a full or partial interest in a parcel when willing sellers make them available and if funding is available. Due to our willing seller only policy and longstanding practice and other landowner preferences; approximately 10 percent of the parcels or 10 percent of the land included in the LPP will likely not be acquired by the Service. The following is a list of the definitions of each column heading:

CFA <sup>1</sup> Map Number	Parcel <sup>2</sup> Label	Tax <sup>3</sup> Parcel ID	Acres <sup>4</sup>	Ownership Type <sup>5</sup>	Tier <sup>6</sup>	State <sup>7</sup>	Town <sup>8</sup>	Current Conservation Status, if any <sup>9</sup>
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<sup>1</sup> **CFA Map Number:** A three letter acronym provides a unique identifier for each respective CFA.

<sup>2</sup> **Parcel Label:** This number corresponds to the unique parcel identifier on the corresponding CFA map. Numbers may not be sequential due to recent updates.

<sup>3</sup> **Tax Parcel ID:** This numeric or alphanumeric code represents the official town or county tax identifier for the individual parcel

<sup>4</sup> **Acres:** This represents the size of the individual parcel in acres based on official tax records.

<sup>5</sup> **Ownership Type:** The indicates whether the current owner is a "Private" or "Public" entity

<sup>6</sup> **Tier:** Individual parcels are ranked as either being in Tier 1, Tier 2, or Tier 3 based on the presence and amount of important terrestrial habitat, presence and amount of important water and wetlands habitat, and its size. Tier 1 parcels include more and larger important habitat areas and are bigger in size. See Table C.9 in LPP and associated narrative for more information.

<sup>7</sup> **State:** This indicates the respective State the parcel lies in.

<sup>8</sup> **Town:** This indicates the respective Town the parcel lies in.

<sup>9</sup> **Conservation Status:** This indicates whether the parcel has any existing conservation status based on an interest from another conservation organization. If known, fee interest or easement interest is indicated. We would not pursue acquisition of land already in an existing, permanent conservation status, except under extenuating circumstances..

**Table CIII.1. Example Parcel Table for Proposed Blueberry Swamp Conservation Focus Area (CFA) (full project can be accessed at: [http://www.fws.gov/refuge/Silvio\\_O\\_Conte/what\\_we\\_do/conservation.html](http://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/conservation.html))**

CFA Map Number	Parcel Label on CFA Map	Tax Map Number	Tax Lot Number	Parcel Acres	Tier	Parcel Town	Parcel State
BBS1	1	420	17	14.02	2	Columbia	NH
BBS1	2	420	16	12.36	3	Columbia	NH
BBS1	3	420	15	12.24	3	Columbia	NH
BBS1	4	420	18	143.93	2	Columbia	NH

CFA Map Number	Parcel Label on CFA Map	Tax Map Number	Tax Lot Number	Parcel Acres	Tier	Parcel Town	Parcel State
BBS1	6	420	14	17.84	3	Columbia	NH
BBS1	8	417	100.2	78.46	2	Columbia	NH
BBS1	9	420	13	51.93	2	Columbia	NH
BBS1	10	417	101	11.52	3	Columbia	NH
BBS1	13	420	8	52.86	2	Columbia	NH
BBS1	21	420	60	7.81	3	Columbia	NH
BBS1	23	420	61	6.96	3	Columbia	NH
BBS1	24	420	44	6.69	3	Columbia	NH
BBS1	26	420	62	7.31	3	Columbia	NH
BBS1	27	420	49	22.53	3	Columbia	NH
BBS1	30	420	63	7.18	3	Columbia	NH
BBS1	32	420	3.2	4.58	3	Columbia	NH
BBS1	33	420	65	5.29	3	Columbia	NH
BBS1	35	420	66	0.77	3	Columbia	NH
BBS1	36	420	45	5.4	3	Columbia	NH
BBS1	37	420	64	12.9	3	Columbia	NH
BBS1	40	420	46	46.52	2	Columbia	NH
BBS1	41	420	48	27.86	3	Columbia	NH
BBS1	42	420	67	4.8	3	Columbia	NH
BBS1	44	421	11	0.12	3	Columbia	NH
BBS1	46	421	12	97.12	1	Columbia	NH
BBS1	48	421	10	95.85	2	Columbia	NH
BBS1	49	421	14	2.95	3	Columbia	NH
BBS1	50	421	15	20.42	2	Columbia	NH
BBS1	51	421	16	10.01	3	Columbia	NH
BBS1	54	421	13	77.44	1	Columbia	NH
BBS1	56	421	8	61.19	2	Columbia	NH
BBS1	60	416	18	107.84	2	Columbia	NH
BBS1	61	421	17	51.62	2	Columbia	NH
BBS1	63	416	34	43.42	2	Columbia	NH
BBS1	64	416	53	76.94	2	Columbia	NH
BBS1	65	421	18	109.22	1	Columbia	NH
BBS1	75	416	17	3.05	3	Columbia	NH
BBS1	77	416	6	133.95	3	Columbia	NH
BBS1	80	421	7	25.99	3	Columbia	NH
BBS1	85	421	20.1	0.96	3	Columbia	NH
BBS1	88	421	6	23.27	3	Columbia	NH

CFA Map Number	Parcel Label on CFA Map	Tax Map Number	Tax Lot Number	Parcel Acres	Tier	Parcel Town	Parcel State
BBS1	89	421	21	0.27	3	Columbia	NH
BBS1	92	421	22	2.15	3	Columbia	NH
BBS1	93	421	24	1	3	Columbia	NH
BBS1	95	421	5	5.11	3	Columbia	NH
BBS1	96	421	28	11.71	3	Columbia	NH
BBS1	97	421	25	0.25	3	Columbia	NH
BBS1	99	416	55.2	47.03	3	Columbia	NH
BBS1	100	421	26	0.24	3	Columbia	NH
BBS1	102	421	28.1	0.22	3	Columbia	NH
BBS1	104	421	27	0.23	3	Columbia	NH
BBS1	105	421	3	10.86	3	Columbia	NH
BBS1	106	416	5	56.35	3	Columbia	NH
BBS1	107	416	4	2.03	3	Columbia	NH
BBS1	108	416	55.1	2.73	3	Columbia	NH
BBS1	109	416	46	119.58	3	Columbia	NH
BBS1	110	416	56.1	6.79	3	Columbia	NH
BBS1	111	411	2	12.36	3	Columbia	NH
BBS1	112	416	47	34.1	3	Columbia	NH
BBS1	113	416	3	11.1	3	Columbia	NH
BBS1	115	411	3	11.34	3	Columbia	NH
BBS1	116	416	1	11.51	3	Columbia	NH
BBS1	117	416	61	5.85	3	Columbia	NH
BBS1	118	416	60	5.58	3	Columbia	NH
BBS1	119	416	2	11.42	3	Columbia	NH
BBS1	120	416	59	5.7	3	Columbia	NH
BBS1	121	421	34	6.36	3	Columbia	NH
BBS1	122	421	29	104.66	3	Columbia	NH
BBS1	123	416	58	5.19	3	Columbia	NH
BBS1	124	421	32	5.06	3	Columbia	NH
BBS1	125	421	30	62.75	2	Columbia	NH
BBS1	126	416	43.1	22.27	2	Columbia	NH
BBS1	133	416	52	5.88	3	Columbia	NH
BBS1	135	416	62.1	422.27	2	Columbia	NH
BBS1	139	416	51	6.02	3	Columbia	NH
BBS1	140	416	48	108.8	3	Columbia	NH
BBS1	141	416	50	11.83	3	Columbia	NH
BBS1	143	416	49	11.15	3	Columbia	NH
BBS1	149	421	33	113.97	3	Columbia	NH



CFA Map Number	Parcel Label on CFA Map	Tax Map Number	Tax Lot Number	Parcel Acres	Tier	Parcel Town	Parcel State
BBS1	154	421	31	104.55	2	Columbia	NH
BBS1	160	421	31.01	97.54	2	Columbia	NH
BBS1	161	416	44	60.7	3	Columbia	NH
BBS1	166	416	45	132.48	2	Columbia	NH
BBS1	170	422	2.2	38.3	3	Columbia	NH
BBS1	171	422	3	105.51	3	Columbia	NH
BBS1	174	422	1	153.2	1	Columbia	NH
BBS1	181	422	2.1	58.24	2	Columbia	NH
BBS1	190	416	43.2	18.89	2	Columbia	NH
BBS1	191	416	43.3	14.77	2	Columbia	NH
BBS1	192	416	43.4	19.84	2	Columbia	NH
BBS1	126	416-43.1	22.3	Private	2	NH	Columbia
BBS1	133	416-52	5.9	Private	3	NH	Columbia
BBS1	135	416-62.1	422.3	Private	2	NH	Columbia
BBS1	139	416-51	6.0	Private	3	NH	Columbia
BBS1	140	416-48	108.8	Private	3	NH	Columbia
BBS1	141	416-50	11.8	Private	3	NH	Columbia
BBS1	143	416-49	11.2	Private	3	NH	Columbia
BBS1	149	421-33	114.0	Private	3	NH	Columbia
BBS1	154	421-31	104.6	Private	2	NH	Columbia
BBS1	160	421-31.01	97.5	Private	2	NH	Columbia
BBS1	161	416-44	60.7	Private	3	NH	Columbia
BBS1	166	416-45	132.5	Private	2	NH	Columbia
BBS1	170	422-2.2	38.3	Private	3	NH	Columbia
BBS1	171	422-3	105.5	Private	3	NH	Columbia
BBS1	174	422-1	153.2	Private	1	NH	Columbia
BBS1	181	422-2.1	58.2	Private	2	NH	Columbia
BBS1	190	416-43.2	18.9		2	NH	Columbia
BBS1	191	416-43.3	14.8		2	NH	Columbia
BBS1	192	416-43.4	19.8		2	NH	Columbia



## Attachment IV

### ***Connect the Connecticut Landscape Conservation Design Overview and Example of Three Data Products***

#### **Overview**

The *Connect the Connecticut* LCD is intended to guide and focus conservation actions, including land protection, management, restoration, and general land stewardship, where it will likely do the most good towards conserving biodiversity within the Connecticut River watershed (watershed). The *Connect the Connecticut* LCD provides a watershed-based conservation design to complement or supplement conservation planning done at local or finer extents. Although the *Connect the Connecticut* LCD offers a way to strategically focus limited conservation resources, by itself it is not sufficient as a total solution to biodiversity conservation in the watershed. This design serves as a starting point that should be used in combination with other sources of information and tools to inform conservation decisions where a sense of role and place within a larger landscape is desirable. The *Connect the Connecticut* guidance report (Schwenk and Mallek 2016) provides a more extensive overview to the design, its methodology, and how it can be used as a conservation tool.

*Connect the Connecticut* is an example of the increasingly common approach to large-scale conservation termed *Landscape Conservation Design*. Landscape Conservation Design refers to a collaborative, holistic process among partners that results in shared conservation strategies at specified locations. *Landscape* conveys the idea that the process encompasses a large area such as an entire watershed. *Design* conveys the idea of a creative process to identify specific areas for priority action that collectively comprise an integrated, interrelated whole. *Connect the Connecticut* takes advantage of emerging capabilities to map, analyze, and forecast changes to natural resources to a degree never before possible. These innovations allowed the partners to develop a detailed, strategic conservation *design*. The design outlines a network of *core areas*, or intact, connected, and resilient places within the watershed. This design also includes connections and supporting landscapes that, along with the core areas, serve as a roadmap for conservation action.

*Connect the Connecticut* reflects a unified vision that considers the value of fish and wildlife species, and the ecosystems they inhabit, from Long Island Sound to the peaks of the White Mountains. Core areas include high quality, resilient examples of the full range of ecosystem types throughout the watershed, from spruce-fir forests to small streams to freshwater marshes. High quality habitat for a set of 20 fish and wildlife species—including American woodcock, wood thrush, and Eastern brook trout—is also a key component of the network of core areas. These species have been chosen to represent others that rely on similar habitats in the watershed.

In addition to the network of core areas, *Connect the Connecticut* provides a set of tools and information that resource managers, planners, and many others can use to prioritize effective conservation action to maintain and restore the natural resources of the watershed. It also provides information about how the watershed may change in future decades as human communities grow and climate changes. The information is intended to complement other state and local sources of knowledge and planning efforts. The partnership is committed to using these tools, learning from them and sharing these lessons back to the full partnership so that *Connect the Connecticut* can be a living document that informs conservation actions by the team and many others across the basin.

The innovative work of integrating the best available spatial and ecological scientific data into a unified conservation design, and of developing many of those components, was led by a team of scientists from the Department of Environmental Conservation at the University of Massachusetts Amherst. This effort, one part of the broader *Designing Sustainable Landscapes* project, was supported by the North Atlantic LCC and the Northeast Climate Science Center. UMass incorporated data and information from The Nature Conservancy, the U.S. Geological Survey, and state fish and wildlife agencies into the design process.

The partners who developed *Connect the Connecticut* are now using the design to guide decisions on implementing conservation actions as part of an ongoing learning process, which will be discussed in future meetings of the partnership. For example, partners at the Massachusetts Division of Fisheries and Wildlife plan to use the design to support ongoing efforts to identify the best habitat for rare species in the Commonwealth, and the Long Island Sound Regional Conservation Fund plans to use the design as a source of information to help identify priority locations for forest conservation.



The complete design package consists of a series of spatial datasets mapped for the Connecticut River watershed, which have been grouped into four main categories:

- (1) The Core-Connector Network of the places most essential for conservation action, in both terrestrial and aquatic settings. Collectively, this network is intended to represent the areas most important for maintaining the benefits provided by the fish, wildlife, and ecosystems of the watershed. Components of the network include core areas, connectors, supporting landscapes, and aquatic buffers.
- (2) Supporting Data used to create the Core-Connector Network. They can help in understanding and setting priorities within the interconnected network, but also can be used independently. Examples include datasets that depict ecological integrity and species habitat.
- (3) Restoration Tools that can inform actions for re-connecting and enhancing the ecosystems of the watershed.
- (4) Future Change Tools that provide context for making more strategic decisions in anticipation of future changes related to climate and land use

We profile three important Connecticut River Watershed LCD data products below and share an example map of how each data layer overlaps with three northern CFAs.

#### **Terrestrial core-connector network (map CIV.1)**

The *Connect the Connecticut* LCD was created by a group of stakeholders from different institutions, all united by the common cause of maintaining the fish, wildlife, and ecosystems of the Connecticut River watershed over the long term. Through an iterative and collaborative process, the partnership developed a framework for conservation action designed to achieve a set of shared goals. That framework is anchored by the terrestrial and aquatic Core-Connector Networks. These networks of high priority core areas for both terrestrial (including wetlands) and aquatic ecosystems represent a synthesis of ecological information and are designed to provide strategic guidance for conserving natural areas, and the fish, wildlife, and other components of biodiversity that they support, within the watershed.

In combination with the aquatic core area network, the terrestrial core-connector network spatially represents the ecological network developed by the Connecticut River watershed landscape conservation design partnership as part of the *Connect the Connecticut* LCD. Components of the terrestrial network include core areas, connectors, and supporting landscapes.

Across the network, the Tier 1 terrestrial core areas can be viewed as the best places to start for protection and management of lands and waters in their natural state. Connectivity needs for terrestrial species are met by linking Tier 1 terrestrial core areas through a defined set of connectors that represent the best available places for plants and animals to move across the landscape. While the Tier 1 terrestrial core areas are the highest priority for conservation, Tier 2 terrestrial core areas and supporting landscapes help confer value on their associated core areas and benefit from various stewardship activities (Figure 2). Tier 1 cores are nested within the Tier 2 cores, which are nested within the Supporting Landscapes. Supporting landscapes specifically provide practical boundaries within which to direct conservation actions when political or parcel boundaries are relevant, such as easement design or the implementation of forest management plans.

Core areas serve as the foundation of the conservation design. Spatial data and information used to create the core areas includes.

- Areas of relatively high ecological integrity across all terrestrial and wetland ecosystem types.
- Areas of relatively high resilience across the full spectrum of geophysical settings present in the watershed.
- Areas of relatively high current landscape capability for a suite of 14 representative terrestrial wildlife species.
- Areas of high potential for floodplain forest restoration along major rivers, emphasizing areas where geomorphic characteristics favor the development of floodplain forest.

- Areas of terrestrial rare natural communities that support unique biodiversity, regardless of their landscape context.

Connectors represent “corridors” that could facilitate the movement of plants and animals (i.e., ecological flow) between terrestrial core areas. These connectors increase the resiliency of the core area network to uncertain land use and climate changes.

Terrestrial Tier 2 Core Areas support the Tier 1 terrestrial cores. Like the Tier 1 core areas, Tier 2 core areas encompass a variety of intact ecosystems and high quality habitat for wildlife distributed across the watershed and constitute 25% of the land area of the watershed.

Supporting Landscapes are the lands surrounding Tier 1 and 2 core areas out to the nearest significant road or development. The inclusion of Supporting Landscapes recognizes the fact that the entire forest block or other natural area in which a terrestrial-based core area is located influences the integrity of and is potentially important to the maintenance of the ecological value in the core areas. Terrestrial core area boundaries are based on ecological value and may not follow recognizable jurisdictional or property boundaries, though they do not span major roads. Because Supporting Landscapes follow familiar road boundaries, conservation actions directed at core areas can be associated with convenient borders if desired.

There is a strong correlation with the Conte Refuge Conservation Focus Areas (CFAs) as defined in this LPP and the Tier 1 cores and connectors from *Connect the Connecticut* (see map CIV.1). Tier 1 cores and connectors have nearly 80% overlap with the identified CFAs (table 1). Those non-overlapping lands are generally targets for restoration. Virtually all of the land in CFAs is identified in the *Connect the Connecticut* design as a Tier 1 or Tier 2 core, a connector, or a Supporting Landscape. Of the non-secured lands within CFAs, 117,669 acres (5% of the currently non-secured Tier 1 cores and connectors) are also in Tier 1 cores or connectors. Acquisition of these acres would contribute toward the larger landscape core and connector goals outlined in *Connect the Connecticut*.

**Table CIV.1. Acres of land in the Connecticut River watershed and variously defined sub-geographies.**

Geography	Area in Acres
Connecticut River watershed	7,191,590
Secured Lands	1,794,316
Tier 1 Cores	1,783,164
Tier 1 Cores and Connectors combined	3,417,943
Secured land that intersects with Tier 1 Cores and Connectors	1,205,588
Secured land that intersects with Tier 1 Cores	775,741
Conte CFAs	213,558
Tier 1 core area intersects with CFAs	117,196
Connectors that intersect with CFAs	50,027
Secured land that intersects with CFAs	62,141
Non-secured land in CFAs <i>and</i> Tier 1 cores or connectors	117,669
Non-secured land in CFAs <i>and</i> Tier 1 cores	76,544
Non-secured land in the watershed <i>and</i> Tier 1 cores or connectors	2,212,812

#### **Aquatic ecosystem-based core areas (map CIV.2)**

The aquatic ecosystem-based core area was used to create the aquatic ecosystem-based cores. It is a continuous surface in which every cell is assigned a value based on its relative ecological integrity within each HUC6 watershed. In most places this index has the same value as the index of ecological integrity (IEI, another data product developed for the *Connect the Connecticut* LCD). However, where headwater streams occur the index is the average of the IEI and the USGS stream temperature tolerance index (another data product developed

for the *Connect the Connecticut* LCD). This layer can be used to understand the relative ecological contribution of aquatic cores and as information about the relative ecological value of areas surrounding the aquatic cores. The underlying data layers used to construct it can also be used independently.

### **Species landscape capability (map CIV.3)**

As a complement to the ecosystem-based approach for identifying conservation priorities, *Connect the Connecticut* also specifically considers the habitat needs of fish and wildlife. Because it is not possible to identify priority habitat locations for all of the hundreds of species that inhabit the watershed, *Connect the Connecticut* focuses on habitat needs for a carefully-selected set of 14 wildlife species (listed below). These were chosen to represent the habitat needs of a large number of species that share many of the same habitats. These “representative species” were also chosen because they are sensitive to landscape change, such as loss of habitat due to development, and because they are well studied, enabling researchers to map their habitats. Several are species of conservation concern.

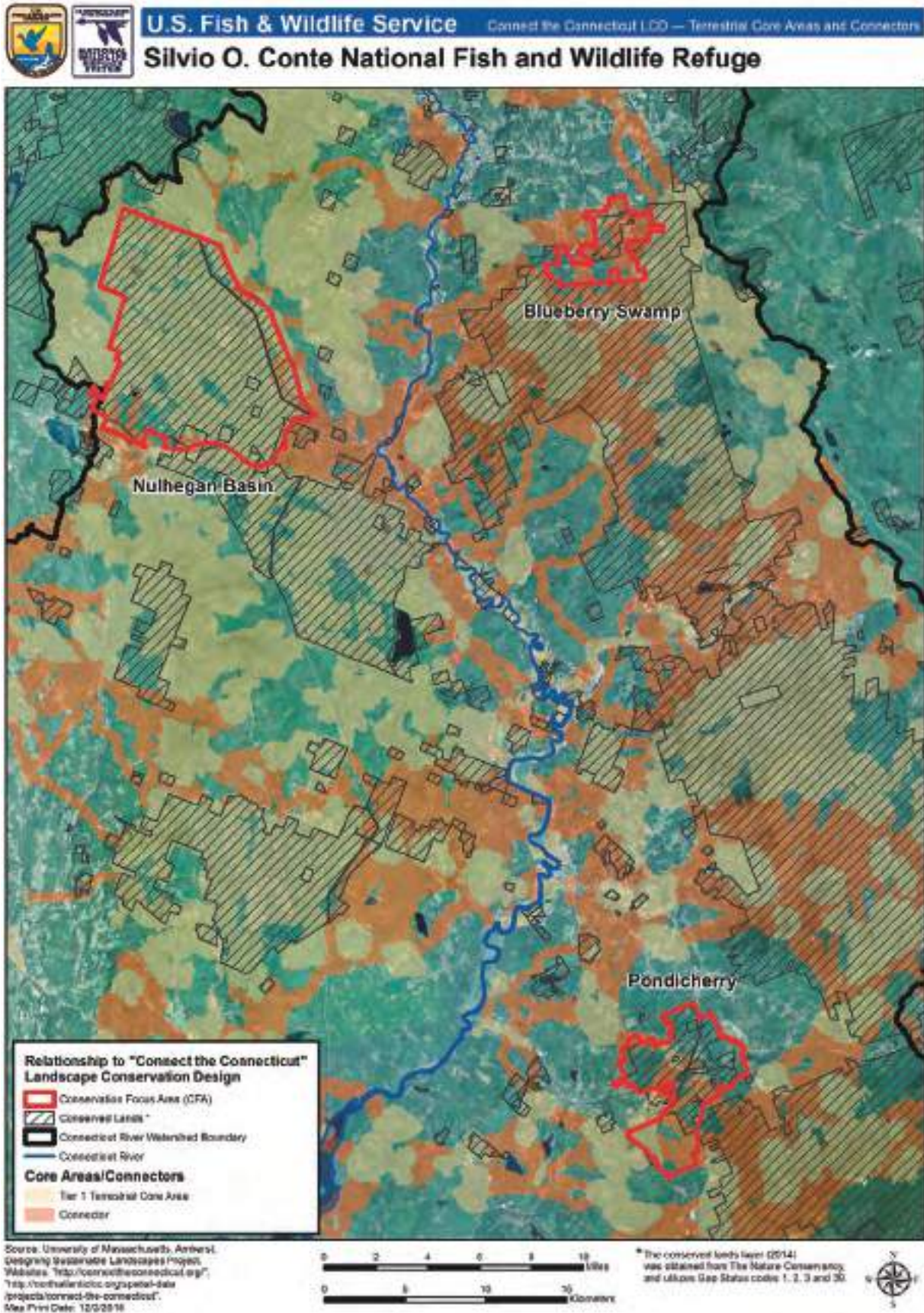
Landscape capability is an integrated measure of habitat quality and ability to support a focal species, climate suitability, and existing data on occurrence and abundance. Landscape capability relates characteristics of the landscape to those places where populations are most abundant or successful. Each individual species’ landscape capability is calculated from a model unique to that species. In addition, each species is considered a representative for a larger suite of species with similar ecological needs and uses. The following 14 species landscape capability models are available:

- (1) American woodcock
- (2) Black bear
- (3) Blackburnian warbler
- (4) Blackpoll warbler
- (5) Eastern meadowlark
- (6) Louisiana waterthrush
- (7) Marsh wren
- (8) Moose
- (9) Northern waterthrush
- (10) Prairie warbler
- (11) Ruffed grouse
- (12) Wood duck
- (13) Wood thrush
- (14) Wood turtle

These models were used as inputs during the creation of the species-based core areas. More detailed information about the representative species models is available from the species documentation from the UMass-maintained DSL project web page (<http://www.umass.edu/landeco/research/dsl/dsl.html>, accessed July 2016).

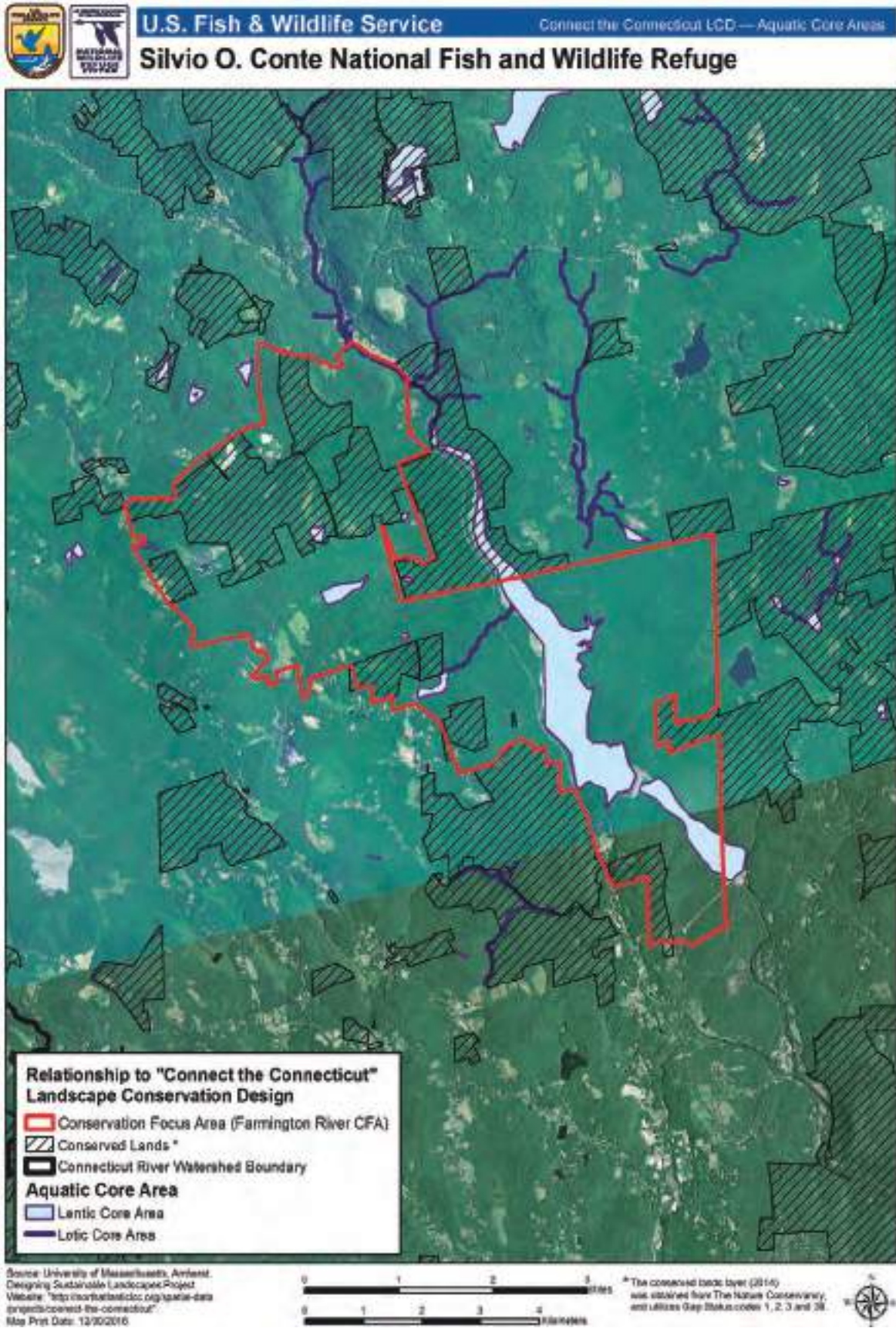


Map CIV.1. Example of How the Blueberry Swamp, Nulhegan Basin, and Pondicherry CFAs Overlap with the Connecticut River Watershed LCD Project's Terrestrial Core-connector Network Product.



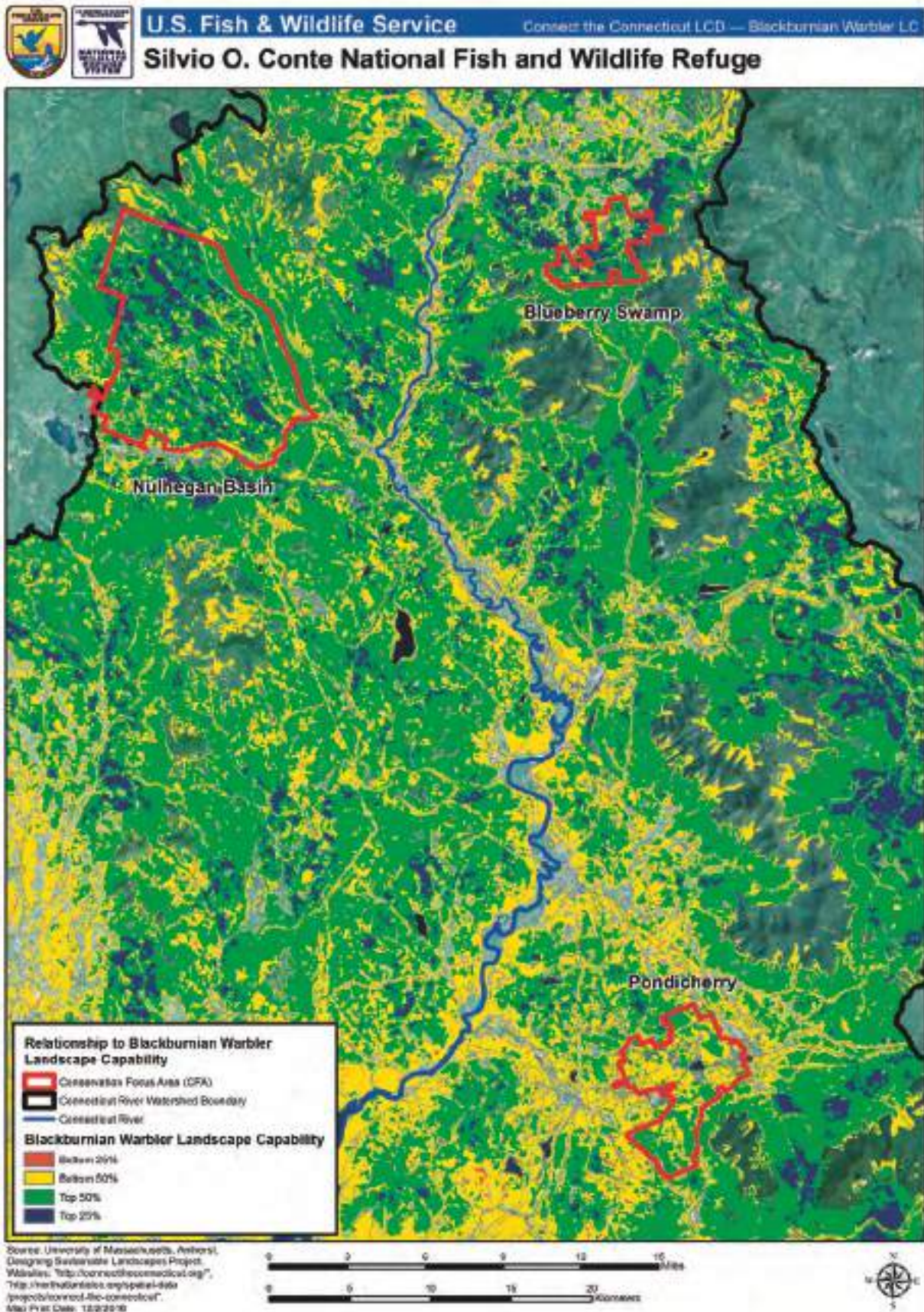


Map CIV.2. Example of How the Farmington River CFA Overlaps with the Connecticut River Watershed LCD Project's Aquatic Core Areas.





Map CIV.3. Example of How the Blueberry Swamp, Nulhegan Basin, and Pondicherry CFAs Overlap with the Connecticut River Watershed LCD Project's Blackburnian Warbler Landscape Capability Index Product.





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## Appendix D



USFWS

*Mowing a woodcock roosting area on the Nulhegan Basin Division*

## Findings of Appropriateness and Compatibility Determinations





## Findings of Appropriateness and Compatibility Determinations

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** All-terrain Vehicles and Other Off-road Vehicles

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?		✓
(c) Is the use consistent with applicable Executive orders and Department and Service policies?		✓
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?		✓
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?		✓
(g) Is the use manageable within available budget and staff?		✓
(h) Will this be manageable in the future within existing resources?		✓
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?		✓
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?		✓

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: John W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**



## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** All-terrain Vehicles and Other Off-road Vehicles<sup>1</sup>

### **NARRATIVE:**

As part of the Comprehensive Conservation Plan (CCP) planning process for Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge, refuge), refuge staff have evaluated all existing or requested non-priority public uses to determine if they are an appropriate use for the refuge. The use of all-terrain vehicles (ATVs) and other off-road vehicles, such as dirt bikes, is not a priority public use of the National Wildlife Refuge System (Refuge System), as defined under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). The use of ATVs and other off-road vehicles on the refuge does not contribute to any priority public uses. This finding of appropriateness also covers the off-road use of bicycles, cars, and motorcycles. Although these vehicles are allowed on designated refuge roads, they are not allowed off of these roads.

Based on our evaluation, we have found the use of ATVs and other off-road vehicles is not appropriate at Conte Refuge for the reasons listed below.

- ATV use on the refuge is prohibited under 50 CFR 27.31 (October 2015).
- ATV and other off-road vehicle use has the potential to disturb migratory birds, other wildlife species, and refuge visitors because they can be used throughout much of the year and are capable of traveling at high speeds, causing damage to vegetation, soils and habitats (Marion and Olive 2006; Meadows et al. 2008). ATVs and other off-road vehicles can cause considerable soil compaction and erosion and negatively impact habitats' natural hydrology by creating ruts in roads and trails, particularly during wet and muddy conditions (Meyer, 2002), leading to soil erosion and siltation in refuge streams and wetlands. These types of vehicles can also damage refuge habitats and native plant communities by crushing and killing vegetation. Disturbance to wildlife and damage to soils and vegetation from ATVs and other off-road vehicles can be widespread because they are designed to, and generally are, used off roads and trails. Given many of the aforementioned factors, monitoring data demonstrates that trail impacts related to ATV use tend to be substantially greater than other forms of non-motorized trail uses (Marion and Olive 2006). Although snowmobiles are similar to ATVs and other off-road vehicles, the impacts of ATVs and other off-road vehicles on soils, vegetation, and wildlife are generally higher. This is because ATVs and other off-road vehicles can be used throughout much of the year, whereas snowmobiles are only used during the winter when soils are covered with snow and frozen and outside the growing and breeding season for most plants and wildlife. Also, on the Conte Refuge, snowmobiles are confined to designated, groomed trails—the majority of these trails follow the existing road network.
- The use of ATVs and other off-road vehicles can conflict with other existing wildlife-dependent recreational uses. These vehicles may disturb wildlife and cause animals to flush, thus affecting visitors engaged in priority public uses, such as wildlife observation, photography, and fishing. ATVs and other off-road vehicles also have the potential to cause damage to refuge habitats and decrease the quality of other visitors' experiences and their ability to engage in wildlife-dependent priority public uses. These issues are greatest when ATVs and other users occupy the same areas (e.g., share trails).

<sup>1</sup> This finding of appropriateness does not cover the use of snowmobiles; please see the separate finding of appropriateness and compatibility determinations for snowmobiling at the refuge's Nulhegan Basin, Pondicherry, and Dead Branch Divisions. Snowmobiling is only allowed on designated snowmobile trails on these divisions.

- Given the potential to severely damage soils and vegetation, disturb wildlife, and cause conflicts between user groups, ATVs and other off-road vehicles are not consistent with the refuge's goals to protect wildlife, promote environmental education, and support priority public uses, as defined in the Conte Refuge draft CCP/environmental impact statement. Nor is the use consistent with the refuge's purposes. The refuge's purposes are:
  - \* To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
  - \* To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species, and the ecosystem upon which these species depend within the refuge.
  - \* To protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 as amended (16 U.S. 1531 et seq.).
  - \* To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
  - \* To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
  - \* To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

This finding of appropriateness was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

### **LITERATURE CITED:**

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- Meadows D., Foltz R., and N. Geehan. 2008 Effects of All-Terrain Vehicles on Forested Lands and Grasslands. United States Department of Agriculture, Forest Service, National Technology & Development Program, Recreation Management. 0823 1811—SDTDC. December 2008





**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Manned and Unmanned Aircraft Use for Recreational or Commercial Purposes

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?		✓
(c) Is the use consistent with applicable Executive orders and Department and Service policies?		✓
(d) Is the use consistent with public safety?		✓
(e) Is the use consistent with goals and objectives in an approved management plan or other document?		✓
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?		✓
(g) Is the use manageable within available budget and staff?		✓
(h) Will this be manageable in the future within existing resources?		✓
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?		✓
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?		✓

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes \_\_\_\_\_ No ✓.

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate** ✓ **Appropriate** \_\_\_\_\_

Refuge Manager: Andrew C French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: [Signature] Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Manned and Unmanned Aircraft Use for Recreational or Commercial Purposes

### **NARRATIVE:**

As part of the Comprehensive Conservation Plan (CCP) process for Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge, the refuge), refuge staff have evaluated all existing or requested non-priority public uses to determine if they are an appropriate use for the refuge. The use of manned and unmanned aircraft for recreational or commercial purposes on the refuge is not a priority public use of the National Wildlife Refuge System (Refuge System), as defined under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). Manned and unmanned aircraft includes, but not limited to, airplanes, ultralights, hang-gliders, paragliders, parachutes, helicopters, hot air balloons, and other manned aircraft systems, as well as model aircraft/airplanes, powered gliders, drones, motorized aerial vehicles, remotely piloted vehicle (RPV), multicopters (quad-, hexa- and octocopter), and other unmanned aircraft systems.

Based on our evaluation, we have found the landing and launching of manned and unmanned aircraft for recreational or commercial purposes is not appropriate at Conte Refuge for several reasons:

- The landing and launching of aircraft is not consistent with Federal regulations. According to 50 CFR §27.34, “The unauthorized operation of aircraft, including sail planes, and hang gliders, at altitudes resulting in harassment of wildlife, or the unauthorized landing or take-off on a national wildlife refuge, except in an emergency, is prohibited. National wildlife refuge boundaries are designated on up-to-date FAA [Federal Aviation Administration] aeronautical charts.”
- There is also clear regulatory guidance that prohibits aircraft use to disturb, or attempt to disturb, wildlife (50 CFR § 27.51).
- In addition, the Airborne Hunting Act (16 USC 742j1) provides regulatory authority to prohibit the use of aircraft to aid the hunting of wildlife and their pursuit and/or harassment.
- Aircraft operated without direct human intervention, such as unmanned aircraft systems, drones, model airplanes, etc. also fall under these regulations as they are considered aircraft regardless of size or weight. 50 CFR § 10.12 defines “aircraft” as “any contrivance used for flight in the air.” In 14 CFR 1.1, aircraft means a device that is used or intended to be used for flight in the air. The U.S. Fish and Wildlife Service (Service) interprets the definition of “aircraft” in 50 C.F.R. § 10.12 to include any device that is used for flight in the air without the possibility of direct human intervention from within or on the device. All associated operational elements, including cameras, sensors, communication links, and all of the components that are required for the system operator to control the device are considered part of the device. The term “aircraft” includes all types of unmanned devices that meet this definition, including, but not limited to, model aircraft/airplanes, powered gliders, drones, motorized aerial vehicles, remotely piloted vehicle (RPV), multicopters (quad-, hexa- and octocopter), and other unmanned aircraft systems.
- The refuge goals, as defined in the Conte Refuge draft CCP, are focused on protecting the refuge’s and Connecticut River’s natural resources and offering priority, wildlife-dependent recreation. The refuge’s purposes are:
  - \* To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants fish and wildlife.

- \* To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species, and the ecosystem upon which these species depend within the refuge.
- \* To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 as amended (16 U.S. 1531 et seq.).
- \* To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- \* To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- \* To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.
- The use would conflict with Service policy 605 FW1 1.6 (C) and (D) and the Conte Refuge goals and purposes for the following reasons:
  - \* Aircraft have the potential to disturb migratory birds and other native wildlife (McEvoy et al. 2016; Lambertucci et al. 2015; Dolbeer 2006; Knight and Cole 1995; Belanger and Bedard 1995; Mancini et al. 1988; Smith et al. 1988; and Owens 1977). This research shows that response to aircraft is influenced by many variables including aircraft size, proximity or visibility, altitude, flight profile, and aircraft noise. In particular, these activities could disturb birds and other species that rely on grasslands because these activities are most likely to occur in grassland habitats. Wildlife may be disturbed by noise from these aircraft, particularly from low-flying crafts and those that are landing or launching (Lambertucci et al. 2015; Owens 1977). This may cause birds and other wildlife to flush or disturb nesting birds and their nests. The launching and landing of these crafts can damage vegetation and directly impact wildlife by crushing nests or individuals. Additionally, aircraft users may need to leave roads and trails and/or enter fields to launch/retrieve their aircraft. This type of off-trail use may cause birds and other wildlife to flush, or may disturb nesting birds and their nest sites. While some wildlife can habituate to users on trails, wildlife may react most strongly to disturbance from users off trails (Taylor and Knight 2003).
  - \* The activities do not support and are not necessary to participate in any priority public uses. These activities do not contribute to visitors' appreciation or understanding of the refuge's resources.
  - \* The activities can conflict with existing wildlife-dependent recreational uses by disturbing other visitors engaged in priority public uses. Landing and launching aircraft for recreational or commercial purposes on refuge lands open to the public may degrade the experience of those participating in one or more priority public uses. Refuges are mandated to evaluate the quality of public uses permitted on refuge lands (605 FW1). For example, these aircraft may flush birds that photographers or hikers are observing, and loud noise from engines may detract from other visitors' enjoyment of the refuge. In this case, it would be in conflict of Service policy 605 FW1 1.6 (C) which directs the Service to minimize conflicts with fish and wildlife (which by extension affects the quality of a visitor's experience), and in part, (D) to minimize conflict with other users.
  - \* The activities may not be consistent with public safety because refuge visitors would not expect aircraft to attempt to land on the refuge and we can not guarantee pilots a safe place to land.
- Finally, given the potential volume of activities, expanse of lands over where the activities might occur, unpredictable location of activities, and current budget and staffing levels, managing the use with existing resources is not feasible. Refuge staff would be required to ensure that all aircraft are not launched or retrieved on refuge lands and that their use is not causing disturbance, harassing wildlife, or conflicting with other users. The difficulty in managing the activities to ensure that wildlife and compatible priority public uses are not negatively impacted would be significant. The activities are unpredictable in location across thousands of acres of the refuge, and are therefore difficult to evaluate the consequences of the activities or to utilize existing personnel to manage the use to ensure compatibility.



Two findings of appropriateness were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS: 1) landing and launching of ultralights and other aircraft; and 2) model airplane and kite flying. Comments we received on these uses were considered as we developed the final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. Based on similarities of the two uses, we combined the two findings of appropriateness into one, resulting in this final finding of appropriateness for manned and unmanned aircraft use for recreational or commercial purposes. Beyond model airplanes, we added several types of unmanned aircraft to the finding, such as drones, motorized aerial vehicles, remotely piloted vehicles, multicopters, etc. Kite flying was eliminated as a type of use from the final finding. This finding was distributed for another 30-day review with release of the final CCP/EIS.

### **LITERATURE CITED:**

- Belanger L. and J. Bedard. 1990. Energetic Cost of Man-Induced Disturbance to Staging Snow Geese. *Journal of Wildlife Management* 54(1): 36-41.
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- Taylor A.R. and R.L. Knight. 2003. Wildlife Responses to Recreation and Associated Visitor Perceptions. *Ecological Applications*, 13(4):951–963.

**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Target Shooting

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?		✓
(c) Is the use consistent with applicable Executive orders and Department and Service policies?		✓
(d) Is the use consistent with public safety?		✓
(e) Is the use consistent with goals and objectives in an approved management plan or other document?		✓
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?		✓
(h) Will this be manageable in the future within existing resources?		✓
(i) Does the use contribute to the public’s understanding and appreciation of the refuge’s natural or cultural resources, or is the use beneficial to the refuge’s natural or cultural resources?		✓
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?		✓

Where we do not have jurisdiction over the use [“no” to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe [“no” to (b), (c), or (d)] may not be found appropriate. If the answer is “no” to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor’s concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Gordon W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Target Shooting

### **NARRATIVE:**

Prior to U.S. Fish and Wildlife Service acquisition of the Nulhegan Basin Division (division) in 1999, target shooting, involving multiple types of firearms (e.g., rifles, shotguns, pistols) occurred at the division's numerous borrow pits, as well as areas adjacent to recreational cabins, and occasionally at other locations across the ownership. Likewise, this use also occurred in a similar form on the surrounding industrial timber lands. While the use has been administratively prohibited on the division since at least 2006, the use, while not actively promoted by the landowner, continues at the neighboring West Mountain Wildlife Management Area (WMA) and Plum Creek timber lands. This use was practiced primarily by the area's cabin leaseholders, and an organization representing them—the Champion Lands Leaseholders and Traditional Interests Association—has requested a reinstatement of this use to include both formal (i.e., a developed shooting range) and informal (i.e., borrow pits, cabin sites, etc.) locations. In addition to constituting a recreational activity, this use is sometimes described as a way to improve an important hunting skill and sometimes to simply ensure that a rifle remains “well-sighted” after a jostling drive over miles of gravel roads.

Other options for target shooting exist in the vicinity of the division. Formal target shooting opportunities recently opened in 2016 at the State of Vermont's West Mountain Wildlife Management Area.

Target shooting poses numerous environmental, safety, and disturbance considerations—both to wildlife and refuge staff and visitors. Environmental issues relate primarily to the accumulation of lead, particularly in the backstop area (Cao et al. 2003). The myriad considerations necessary for range development is explained in National Shooting Sports Foundation (1997). In particular, they describe the two relevant Federal environmental statutes: Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act. Both statutes place great responsibility on the site manager for addressing contaminant issues. Noise is also an issue, both to wildlife and people. Although many variables influence the distance that sound travels, it is likely that the sound emanating from a range will cause abandonment and disuse of an area by wildlife occurring within some radius of the activity. This can be especially damaging if shooting were to occur at several sites during the breeding season. Although the potential level of this use is unknown, it is expected to be highest on weekends, which are the highest public use period. Given that the sound of firearms can travel for miles, it is likely that the noise will constitute a nuisance to other refuge visitors. If shooting was to occur outside of designated hunting seasons, such sounds can also hinder our wildlife officer's ability to distinguish target shooting from the potential illegal use of firearms.

Hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the six priority public uses of the National Wildlife Refuge System. The National Wildlife Refuge System Improvement Act of 1997 instructs refuge managers to seek ways to accommodate those six uses when found compatible. While allowing target shooting may in some circumstances contribute to a more humane kill in a hunting scenario, in its entirety, such an activity is not a wildlife-dependent priority public use nor does it further enhance the public's understanding and appreciation of the refuge's natural or cultural resources. In addition, this use would pose safety and environmental concerns beyond the refuge's capacity to administer. Furthermore, the exact opportunity desired by local users is already available within a few miles of the division on the neighboring WMA and private timber lands.

Target shooting on a national wildlife refuge is also not consistent with Federal regulations and policies. 50 CFR §27.41-27.42 states the following:



§ 27.41 General provisions. Carrying, possessing, or discharging firearms, fireworks, or explosives on national wildlife refuges is prohibited unless specifically authorized under the provisions of this subchapter C.

§ 27.42 Firearms. Only the following persons may possess, use, or transport firearms on national wildlife refuges in accordance with this section and applicable Federal and State law:

- (a) Persons using firearms for public hunting under the provisions of 50 CFR part 32.
- (b) Persons carrying unloaded firearms, that are dismantled or cased, in vehicles and boats over routes of travel designated under the provision of subchapter C.
- (c) Persons authorized to use firearms for the taking of specimens of wildlife for scientific purposes.
- (d) Persons authorized by special regulations or permits to possess or use firearms for the protection of property, for field trials, and other special purposes.

For these reasons, we have determined that allowing this use is not consistent with the Service policy on the appropriateness of refuge uses.

This finding of appropriateness was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

**LITERATURE CITED:**

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National Shooting Sports Foundation. 1997. *Environmental Aspects of Construction and Management of Outdoor Shooting Ranges.* 125 pp.



**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Camping Along the Nulhegan River in Support of the Northern Forest Canoe Trail

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public’s understanding and appreciation of the refuge’s natural or cultural resources, or is the use beneficial to the refuge’s natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use [“no” to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe [“no” to (b), (c), or (d)] may not be found appropriate. If the answer is “no” to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor’s concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate** \_\_\_\_\_ **Appropriate**

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Richard W. Lyber Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**



**JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

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**Use:** Camping Along the Nulhegan River in Support of the Northern Forest Canoe Trail

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**NARRATIVE:**

Throughout its 740-mile length, the Northern Forest Canoe Trail (NFCT) maintains many low-intensity infrastructure needs (e.g., launches, portage trails, campsites) for paddlers. This proposal is to build a tent site along the Nulhegan River to serve both through paddlers (i.e., those completing the full 740-mile length), as well as those who choose to paddle shorter segments. The site will consist of a 20-by-20-foot cleared area, with a seasonal log ladder to allow access from the river, picnic table, privy, and space for two tents. The use will be administered with a special use permit (SUP) granted to the NFCT. The SUP will contain requirements governing the use of the site, as well as those necessary to ensure compatibility.

Across the trail network, NFCT has projected a 5-mile spacing of campsites to accommodate projected use levels. This proposed campsite would fill a 15-mile gap between Brighton State Park (10 miles upstream and the Bloomfield campsite 5 miles downstream). In addition to being somewhat centrally located within this reach, the proposed site is the only location with relatively easy access for a land-based trail maintainer, yet far enough from a roadway to discourage misuse of the site.

Establishment of this campsite will provide a means to reach a user group who may otherwise be only peripherally aware of the refuge and National Wildlife Refuge System (Refuge System). More specifically, with the creation of a short spur trail, the campsite can link to the Nulhegan River Trail, which accesses the division's visitor contact station. Paddlers can therefore have an opportunity to view the exhibits and talk with staff, thereby becoming better informed about the refuge, the Refuge System, and the collective conservation mission. Finally, establishment of the campsite can enhance the already strong partnership with NFCT and be of mutual benefit to both entities. For these reasons, we have found that creating a campsite along the Nulhegan River contributes to the purposes for which the refuge was established and the mission of the Refuge System and, therefore, is an appropriate refuge use under the U.S. Fish and Wildlife Service's policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## **COMPATIBILITY DETERMINATION**

### **USE:**

Camping Along the Nulhegan River in Support of the Northern Forest Canoe Trail

### **REFUGE NAME:**

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### **DATE ESTABLISHED:**

October 3, 1997

### **ESTABLISHING AND ACQUISITION AUTHORITY(IES)**

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### **REFUGE PURPOSE(S):**

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### **NATIONAL WILDLIFE REFUGE SYSTEM MISSION:**

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.

### **DESCRIPTION OF USE:**

#### **(a) What is the use? Is it a priority public use?**

The use is overnight camping at a designated site along the Nulhegan River. Camping is not a priority public use of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), and the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). Camping is a secondary use that facilitates and supports wildlife-dependent priority public uses including fishing, hunting, wildlife observation, and photography.

**(b) Where would the use be conducted?**

A campsite will be developed on a flat river terrace on the south shore of the Nulhegan River. The site will be approximately 100 feet from the shore of Nulhegan River and 650 feet from the Nulhegan River Trail and provide visitor access to the division's visitor contact station (map D.1).

**(c) When would the use be conducted?**

The campsite will be available for use during the typical paddling season: May 1 through October 31. The site will be closed to camping outside of these dates.

**(d) How would the use be conducted?**

The campsite will contain similar amenities and resemble similar Northern Forest Canoe Trail (NFCT) campsites along the 740-mile trail network. The campsite will be established in a flat area along the river shoreline. Woody vegetation will be cut at ground level within an approximately 20-by-20-foot area. Grasses and forbs will remain and their continued growth will be encouraged to maintain soil stability. The site will contain a seasonal floating log ladder placed along the river's edge to allow safe access to the site, privy, picnic table, and informational/directional signage. The site will be administered and maintained by the NFCT pursuant to a special use permit (SUP). The permit will specify maintenance and hygiene standards. Drinking water is not provided. No trash pick-up is provided and campers must carry out all trash.

Campsite regulations consist of the following:

- The site is available on a first-come basis.
- The maximum number of tents allowed is two.
- The maximum length of stay is 2 nights.
- The maximum number of people occupying the campsite is 6.
- Quiet hours are from 10 p.m. to 7 a.m.
- Pets are permitted, but must be leashed.
- No fires are allowed.

We list additional refuge-specific regulations below under the section "Stipulations Necessary to Ensure Compatibility."

The NFCT has developed a tiered system for maintaining the trail and building needed infrastructure. Each year they rely on the following sources to accomplish work across the NFCT:

- **Trail Maintainer Program:** The NFCT has been divided into 10- to 15-mile adoptable segments. Trail Maintainers visit their trail segments a minimum of twice a year to perform general maintenance and observe and report trail conditions to the NFCT Trail Director.
- **Stewardship Intern Program:** A crew of four interns and one field coordinator perform trail infrastructure work across the NFCT. A minimum of one project is performed in each state. The Stewardship Intern Crew also supports all Waterway Work Trips (weekend projects with up to six additional volunteers).
- **Contracted Projects:** For larger projects involving heavy equipment or over 4 weeks of crew time the NFCT will contract with professional trail builders or construction workers as needed.

The NFCT relies on Landowner Agreement Forms to describe the stewardship plan for the parcel and outline the responsibilities of the NFCT.

**(e) Why is this use being proposed?**

The NFCT is a 740-mile water trail, linking Old Forge, New York, to Fort Kent, Maine. Trail use occurs under two categories; through paddlers (traveling the entire length of the NFCT in one expedition) and section paddlers (paddlers performing day or overnight trips on sections of the NFCT). Through Paddler numbers



average around 20 a year, with slight increases most years since the NFCT was established in 2006. With the installation of sign-in boxes in 2012, they will be able to obtain more accurate data for section paddlers. The Nulhegan River has not in recent times been a very active paddling corridor. The NFCT has brought increased activity to this corridor and current use is estimated at 50 to 60 paddlers per season. A majority of paddlers will extend their outing to several days, necessitating overnight accommodations. Throughout its length, the NFCT contains 456 campsites, most along the shores of lake and rivers. Providing such rustic amenities on the refuge will support this growing recreational use. Further, it will provide the U.S. Fish and Wildlife Service (Service) with an opportunity to engage with an additional outdoor recreation-based user group. Paddlers will have access to the division’s visitor contact station, including its staff and exhibits. Providing this use will also support priority wildlife-dependent activities given that users often also participate in fishing and wildlife observation.

**AVAILABILITY OF RESOURCES:**

The resources necessary to provide and administer this use are available within current and anticipated refuge budgets. The bulk of the cost will involve staff time to prepare and administer the SUP, and to maintain the spur trail. NFCT will maintain the integrity of the camp site amenities and keep the site clean.

We estimate below the annual costs associated with the administration of this use.

<i>Spur trail maintenance:</i>	\$800
<i>Prepare and administer special use permit, general coordination with NFCT:</i>	\$900
<i>Camp site inspection/monitoring:</i>	\$700
<b>Total Annual Cost of Program:</b>	<b>\$2,400</b>

**ANTICIPATED IMPACTS OF THE USE:**

We describe below the potential impacts of camping, as reported in the literature. Impacts may be locally quite severe, but are usually restricted to a relatively small area (i.e., the campsite itself) (Marion and Cole 1996). Significant impacts on vegetation and soil generally occur quickly, even with light use (Cole 1981). Much of the impact occurs when the campsite is first opened and during the first year of use.

**Soil:** Camping results in soil compaction and reduction in soil moisture content. It may reduce or remove the organic litter and soil layer, and run-off and soil erosion may increase. Those changes affect soil invertebrates and microbial processes, as well as inhibit plant growth. Fine-textured soils are particularly susceptible to compaction. Campsites with vegetated shorelines that are accessed by boat may also undergo shoreline erosion from the effects of repeated boat landings compacting soil and removing vegetation. Visitor use of the shoreline for fishing, swimming, dish washing, and collecting water may also trample vegetation, compact soil, and accelerate erosion. That erosion may expose tree roots, resulting in increased tree mortality due to wind throw. The presence of a 20-by-20-foot cleared area with a picnic table and privy will tend to concentrate the use of the campsite and limit campsite “creep.” The refuge will work with NFCT to evaluate the condition of the campsite and to ensure the availability of signage to educate visitors about low-impact camping techniques.

**Vegetation:** The impacts of camping on vegetation are usually locally severe, even with low to moderate use. They include loss of ground vegetation cover, reduced vegetation height and vigor, loss of rare or fragile species, and changes in plant community composition (Leung and Marion 2000). Vegetation may be removed or trampled. Shrubs and trees are commonly lost from the site or damaged. Axes or fire may scar tree trunk, branches may be broken, bark removed or damaged, or nails placed in trees. Tree regeneration (seedlings and saplings) is generally lost, thus facilitating conversion to a non-forested site. Marion and Cole (1996) found on campsites they studied in Delaware that an average of 19 percent of trees had been felled and 77 percent of the standing trees had been damaged (primarily branches cut for firewood or trunks scarred by axes and nails). Such impacts should be reduced given the prohibition on campfires. Trampling resistant vegetation (often grasses or exotics) tend to replace existing understory vegetation (forbs) (Marion and Cole 1996).

The indirect effects of vegetation disturbance include microclimate changes and increased erosion. The extent of camping impacts on vegetation is generally related to the frequency sites are used, their durability, and group size (Cole 1995). Larger groups are usually responsible for enlarging campsites more than small groups (Cole 1992, Marion 2003). Campsite enlargement is particularly a problem when campsites are located on flat, open sites. Campers may also enlarge the affected area by developing multiple, uncontrolled “social trails” between tents, to water sources, to viewing points or favored fishing locations. Some visitors have a much greater impact on vegetation than others, because they are more likely to cut down vegetation, dig trenches around tents, and otherwise modify the sites. Many of these potential impacts will be mitigated with this proposal given that only a single site will be developed and it will be limited to two tents, hence a small group size. Riverside camping will be permitted only at a single designated campsite, so any disturbance to vegetation will be limited to a small area of the refuge.

**Water Quality:** Improperly disposed human and pet wastes at campsites may compromise water quality by introducing pathogens, and affect campsite aesthetics. Human waste, food disposal, and dishwashing may increase aquatic nutrient loads. That may result in limited, localized increases in algal growth, facilitating oxygen depletion and altering the composition of aquatic vegetation and invertebrate communities. Run-off from eroded campsites can increase turbidity and sedimentation, which may affect fish and invertebrates (Marion 2003, Leung and Marion 2000). Soap from improper dishwashing, trash, and fish-cleaning waste, may all pollute water and have an aesthetic impact. Pit toilets located near water on shallow, permeable soils can sometimes introduce coliform bacteria into the water (Hammitt and Cole 1998). However, camping generally does not affect water quality to the extent of creating a public health concern, even in areas that receive heavy use (Cole, 1981).

The NFCT will be responsible for maintaining the campsite and privy. The refuge will cooperate with the NFCT in providing educational outreach on low-impact washing methods and proper waste disposal.

**Wildlife:** Camping can alter or destroy wildlife habitat, or displace wildlife from preferred habitat or resources (food, water, nest sites). Camping may also modify or disrupt wildlife behavior. Larger groups are generally more likely to disturb wildlife (Marion 2003). The restrictions on the number of tents and occupants should assist with limiting the level of impacts.

Human visitors or their pets may “harass” wildlife. Even leashed pets may disturb wildlife. Pets may also transmit diseases to wildlife (Hammitt and Cole 1998). Disturbance related to camping may also affect wildlife health, fitness, reproduction, and mortality rates (Leung and Marion 2000).

Indirect effects may include a change in vertebrate species composition near the campsite. Changes in vertebrate communities at campgrounds (as compared to control sites) have been reported for birds (Blakesley and Reese 1988, Garton et al. 1977, Foin et al. 1977, Knight and Gutzwiller 1995) and small mammals (Clevenger and Workman 1977). In the case of songbirds, changes in species composition were due primarily to a reduction in ground cover vegetation (for nesting, feeding) at campsites and different levels of sensitivity to human disturbance. Rarer species are generally absent from campgrounds.

The presence of humans attracts some species, while others avoid it. The availability of food generally differs between campgrounds and undisturbed areas. Natural foods may decrease in availability while foods supplied by humans may increase. Humans may intentionally supply foods to wildlife, or unintentionally, because of littering, accidental spillage, or improper food storage (Garton et al. 1977). Human foods may be unhealthy for wildlife or promote scavenging behavior, which may increase vulnerability of animals to predation. Rodent populations often increase at campsites, in response to increased availability of human food, and may negatively affect nesting songbirds. Bears and other scavengers may be attracted to improperly stored food and may damage property or threaten visitor safety.

Only leashed pets will be permitted at the campsite. The refuge will work with the NFCT on managing the campsite and providing outreach to the public on how to avoid disturbing wildlife and the importance of not feeding wildlife and storing food properly.

**Visitor Conflicts:** Conflicts may arise between visitors as a result of noise and over-crowding. Conflicts may also develop between small and large groups and different user groups (fishermen, hunters, wildlife photographers, etc.). Litter, noise, large group sizes, and crowding may impair the refuge experience for some visitors. The campsite will be located at the end of a proposed spur trail and occupancy will be limited to two tents. Therefore, conflicts with other users are not anticipated to be significant. Public outreach may help reduce potential conflicts by reducing littering and promoting considerate camping. The refuge will work with the NFCT to adjust camping policies, should this issue become significant.

Overall, the impacts associated with this use would be confined to a minute portion of the refuge, in the immediate vicinity the campsite. Seasonal closures, when warranted, and the stipulations listed below, should ensure that disturbance of wildlife and impacts on refuge resources are minimal.

### **PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/ EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

### **DETERMINATION (CHECK ONE BELOW):**

Use is not compatible

Use is compatible, with the following stipulations

### **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- Camping is only allowed at the designated campsite only.
- The campsite will be open to use only between May 1 and October 31.
- Only leashed pets will be permitted at the campsite.
- No fires will be allowed.
- No wood gathering or vegetation removal is permitted.
- No digging or trenching will be permitted.
- Feeding of wildlife is not permitted.
- All trash must be carried out.
- NFCT will help manage the campsite under a SUP.
- In cooperation with the NFCT, we will implement best management practices for preventing campsite expansion and managing waste.
- We will place a sign at the campsite explaining refuge regulations and minimal impact camping techniques. The refuge will work with the NFCT to provide additional outreach on "leave no trace" camping.
- Per the description in figure D.1, we will monitor the impacts of camping, the condition of the shoreline and campsite, and the potential for wildlife disturbance yearly, and work with the NFCT to minimize impacts or restore sites. Based on the outcome of those surveys, we may adjust our management of the site.

**JUSTIFICATION:**

Camping provides an increased opportunity for the public to participate in priority public uses in a remote setting. Providing the public with an opportunity to experience the refuge wildlife and natural resources through camping, along with a public educational outreach program, will help motivate visitors to understand and develop a commitment to protecting healthy ecosystems. Experiencing the refuge through camping and education are tools that can help build a land ethic, develop political support, and lessen vandalism, littering and poaching. We expect the impacts of camping on vegetation and wildlife to be minor and localized. With the stipulations noted above, camping will be compatible with refuge purposes.

Based on the limited detrimental impacts of this use, the stipulations above, and a long history of use, overnight camping at current levels will not materially interfere with or distract from the mission of the Refuge System or the purposes for which the refuge was established.

**SIGNATURE:**

Refuge Manager: Andrew C French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Scott B. Kahan 1/18/17  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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Map D.1. Northern Forest Canoe Trail Campsite at Nulhegan Basin Division.

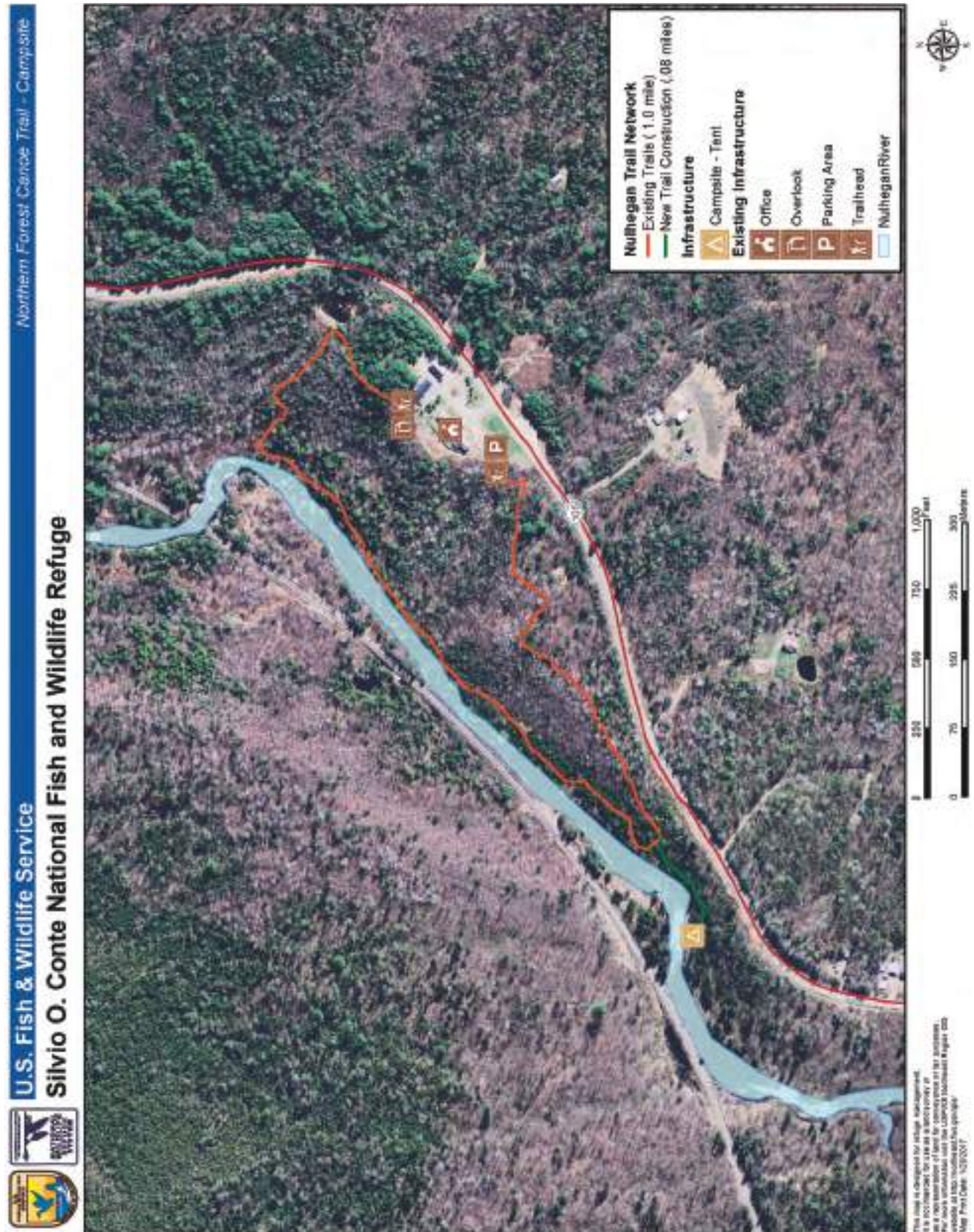


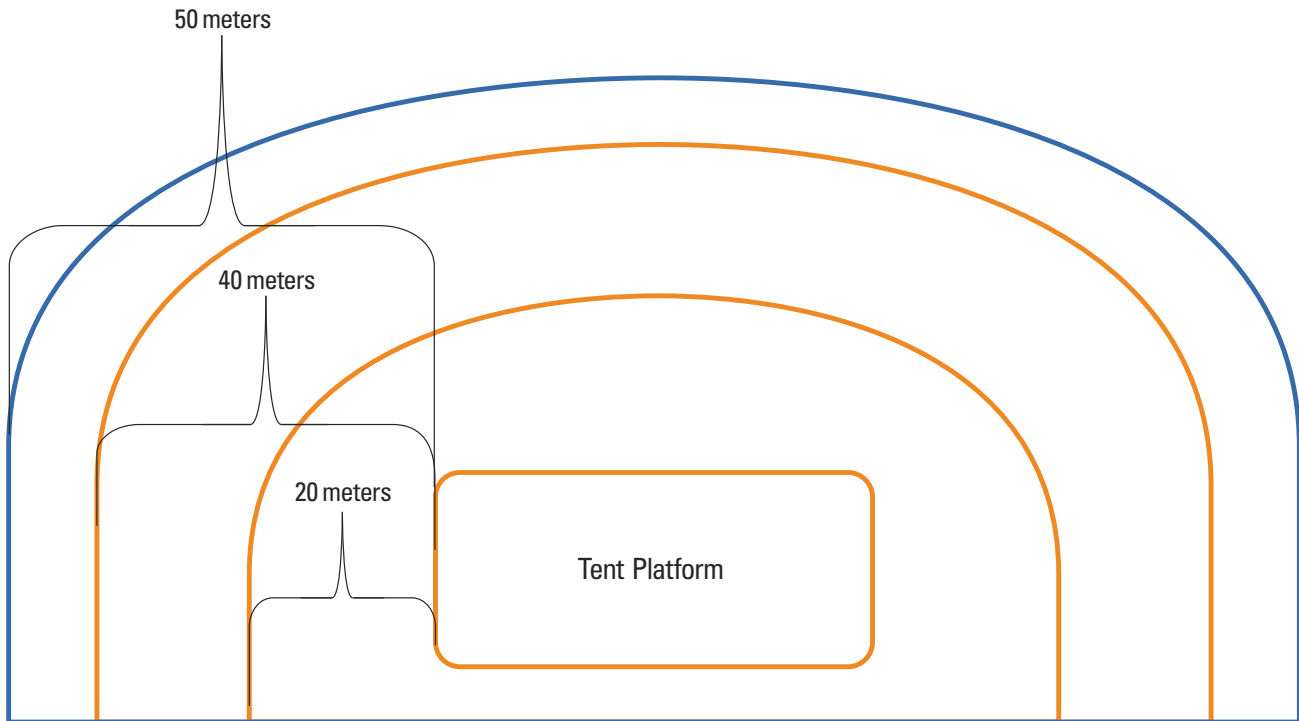
Figure D.1. Acceptable Impact Thresholds for Camping.

**Acceptable Impact Thresholds**

Distance	Loss of herbaceous	Increase bare soil	Loss of leaf litter	Seedlings and saplings
0-20	75%	75%	75%	75%
20-40	25%	25%	25%	25%
50	10%	10%	10%	10%

Acceptable limits defined as the % cover increase in bare soil or % cover decrease in herbaceous veg. seedlings, saplings, and leaf litter beyond which the use remains compatible.

Ex. We will accept up to a 75% loss of herbaceous vegetation within the 0-20 meter radius of tenting activity. We will not accept 30% increase in bare soil between 20–40 meters from tenting activity.







**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Commercial Forestry for Habitat Management

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public’s understanding and appreciation of the refuge’s natural or cultural resources, or is the use beneficial to the refuge’s natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use [“no” to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe [“no” to (b), (c), or (d)] may not be found appropriate. If the answer is “no” to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor’s concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: *Andrew C. French* Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: *Jason McIntyre* Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

Refuge Name: Silvio O. Conte National Fish and Wildlife Refuge

Use: Commercial Forestry for Habitat Management

### **NARRATIVE:**

Forest management at Silvio O. Conte National Fish and Wildlife Refuge (refuge) is integral to meeting the refuge's wildlife habitat objectives. From a practical standpoint, the optimum means to achieve this goal is with commercial forest management, subject to management prescriptions prepared and overseen by the refuge forester. Commercial loggers have the capability to treat the acreages desired—and can do so most efficiently and economically. In many cases, commercial logging will attain our desired outcome at no cost to the refuge and a slight financial gain for the American public.

Initial efforts will focus on larger areas, such as the Nulhegan Basin Division, where management will offer the greatest benefit to forest-dependent migratory birds. However, additional refuge lands are being considered for forest management: in Vermont—Putney Mountain Unit; in New Hampshire—Pondicherry and Blueberry Swamp Divisions; in Massachusetts—Dead Branch Division; and in Connecticut—Salmon River Division.

Commercial forest management is considered to be an economic use under 50 CFR. 29.1. Therefore, this use must contribute to the purposes for which the refuge was established or the mission of the National Wildlife Refuge System (Refuge System). Forest management provides the array of vegetation types, successional stages, and structural attributes desired for our forest-dependent trust species. In this way, commercial forest management contributes to goal 1 of the refuge's draft Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS), which states that the refuge will provide and promote through active management a diversity of successional forested habitats for the benefit of our focal wildlife species.

Commercial forest management facilitates the management of the refuge's forests and is both a reasonable and the preferred method of meeting the habitat needs of forest-dependent birds. For these reasons, we have found commercial forest management contributes to the purposes for which the refuge was established and the mission of the Refuge System and, therefore, is an appropriate refuge use under the U.S. Fish and Wildlife Service's policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## COMPATIBILITY DETERMINATION

### USE:

Commercial Forestry for Habitat Management

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species, and the ecosystem upon which these species depend within the refuge.
- To protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### (a) What is the use? Is it a priority public use?

Commercial forest management will be performed for the primary purpose of creating and/or improving wildlife habitat to ensure a diversity of forest structure and composition. Commercial forest management is not a priority public use. Commercial forest management is considered to be an economic use under 50 CFR. 29.1. Commercial forest management can contribute to the refuge's purposes, and habitat and species goals when conducted to manage and improve habitat for wildlife. Commercial forest management may include a variety of

accepted silvicultural practices, such as thinnings and release cuttings to remove pole, pulpwood or firewood; regeneration cuts such as seed tree, selection, or shelterwood cuts, which would yield products ranging from pulpwood to saw timber; and salvage cuts performed as a result of storm, insect or disease damage which could result in the sale of any or all of the above mentioned forest products. Commercial management practices are the preferred method to safely and efficiently manage refuge forests in a cost-effective manner. It is impractical for the refuge to acquire the necessary equipment and staff to efficiently conduct these management actions.

**(b) Where would the use be conducted?**

The refuge contains forested tracts on most of its existing 16 divisions and units, making forest management possible throughout the refuge. Initial efforts will focus on larger tracts that were harvested most recently from previous owners, and whose management will offer the greatest benefit to forest-dependent migratory birds. The Nulhegan Basin Division (greater than 26,000 acres) makes up the majority of the refuge's forested land base, and most forest management will occur on that division. The following additional refuge lands are being considered for forest management to improve wildlife habitat: in Vermont—Putney Mountain Unit; in New Hampshire—Pondicherry and Blueberry Swamp Divisions; in Massachusetts—Dead Branch Division; and in Connecticut—Salmon River Division.

**(c) When would the use be conducted?**

Forest management may occur at different times and at different locations, depending on individual site characteristics, stand conditions, and other resource concerns. All forest management will occur at times designed to minimize unwanted impacts on resources (e.g., erosion, soil compaction, or the disturbance of wildlife), while maximizing the desired silvicultural results, such as seed germination and natural tree regeneration.

**(d) How would the use be conducted?**

A comprehensive forest inventory—evaluating forest habitat and wildlife species of concern—will aid in determining which stands on the refuge will benefit from active forest management. Stands will be managed to diversify forest age class and structure to benefit focal wildlife species (Seymour & Hunter Jr. 1992, 2000; Kenefic & Nyland 2000; Keeton 2006; Foster et al. 2010). A variety of commercial and non-commercial timber harvesting may occur as described below. All harvesting will follow best forestry and wildlife management practices (BMPs) recommended by the respective state forestry agency (Bennett 2010). This includes protections for wetlands, hydric soils, and streams. More detailed silvicultural treatments are outlined in the Conte Refuge CCP; stands identified for active forest management within each ownership will be detailed in each division's Habitat Management Plan (HMP).

Forest management activities will be directed by each refuge division's HMP. The specific treatment prescriptions are “stepped down” from the HMP. Where commercial forest management is warranted, those activities are performed by a logger operating under a special use permit (SUP). Project prospectus and specifications are forwarded to local and regional logging companies for competitive bidding. The refuge manager will select a logger based on meeting qualifications and requirements in the project prospectus. The refuge manager will issue the selected operator a SUP and the refuge forester will supervise the forest management operation. Active harvest operations may include felling trees, skidding them to a landing, processing the trees, loading logs or wood chips on trucks, and hauling the wood products offsite. Forest management treatments (e.g., trees targeted, spacing, residual tree density, harvest method, etc.) are dictated by a silvicultural prescription developed by the refuge forester with input from the refuge biologist, and approved by the refuge manager.

All activities under this special use permit process are regulated by provisions listed in 50 CFR (subpart D-Permits, 25.41–45). The permittee would be required to comply with all Department of the Interior, U.S. Fish and Wildlife Service, and Federal, State, and local laws in the conduct of their business. Because this is an economic use of the refuge, it is also subject to other applicable laws and regulations (see 50 CFR 29.1). We would continue to follow the procedures for SUPs outlined in the Service's Refuge Manual (5 RM 17.11) and other applicable laws and regulations (see also 50 CFR 29.1) when selecting permittees and administering this use.

Within a specific division or unit, focal species have been identified and will act as drivers for active forest management. Where focal species-specific habitat conditions are missing, and may be created through active forest management, those areas will be prioritized for treatment. Division-specific focal species are discussed in great detail in appendix A of the Conte Refuge final CCP/EIS. As a hypothetical example, forest management within a red spruce-northern hardwood (or mixed-wood) stand, using crop tree release and canopy



gap formation, will increase understory density and enhance the component of softwood species, benefiting focal species Canada warbler and blackburnian warblers respectively.

Silvicultural treatments will be designed to meet habitat objectives within particular forest types (spruce-fir, northern hardwood, oak-pine, etc.), while addressing site-specific operational constraints. Active management will help restore forest structure (Kenefic & Nyland 2000; Crow et al. 2002; Bryan 2003; Keeton 2006; Raymond et al. 2009; Arseneault et al. 2011) and species composition (Leak 1975, 2003, 2005; Arseneault et al. 2011), and improve a forests resiliency to environmental stressors like climate change (Hines, Heath & Birdsey 2010). Monitoring of forest systems and the impacts of forest management strategies will allow modification of management practices as necessary. Climate change may influence the trajectory of our forest systems in unpredictable ways, and adjustments to objectives and management strategies may occur. When feasible, management strategies will favor or increase the conifer component of stands on appropriate sites. Strategies are described below:

### **Strategies for Conifer-dominated Habitat Types:**

- Use commercial and non-commercial mechanical treatments, where and when appropriate to improve forest composition and structure. Treatments will favor retention and regeneration of red spruce where and when possible. Composition and structural goals will be driven by focal species habitat requirements.
- Manage this habitat type through accepted silvicultural practices. Methods may include:
  - \* Single tree or group selection with retention, overstory removal, clearcut, and shelterwood techniques.
  - \* Treatments timed to optimize the ability of the site to regenerate softwood.
  - \* When using even-aged treatments:
    - ❖ Rotation age for fir will range from 60 to 100 years.
    - ❖ Rotation age for spruce will range from 80 to 130 years.
  - \* The size of each management unit, its silvicultural prescription and rotation age will determine the size of each treatment and the cutting interval.
- Maintain a minimum of 50 percent of deer wintering area as quality shelter at any point in time. Quality shelter is defined as softwood cover over 35 feet tall with 70 percent or higher crown closure (Reay et al., 1990).

### **Strategies for Conifer-hardwood (mixed-wood) Habitat Type:**

- Use commercial and non-commercial mechanical treatments, where and when appropriate, to improve forest composition and structure. Treatments will favor retention and regeneration of red spruce where and when possible. Composition and structural goals will be driven by focal species habitat requirements.
- Manage this habitat type through accepted silvicultural practices. Methods may include:
  - On softwood-dominated sites (within the mixed-wood habitat type)*
    - \* Single tree or group selection with retention, overstory removal, clearcut, and shelterwood techniques.
    - \* Treatments timed to optimize the ability of the site to regenerate softwood.
    - \* When using even-aged treatments:
      - ❖ Rotation age for fir will range from 60 to 100 years.
      - ❖ Rotation age for spruce will range from 80 to 130 years.

- \* The size of each management unit, its silvicultural prescription and rotation age will determine the size of each treatment and the cutting interval.
- \* Emphasis on overstory removal techniques that protect softwood regeneration in areas of advanced softwood regeneration.

*On hardwood-dominated sites (within the mixed-wood habitat type)*

- \* Gap-based management (group selection) with retention, with variable group size.
- \* Re-entry intervals on the order of 10 to 20 years to promote new cohorts and maintain understory development.
- \* Promotion of increased compositional and structural heterogeneity, including dense canopies, large-diameter trees, and large-diameter coarse woody debris and snags.

**Strategies for the Hardwood-dominated Habitat Types:**

- Use commercial and non-commercial mechanical treatments, where and when appropriate to improve forest composition and structure. Composition and structural goals will be driven by focal species habitat requirements.
- Manage this habitat type through accepted silvicultural practices. Methods may include:
  - \* Single tree or group selection with retention, overstory removal, clearcut, and shelterwood techniques.
  - \* Reentry intervals on the order of 10 to 20 years to promote new cohorts and maintain understory development.
  - \* Promotion of increased compositional and structural heterogeneity, including dense canopies, large-diameter trees, and large-diameter coarse woody debris and snags.
  - \* When using even-aged treatments:
    - ❖ Rotation age for fir will range from 60 to 100 years
    - ❖ Rotation age for spruce will range from 80 to 130 years.
  - \* The size of each management unit, its silvicultural prescription and rotation age will determine the size of each treatment and the cutting interval.

**(e) Why is this use being proposed?**

The forests of New England have been significantly altered (Marsh 1864; Cronon 1983; Williams 1992; Whitney 1996). The kinds of trees present, their relative numbers, their age, and their distribution across the landscape are very different than what they would be if left to nature. The health and diversity of our forests have been reduced, making them less resilient to climate change, disease, invasive species, and natural events.

Restoration requires an active, hands-on approach, guided by science-based methods. It is an approach that includes tree-planting, tree-removal, and prescribed burns in order to promote new generations of native trees. More specifically, forest management can improve and accelerate development of historic forest structure and species composition (Seymour, White & deMaynadier 2002; Keeton 2006; Franklin, Mitchell & Palik 2007; North & Keeton 2008; Raymond et al. 2009; Arseneault et al. 2011). In the absence of active management, the development of appropriate wildlife habitat may take longer or fail entirely, depending on site characteristics, prior management history, and natural disturbance frequency. A forest can be actively managed through harvesting practices to mimic natural disturbances and create openings for young trees while also retaining

some larger, older trees. This prescription will also maintain the appropriate forest structure and age or size classes important to focal species into the future, ensuring adequate habitat is always available for species of concern. The refuge lacks the funding, personnel, and equipment to effectively and efficiently manage our forested lands. Engaging private loggers as part of a commercial arrangement is the only practical alternative for accomplishing this work.

In summary, an active forest management program will improve refuge wildlife habitat while contributing to the forest-based economies of communities surrounding the refuge’s divisions.

**AVAILABILITY OF RESOURCES:**

The resources necessary to administer this use are available within current and anticipated refuge budgets. The refuge forester will design and oversee the timber management program, in consultation with the wildlife biologist and refuge manager. Current staffing plans and budgets account for these tasks.

A portion of funds generated by the sale of timber on refuge lands will go into the revenue sharing fund. Another portion will fund the forest management program, including additional stand inventories, timber marking, pre-commercial thinning, and related roadwork. When appropriate, infrastructure maintenance associated with timber sales, such as road maintenance, will be included as a deliverable in SUPs. This flexibility alleviates additional management costs associated with active forest management.

All harvesting is likely to occur near, or from, the existing road networks. There are no expected road construction costs associated with active forest management on refuge property. Funding will be necessary for road maintenance, including grading, installation and replacement of water control structures, etc. The refuge forester will assume contract development and administration, monitoring, and resource database management.

Outside of costs offset by timber sale receipts, required yearly costs to administer an active forest management program on refuge lands is listed below:

<i>Develop prescriptions; circulate prospectuses for bid; sale layout; onsite representative with logger: Refuge Forester</i>	\$9,000 (8 weeks/year)
<i>Review forest management actions; on-site monitoring (Refuge Biologist)</i>	\$1,700 (1 week/year)
<i>Review proposals, issue special use permits (Refuge Manager)</i>	\$1000 (2 days/year)
<b>Total Annual Cost of Program:</b>	<b>\$12,000</b>

**ANTICIPATED IMPACTS OF THE USE:**

Commercial forest management to improve wildlife habitat on the refuge could have the following impacts:

**Soil Impacts:**

The construction and maintenance of roads and landings and the operation of heavy equipment may impact soil, causing rutting and erosion (Helfrich, Weigmann & Neves 1998; Wiest 1998; Cullen 2001). To mitigate potential impacts and minimize erosion, timber harvesting and road construction on the refuge will follow the best management practices as recommended by State forestry agencies in New Hampshire, Vermont, Massachusetts, and Connecticut. Soil disturbance following deforestation may increase the export of particulate matter and soil nutrients (Bormann et al. 1968, 1974). To reduce the potential for soil impacts, timber harvesting on the refuge will largely occur during winter months, when snow depths and cold temperatures reduce soil compaction and erosion. Special caution will apply in areas with hydric, steep, shallow, or easily erodible soils.

### **Aquatic Resource Impacts:**

Forest management operations may have significant impacts on both water quantity and water quality. Data from forested experimental watersheds in the eastern United States indicate that leaching of nutrients after timber harvesting, especially clearcutting, tends to increase (Bormann et al. 1968, 1974), while increases in streamwater temperature are highest where revegetation of cutover areas is delayed (Demaynadier & Hunter Jr. 1995; Cullen 2001). These factors may have detrimental effects on stream organisms, including fish, invertebrates, and amphibians (Campbell & Doeg 1989). Poorly planned timber harvests and road construction can alter surface and groundwater hydrology and water storage capability. The effects of multiple harvests in a watershed can accumulate over time.

Maintaining forested buffers near streams and other aquatic resources minimizes impacts on water resources and water quality (Osborne & Kovacic 1993; Castelle, Johnson & Conolly 1994; Wilkerson et al. 2006; Bennett 2010). Road construction, skid trail planning, harvest operation and stream crossings will, at a minimum, follow the best management practices promulgated by each state's forestry agency to minimize the alteration of hydrology and the impacts of siltation on water quality. Harvesting will use existing forest roads whenever possible; construction of new roads will be kept to a minimum.

### **Wildlife and Vegetation Impacts:**

Commercial forest management can have a number of localized and broader impacts on wildlife-related components of forests including: damage to understory vegetation (Scheller & Mladenoff 2002), alteration of microhabitat environments (Demaynadier & Hunter Jr. 1995), changes in the abundance and type of coarse woody debris (Demaynadier & Hunter Jr. 1995; Siitonen 2001), and removal of snags important to wildlife (e-CFR). Less downed wood and fewer large-diameter logs are likely to accumulate under a short-rotation (less than 50 years) harvest, whole-tree harvests, and selection cuts than would occur under long rotations or in uncut forests, affecting soil moisture regimes and forest floor amphibians and small mammals (Gore & Patterson III 1986; Demaynadier & Hunter Jr. 1995). Damage to uncut trees from heavy equipment may create entry points for invasion by insects or disease (Nichols, Lemm Jr. & Ostrofsky 1994). Harvesting may also leave the remaining trees more susceptible to wind throw (Ruel 1995), facilitate the spread of invasive plants (Sakai et al. 2001), and disturb wildlife temporarily (Demaynadier & Hunter Jr. 1995; Campbell, Witham & Hunter 2007; Holmes & Pitt 2007).

Mitigation of much of these impacts is possible through careful planning and implementation. Seasonal restrictions on harvesting will minimize disturbance of wildlife and damage to residual trees or understory vegetation. The careful layout of skid trails, the use of mechanical harvesters and forwarders, and the pre-harvest surveys of resources of concern will minimize impacts. Contracts will require contractors to leave an appropriate volume of tops, branches, and other downed wood onsite whenever possible.

Under refuge management, average forest age and size class, along with canopy closure will increase over the long term. Prescriptions will generally mimic the natural disturbance patterns common to the forest type being treated (Seymour and Hunter Jr. 2000; Seymour, White and deMaynadier 2002; Fraver, White and Seymour 2009). However, some species-specific management will require younger age classes be present on the landscape (Lambert & Faccio 2005; Donovan 2006; U.S. Department of the Interior, Fish and Wildlife Service 2006; Chace, Faccio & Chacko 2009). In northern divisions, the component of softwood-species within refuge matrix forest will increase. Habitat connectivity will increase; fragmentation of forested habitats will decrease.

The northern long-eared bat (*Myotis septentrionalis*) was recently listed as federally threatened under the Endangered Species Act because of the devastating impacts of white-nose syndrome (80 FR 17974-18033). All of the current refuge units and divisions and proposed CFAs are in the northern long-eared bats historic range. When the species was listed, the Service issued an interim 4(d) rule that states: "In areas currently known to be affected by [white-nose syndrome], all incidental take prohibitions apply, except that take attributable to forest management practices...and limited tree removal projects shall be excepted from the take prohibition, provided these activities protect known maternity roosts and hibernacula. Further, removal of hazardous trees for the protection of human life or property shall be excepted from the take prohibition." The rule then outlines the following specific stipulations that exempt forest management from the prohibition on take:



- For such take to be excepted, the activity must:
  - \* Occur more than 0.25 mile (0.4 kilometer) from a known, occupied hibernacula.
  - \* Avoid cutting or destroying known, occupied roost trees during the pup season (June 1 to July 31).
  - \* Avoid clearcuts (and similar harvest methods, e.g., seed tree, shelterwood, and coppice) within 0.25 mile (0.4 kilometer) of known, occupied roost trees during the pup season (June 1 to July 31).

We do not expect any negative impacts to northern long-eared bats from forest management on the refuge because we will follow the stipulations outlined in the 4(d) rule and will also continue to consult with the Service's Ecological Services program to ensure our habitat management does not negatively impact the species.

**Visitor Impacts:**

Logging may disturb refuge visitors, cause safety issues, or detract from visitors' aesthetic experience. When safety considerations warrant, areas of the refuge undergoing active management will be temporarily closed. Trails will either be closed or shared with logging trucks depending on the availability of feasible alternatives. Because small portions of the refuge's acreage will be actively harvested at any one time, impacts to visitors will be minimal.

**PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

**DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

**STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- Protection of refuge resources of concern is the top priority. Active management will follow the best management practices for wildlife habitat and timber harvest recommended by each State's forestry agencies: Vermont Department of Forests, Parks, and Recreation; New Hampshire Department of Resources and Economic Development - Division of Lands; Massachusetts Department of Conservation and Recreation; and the Connecticut Department of Energy and Environmental Protection.
- Where federally listed species occur, forest management activities may require Section 7 consultation under the Endangered Species Act. To protect the federally threatened northern long-eared bat, forest management activities must:
  - \* Occur more than 0.25 mile (0.4 kilometer) from a known, occupied northern long-eared bat hibernacula.
  - \* Avoid cutting or destroying known, occupied northern long-eared bat roost trees during the pup season (June 1 to July 31).
  - \* Avoid clearcuts (and similar harvest methods, e.g., seed tree, shelterwood, and coppice) within 0.25 mile (0.4 kilometer) of known, occupied roost trees during the northern long-eared bat pup season (June 1 to July 31).
- State recommended best management strategies and buffer distances will be implemented as appropriate. In some instances, the refuge may exceed state recommendations for specific resource protection objectives.

- Roads, skid trails, water crossings, and landings will be sited to minimize damage to resources; roads and skid trails will be stabilized after harvesting.
- Snags, live cavity trees, and large coarse woody debris will be retained, as appropriate, to meet refuge objectives. The creation of snags, live cavity trees, or coarse woody debris, or the removal of individual trees or groups of trees may occur in any area of the refuge for specific wildlife management or safety purposes at the discretion of the refuge forester.
- Resource surveys identifying items of concern will be a consistent part of pre-management planning efforts. During management activities impacts to resources of concern will be minimized or eliminated.
- Active forest management will occur when site-specific soil conditions are appropriate to minimize negative impacts to soils and water quality. Timing of management activities will minimize impacts on wildlife (e.g., outside raptor or colonial bird nesting seasons). The refuge manager reserves the right to temporarily suspend harvesting operations during such times as these activities would result in serious consequences to forest soils.
- The SUP holder will ensure that all equipment is maintained such that hazardous waste (e.g., oil, hydraulic fluid) does not come into contact with the ground. If there are any spills, clean-up will commence immediately.
- The permittee is required to clean all harvesting equipment prior to transport onto the refuge to prevent introduction of nonnative plant species. Use of a high pressure washer is highly recommended. Prior to entering upon refuge property, equipment may be inspected by the refuge for presence of plant material, seeds, etc. Equipment presenting a high risk of contamination may be cleaned and re-inspected before being allowed on the refuge property.
- Location of access roads, major skid trails, and log landing or yards shall be approved by the refuge before establishment and/or use.
- The refuge manager may modify the SUP to protect any sensitive cultural resources area, object of antiquity, artifact, or similar object which is entitled to protection under the Antiquities Act of 1906, Archeological Resources Protection Act of 1979 and National Historic Preservation Act of 1966. Discovery of such areas or objects by either party shall be promptly reported to the other party.
- The permittee shall take all reasonable and practical action to prevent fires resulting from the permittee's operations. The refuge manager may suspend operations in the case of high fire danger.
- When management outcome allows, whole-tree harvesting will be discouraged. Contractors will be required to leave tops, branches, and other wood debris onsite.
- Any forest management on hydric soils will occur during frozen conditions. Slopes over 30 percent will forbid the use of any heavy equipment.
- Except at the refuge manager's discretion to meet specific management objectives for wildlife or habitat, no forest management will occur in the following forested wetlands: floodplain forest, northern white cedar, black spruce, and hardwood swamps.
- The permittee will be required to maintain the appropriate level of liability and workers' compensation insurance and to indemnify and save harmless the Government from claims as specified in the project-specific SUP.
- All operations in connection with harvesting and the removal of timber shall be subject to fire, safety, security, and other rules and regulations necessary for the protection of the Government personnel and property as may be prescribed by Government officials. All operations must conform to Occupational, Safety, and Health Administration (OSHA) requirements for logging safety standards as prescribed in 29 CFR part 1910.266 and 29 CFR part 1910.47 and 29 CFR part 1910.1200.

- The permittee shall provide the Service with copies of scale receipts upon request. The Service reserves the right to stop logging operations if proper scale receipts are unnecessarily delayed.
- Other project-specific stipulations may be included in SUPs.

**JUSTIFICATION:**

This use is determined to be compatible, provided the stipulations necessary to ensure its compatibility are implemented. Commercial forest management to improve wildlife habitat will contribute to the purposes for which the refuge was established and the mission of the Refuge System, and facilitate the ability of the refuge to meet its wildlife management objectives. The use will not pose significant adverse effects on refuge resources, interfere with the public use of the refuge, or cause an undue administrative burden. The forest management program may adapt to insure its continued compatibility. Forest management will not materially interfere with, or detract from the mission of the Refuge System or the purposes for which the refuge was established. Commercial forest management will contribute to the refuge's purposes and help meet refuge habitat and species goals by improving habitat conditions for native wildlife species, particularly forest-dependent migratory birds.

**SIGNATURE:**

Refuge Manager: Andrew C French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Scott B. Keenan 1/10/17  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Commercial Guiding for Wildlife-dependent Recreation

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate** \_\_\_\_\_ **Appropriate**

Refuge Manager: *Andrea C. French* Date: *1-18-17*

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: *Krista W. Taylor* Date: *1-18-17*

**A compatibility determination is required before the use may be allowed.**

**JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Commercial Guiding for Wildlife-dependent Recreation

**NARRATIVE:**

Refuge visitors enjoy participating in wildlife-dependent priority public uses (e.g., wildlife observation and photography, hunting, and fishing), but many may not have the local knowledge, skills, or equipment to come to Silvio O. Conte National Fish and Wildlife Refuge and engage in these activities. Commercial guides would help facilitate a safe and high-quality priority public use experience, and facilitate observation and appreciation by participants and observers of the refuge’s wildlife, habitats, and conservation programs.

By allowing this activity, refuge staff anticipates more visitors would be exposed to the refuge and the National Wildlife Refuge System (Refuge System), and this exposure may lead to a better understanding of the importance of the Refuge System to wildlife conservation and to the American people.

For these reasons, we have determined that commercial guiding is consistent with the U.S. Fish and Wildlife Service’s policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.



## COMPATIBILITY DETERMINATION

### USE:

Commercial Guiding for Wildlife-dependent Recreation

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is the use a priority use?**

The use is commercially guided priority public use activities (hunting, fishing, wildlife observation, photography, environmental education, and interpretation). Commercial guiding is the act of accompanying or assisting any person engaged in a wildlife-dependent public use, in exchange for remuneration for those services.

To date, only a few individuals interested in offering this service have inquired about obtaining special use permits (SUPs), and citizens have occasionally inquired about the availability of such services. Only priority public use activities (hunting, fishing, wildlife observation, photography, environmental education, and interpretation) are covered by this determination. Requests for any additional activities would be considered in the future on a case-by-case basis.

Commercial guiding is not a priority public use of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997. Commercial guiding is considered to be an economic use under 50 CFR. 29.1. Therefore, this use must contribute to the purposes for which the refuge was established or the mission of the Refuge System. Commercial guiding for hunting, fishing, wildlife observation, photography, environmental education, and interpretation can contribute to the fulfillment of refuge purposes and to the Refuge System Mission by facilitating priority and/or compatible public uses.

**(b) Where would the use be conducted?**

These activities take place on all refuge divisions open to the identified public uses, including lands acquired in the future pursuant to the final comprehensive conservation plan (e.g., McConnell Pond tract at Nulhegan Basin Division, or any of the conservation focus areas). The same areas currently used by non-guided visitors for wildlife observation, wildlife photography, hunting, fishing, environmental education, and interpretation would therefore also be available for commercially guided visitors. Although current use levels are modest, if user conflicts arise in the future, commercial activities could be restricted to certain areas or times to minimize such conflicts. Refuge approval and a SUP are required for access outside of these areas.

**(c) When would the use be conducted?**

These activities would take place year-round, subject to the refuge-specific regulations or laws governing the individual public use. Commercial guiding would only occur during daylight hours (one-half hour before sunrise until one-half hour after sunset). The refuge must approve any requests for guiding outside of these hours. If approved, the hours permitted will be included in the SUP.

**(d) How would the use be conducted?**

With the exception of the ability to charge guests for services rendered, this use will not impart any additional privileges beyond those available to all refuge users. Commercial guides would be allowed to operate on refuge lands through a formal process, including the issuance of a SUP. The refuge manages commercial guiding activities at a level that is compatible with refuge purposes and that ensures high-quality guiding services are available for the public. If approved, SUPs would be mailed within 2 weeks of the request. If not approved, the entire application package (including the payment check) would be returned via mail. Application packages containing false statements or fraudulent or misleading information will be denied and the application fee will be forfeited.

All SUP activities are regulated by provisions listed in 50 CFR, subpart D-Permits, 25.41 - 45. The permittee would be required to comply with all Department of the Interior, U.S. Fish and Wildlife Service (Service), and Federal, State, and local laws in the conduct of their business. Because this is an economic use of the refuge, it is also subject to other applicable laws and regulations (see 50 CFR 29.1).

The number of permittees for a particular activity is not presently limited by the refuge; however, restrictions may be placed on the quantity, time, and location of activities as deemed appropriate to sustain the resource and the quality of experience for other refuge visitors. If we determine that limits on the number of permittees is necessary, we would follow the procedures outlined in the Service's Refuge Manual (5 RM 17.11) and other applicable laws and regulations (see also 50 CFR 29.1) when selecting permittees and administering this use. Whenever possible, these restrictions would be clearly explained on the permit; however, the refuge reserves the right to enforce further restrictions or to change the restrictions by amending the permit at any time during the permit period when deemed appropriate for the protection of the resource and the quality of experience for the general public.

Commercial guiding may be conducted by automobile and bicycle on designated refuge roads open to these uses. It may also be conducted by boat in waters open to boating. Commercial guiding can also occur by foot, snowshoe, and cross-country skis in areas of the refuge open to these uses. Visitors participating in approved public uses are generally allowed off trail; however, off-trail use is limited to pedestrian access only (e.g., walking, snowshoeing, and cross-country skiing). In addition, commercial guiding for hunting that uses draft horses to recover downed moose as part of the service, would be allowed by SUP.

The permittee must comply with the refuge regulations and SUP conditions listed under “Stipulations Necessary to Ensure Compatibility,” unless an exception is allowed in the SUP.

**(e) Why is the use being proposed?**

We would allow commercial guiding to facilitate and enhance the experience of visitors while participating in wildlife-dependent priority public uses because many visitors may not have the knowledge, skills, confidence, or equipment to explore the division and engage in these activities on their own. Commercial guides would help facilitate a safe and high-quality priority public use experience, and facilitate observation and appreciation by participants and observers of the division’s wildlife and habitats. Because it will generate a minimal amount of economic activity, this use is also likely to be supported by the local communities, especially communities in northern Vermont and New Hampshire where economic activity is limited, and as such engender support for the refuge. Because commercial guiding is considered an economic use, per Federal law (see 16 USC 715s) and Service regulations (50 CFR 29.1), we may only allow economic uses of a refuge natural resource where the use contributes to achieving refuge purposes or the Refuge System mission.

**AVAILABILITY OF RESOURCES:**

The staff time associated with administering the use will primarily be related to processing annual SUPs, answering questions of permittees concerning permit conditions, monitoring compliance with permit conditions, and monitoring potential impacts of the use on division’s resources and visitors. The use will be administered by the wildlife refuge manager. Resource impacts will be monitored by the wildlife biologist, and the federal wildlife officer will monitor compliance with the SUP. No special or new equipment, facilities, staff, or resources are needed to administer this use.

We estimate below the annual costs associated with the administration of commercial guiding on the division.

<i>Program Oversight</i> (wildlife refuge manager):	\$1,200
<i>Processing Special Use Permits/Monitoring Resource Impacts</i> (wildlife biologist):	\$1,800
<i>SUP compliance</i> (federal wildlife officer):	\$1,400
<b>Total Annual Cost of Program:</b>	<b>\$4,400</b>

Fees would be assessed with each permit, and shall be set, when possible, to recover the costs of administering specialized uses including guiding (Refuge Manual 17.8, 17.9).

**ANTICIPATED IMPACTS OF THE USE:**

Commercial guiding of priority public uses can have positive or negative impacts to the division’s wildlife and habitats.

The positive impacts of this use includes providing visitors with a better appreciation and more complete understanding of the division’s wildlife and habitats, and perhaps engaging visitors who would not otherwise choose to experience the division due to their perception of its remoteness. This can translate into more widespread and stronger support for the refuge, the Refuge System, and the Service, as well as wildlife conservation in general.

The negative effects of this use includes impacts to plants, soils, hydrology, and wildlife from visitor participation in the six priority public uses—uses which are presently allowed and would occur with or without commercial guiding. The impacts associated with the priority public uses are discussed in detail under their respective compatibility determinations. Below is a summary of potential impacts associated with common aspects of the priority public uses, including certain methods of access.

### **Vegetation Impacts:**

Pedestrian travel can have indirect impacts to plants by compacting soils and diminishing soil porosity, aeration, and nutrient availability that affect plant growth and survival (Kuss 1986). The entire Nulhegan Basin Division is available for pedestrian travel; visitors may navigate the myriad network of former logging roads, skid trails, and game trails, or they may simply “bushwhack” cross-country, whereas visitor access is restricted at the other divisions. Most environmental education and interpretation visits will occur along hardened trails, so vegetation impacts are unlikely. With an estimate of fewer than 2,000 annual backcountry visits to the refuge’s proposed 200,000 acre landscape, direct impacts to plants are not anticipated with the other priority uses.

People can be vectors for invasive plants when seeds or other propagules are moved from one area to another. The threat of invasive plant establishment would always be an issue requiring annual monitoring, and when necessary, treatment. Staff would work to educate the visiting public to reduce introductions and would also monitor and control invasive species.

Similar to the impacts to vegetation from foot travel, effects on vegetation from skiing and snowshoeing are expected to be minimal. Skiing and snowshoeing are limited to winter and require sufficient snow cover to allow access. Vegetation is largely dormant during the winter and would largely be protected by a surface layer of snow. In addition, skis and snowshoes are designed to distribute weight, decreasing the potential for compacting or eroding soils and trampling vegetation.

### **Soils Impacts:**

Soils can be compacted and eroded as a result of continued use of pedestrian routes (Cole and Landres 1995). It is anticipated that some soil erosion would occur as a result of continuing pedestrian access on designated routes, which would most likely occur with guided environmental education and interpretation visits. Given the highly dispersed nature of wildlife observation, photography, hunting, and fishing, impacts to soils (erosion, compaction) are not likely to be significant at current and anticipated usage levels.

Effects on soils from skiing and snowshoeing are expected to be minimal. Skiing and snowshoeing are limited to winter and require sufficient snow cover to allow access. When these activities are occurring, soils also would largely be protected by a surface layer of snow. In addition, skis and snowshoes are designed to distribute weight, decreasing potential for compacting or eroding soils. However, given the time of year, locations, and methods used, skiing and snowshoeing are not expected to significantly affect soils on the refuge at current or projected levels of use.

The majority of boat use that occurs on the refuge is non-motorized through the use of canoes and kayaks. When motors are used they are either low horsepower or electric trolling motors and must adhere to a 5-mile per hour speed limit. Therefore we do not anticipate any significant bank erosion due to boat wakes.

### **Hydrologic Impacts:**

Roads and trails can affect the hydrology of an area, primarily through alteration of drainage patterns. It is anticipated that existing roads and trails would continue to influence hydrology regardless of pedestrian travel. Maintenance would be required to create adequate and proper drainage to avoid hydrologic impacts. Trail construction may also cause erosion and run-off of sediment into nearby waterways from exposed soils.

Slight erosion may occur along the formal trails commonly used for environmental education and interpretation and some minor amount of sediment may enter waterways at those locations where trails adjoin streams. Properly sited, designed, and maintained trails minimize this impact. Based on the current and anticipated levels of use, pedestrian travel is not likely to significantly increase erosion, incision, or stream alteration. Therefore, no significant hydrologic impacts are anticipated from this use.

Motorboats and other pollutants, human waste, and litter can have negative impacts on water quality. Extensive water quality testing has not been performed at any of the divisions and therefore the levels of



pollutants from boat fuel and impacts on local aquatic systems are unknown. Hydrocarbon contamination can be harmful to fish. Currently, boating activity is light and most is non-motorized so we feel there is little contamination coming from this source.

### **Wildlife Impacts:**

Disturbances vary with the wildlife species involved and the type, level, frequency, duration and the time of year such activities occur. The responses of wildlife to human activities includes: avoidance or departure from the site (Owen 1973, Burger 1981, Kaiser and Fritzell 1984, Korschner et al. 1985, Henson and Grant 1991, Kahl 1991, Klein 1993, Whittaker and Knight 1998), use of sub-optimal habitat (Erwin 1980, Williams and Forbes 1980), altered behavior or habituation to human disturbance (Burger 1981, Korschner et al. 1985, Morton et al. 1989, Ward and Stehn 1989, Havera et al. 1992, Klein 1993), attraction (Whittaker and Knight 1998), and an increase in energy expenditure (Morton et al. 1989, Belanger and Bedard 1990). Knight and Cole (1991) suggest recreational activities occurring simultaneously may have a combined negative impact on wildlife. Hammitt and Cole (1998) concluded that the frequent presence of humans in wildland areas can dramatically change the normal behavior of wildlife mostly through “unintentional harassment.” These responses can have negative impacts to wildlife such as mammals becoming habituated to humans making them more susceptible to hunting mortality. Human induced avoidance by wildlife can prevent animals from using otherwise suitable habitat. Seasonal sensitivities can compound the effect of disturbance on wildlife. Both bird and mammal species which are present and active during the winter have the added environmental stressors of severe weather and food shortages, and can be more negatively affected than they would from the same level of disturbance during the warmer seasons (Hammit and Cole 1998). However, many migratory birds are not present in the winter, and most resident species are not breeding or raising young during the time of year when cross-country skiing and snowshoeing occur. Additionally, many mammal species are less active during winter months.

### **Summary of Impacts:**

Opening the division to commercial guiding could result in a minimal increase in the number of visitors to the refuge and likewise increase the number of larger groups (4 or more people) visiting the various divisions. Resource impacts, however, are not expected to be any greater than those resulting from the existing, approved wildlife-dependent public uses. Commercial guides and their clients would be required to comply with all of the existing stipulations for authorized public uses. In addition, commercial guides would be required to comply with the stipulations noted below and would be routinely checked by the refuge’s federal wildlife officer for compliance with regulations and permit conditions. Permit conditions and stipulations are designed to minimize potential impacts. Although a substantial increase in the cumulative impacts from public use is not expected in the near term, refuge staff would monitor impacts of this use and respond, if necessary, to conserve the existing high quality of refuge resources.

### **PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

### **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

### **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

The following stipulations apply to SUPs issued for commercially guided recreational activities. Continuing law enforcement and administrative monitoring of permittees would be carried out to ensure compliance with the following conditions that are incorporated into all permits in order to minimize impacts on refuge lands and resources.

- Permittee agrees to hold the U.S. Government harmless from liability for any accident/injury to their clients or employees resulting from their activities being authorized by this permit. The permittee must provide adequate and appropriate liability insurance (a Certificate of Insurance with adequate Comprehensive General Liability coverage, the minimum limit of liability being \$300,000 per occurrence). The insurance certificate must name the U.S. Fish and Wildlife Service as additional insured, as well as specify that the service/activity authorized by the permit is covered by the policy and must also provide a telephone number for verification purposes.
- The permittee must provide a copy of the appropriate documentation of current First Aid and CPR (cardiopulmonary resuscitation) certification for all guides.
- The refuge needs public use figures for end-of-fiscal year reports; therefore, SUP use figures must be turned in to the refuge by August 1 with estimates through September 30, and the following information must be reported: total number of trips, total number participants, and total fees.
- We reserve the right to limit the number of commercial guides and clients as needed.
- A copy of a valid SUP must be available for inspection by any law enforcement officer or refuge staff member, on request, whenever an activity authorized by the permit is occurring. Storing in the glove box of the vehicle may be acceptable; however, all guides must be knowledgeable about the permit and its conditions.
- Violation of (1) any special conditions of the SUP or (2) any Federal, State, local, or refuge regulations may result in a Notice of Violation being issued or revocation/cancellation of the permit without written or verbal warning. In that case, the permittee would receive immediate notification via phone with follow-up notification via mail. Permittees are responsible for the actions of their employees, agents, others working under their SUP, and their clients.
- No refund would be made to the permittee, regardless of the reason for revocation/cancellation of a permit.
- Canoe/kayak tour permits: Guides would be required to be knowledgeable in the identification and threats of aquatic invasive plant species. They would be required to inspect boats, trailers, and all associated boating equipment for the presence of plant material. All plant material must be removed and securely placed in zip lock bags prior to launching the boat or using associated equipment in refuge waters.
- For those businesses having held a previous year SUP, a current year SUP would not be issued until an accounting of tours/activities conducted under the old SUP has been received by the refuge office.
- SUPs are issued on a year-to-year basis and are not automatically re-issued on consecutive years.
- Permittee would provide all participants with information explaining the refuge, Refuge System and their missions, as well as, relevant permit regulations and conditions. The refuge would supply the necessary information to the permittee.
- Vehicle(s) would be used only on designated roadways and in parking areas.
- Guides would police their clients for litter, vandalism, etc. and report any problems to the refuge office.
- The use of electronic calls or baiting for the purposes of attracting wildlife is not allowed.
- Pursuing wildlife for purposes other than regulated hunting activities involving the intended take of game species (e.g., pursuit for purposes of wildlife observation or photography) is not allowed.
- Commercial guiding can occur during the refuge's open hours from one-half hour before sunrise until one-half hour after sunset. The refuge must approve any requests for guiding outside of these hours.

**JUSTIFICATION:**

While few requests to offer commercial guiding have been received, it is possible that this niche, once available, will be filled by individuals and organizations with the skills necessary to provide quality fishing, hunting, and wildlife observation for guests. It is anticipated that even the minimal amount of economic activity represented by this use in those economically depressed areas within the Connecticut River watershed, will be welcomed by the local communities.

We have determined that allowing commercial guiding would not materially interfere with, or detract from, the mission of the Refuge System or the purposes for which the refuge was established. In fact, based on the analysis presented above, we have determined that allowing this use will contribute to the refuge’s purpose, “[to] provide opportunities for...fish and wildlife oriented recreation and access to the extent compatible with the other purposes...” First, refuge visitors enjoy participating in wildlife-dependent priority public uses, but many may not have the knowledge, skills, or equipment to engage in these activities, particularly at the more remote divisions. Commercial guides may help facilitate a safe and high-quality priority public use experience, and facilitate observation and appreciation by participants of the refuge’s wildlife, habitats, and conservation programs. Second, by allowing this activity, refuge staff hopes more visitors will be exposed to the refuge and the Refuge System, and this exposure may lead to a better understanding of the importance of the Refuge System to wildlife conservation and to the American people. These users may take the time to learn more about the refuge and become supporters of the Refuge System.

**SIGNATURE:**

Refuge Manager: Andrew C. French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Scott B. Kehan 1/18/17  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Commercial Haying to Manage Grassland Habitat

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C. Friend Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Godwin D. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

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**Use:** Commercial Haying to Manage Grassland Habitat

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### **NARRATIVE:**

Commercial haying at Silvio O. Conte National Wildlife Refuge (Conte Refuge, refuge) would be permitted in designated grassland management areas of the refuge. At this time the only areas managed with commercial haying are on the Fort River Division in Hadley, Massachusetts.

Commercial haying is considered to be an economic use under 50 CFR 29.1. Therefore, it must contribute to the purposes for which the refuge was established or the mission of the National Wildlife Refuge System (Refuge System). Haying cuts vegetation (primarily grass) from fields which otherwise continue to grow then become dormant following the growing season. Through time in the absence of mowing these fields would eventually succeed to shrub and forest habitats, at the expense of grassland habitats. Unlike nearby haying on commercial farmland, haying on the refuge would be conducted under a special use permit, which requires hay not to be harvested until after July 15. This allows ground-nesting, grassland-dependent birds to raise their broods and not lose their chicks to the harvesting machines. In addition, there are approximately 50 acres managed as herbaceous habitat (i.e. grass/forb) that are mowed by refuge staff to retain this habitat structure; however, these fields are mowed on a rotational basis, leaving a portion unmowed each year for nonbreeding season habitat.

Haying contributes to goal 1 of the refuge's draft Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS), which states that the refuge will provide and promote through active management a diversity of successional habitats, including grasslands, to sustain priority species. Additionally, haying by a local farmer frees up staff equipment operators to conduct required management activities elsewhere on the refuge. This saves the refuge time and money which may be allocated to different projects. In that sense, this use also benefits the refuge's other natural and cultural resources.

Haying facilitates the management of refuge grassland habitat and is not only a reasonable method, but sometimes is a preferred method of managing grasslands for nesting bird species. For these reasons, we have found commercial haying contributes to the purposes for which the refuge was established and the mission of the Refuge System and, therefore, is an appropriate refuge use under the U.S. Fish and Wildlife Service's policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## COMPATIBILITY DETERMINATION

### USE:

Commercial Haying to Manage Grassland Habitat

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is the use a priority public use?**

The use is commercial haying to manage grassland habitat at Conte Refuge. Haying is a refuge management economic activity under 50 CFR 29.1, not a priority public use of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), and the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). Since commercial haying is considered an economic use, it must contribute to the purposes for which the refuge was established or the mission of the Refuge System.

**(b) Where would the use be conducted?**

Haying would continue on up to 103 acres of grass fields within the Fort River Division of the refuge. Currently, 59 acres are commercially hayed and another 44 acres are cut by refuge staff because the composition of these meadows has low forage value. This division includes 249 acres of mostly meadows and floodplain forest. Under the preferred alternative, the Fort River Division could expand to 2,277 acres which could include additional meadow habitat that could be hayed consistent with the ongoing program. Each of the Conservation Focus Areas (CFAs) and expanded divisions in the preferred alternative contain pasture, hay, or grassland that could be commercially hayed if its retention is called for in the Habitat Management Plan (HMP) and the vegetation is suitable forage. A map of the acreage to be hayed during a given year would be appended to the annual special use permit(s) (SUPs) which would be issued for this use.

**(c) When would the use be conducted?**

Refuge permittees would be able to access refuge hay fields from April through September 30, as needed for the haying operation. Access would be for the purposes of soil testing, application of soil amendments, planting, crop monitoring, and harvesting.

The use of a tractor to spread soil amendments and for hay harvest must occur after July 15 each year, to ensure that grassland bird species have completed nesting. Harvesting and equipment removal must be completed by September 30 each year.

**(d) How would the use be conducted?**

Individuals would be authorized to cut hay once, after July 15, via a SUP issued by the refuge manager. Currently, 71 acres of refuge grasslands are hayed every year to maintain healthy, vigorous habitat for grassland birds and other associated species. Another 44 acres (Fort River Division) (map D.2) and 11 acres (Pondicherry Division) (map D.3) are mowed by refuge staff on a 2- to 3-year rotation. The meadows at the Fort River Division are not currently suitable as forage because of a high volume of unpalatable plants. An additional 20 acres at this division are being restored to warm season grassland habitat and 30 acres of grass/forb fields are not high quality hay. These 50 acres are not included in the commercial haying program and are mowed by refuge staff. Some of these fields are left unmowed each year to provide non-breeding season habitat. The goal is to make all the grasslands at the Fort River Division (123 acres) and Pondicherry Division (11 acres) available for commercial mowing, once high quality grass forage is firmly established. Each of the other divisions and the proposed acquisitions in the CFAs contain pasture, hay, or grassland that could be mowed commercially, if acquired by the U.S. Fish and Wildlife Service (Service). The amount of haying each year would be adjusted as needed to ensure optimum maintenance of habitat for wildlife. Residual ground cover would be allowed to grow during the fall season to provide nesting habitat for waterfowl and neo-tropical migrants the next spring.

All activities under this special use permit process are regulated by provisions listed in 50 CFR (subpart D-Permits, 25.41–45). The permittee would be required to comply with all Department of the Interior, U.S. Fish and Wildlife Service, and Federal, State, and local laws in the conduct of their business. Because this is an economic use of the refuge, it is also subject to other applicable laws and regulations (see 50 CFR 29.1). We would continue to follow the procedures outlined in the Service's Refuge Manual (5 RM 17.11) and other applicable laws and regulations (see also 50 CFR 29.1) when selecting permittees and administering this use. To reduce costs of administering this use and consistency from year to year, we may follow procedures specified in this section of the Refuge Manual which allow a previous permittee to have priority over other applicants for renewal of any privilege so long as there has been compliance with the provisions of the previous special use permit.

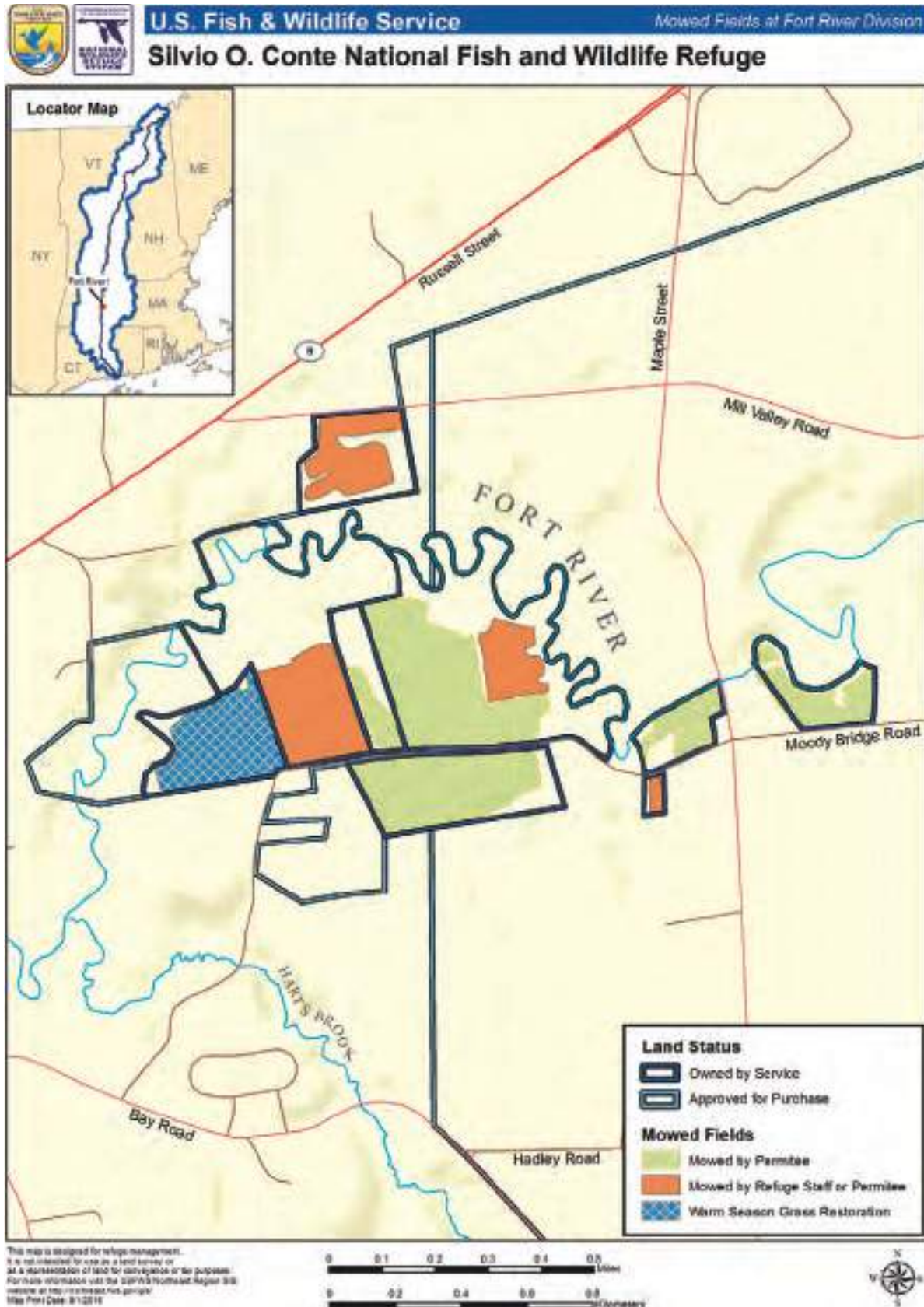
All labor, equipment, and materials for the haying operation would be supplied by the permittee. This consists of tractors, hay wagons, soil amendments, and equipment used for spreading soil amendments. No refuge-supplied facilities or improvements are required.

Native seed adapted to the region will be used. Overseeding is not anticipated at the Fort River Division, but should it be necessary there or elsewhere, the species would need to be approved by the refuge manager and could not contain any genetically modified materials or neonectoid treated seeds, as specified by Service policy. Permittee may access hay fields for soil testing, application of soil amendments, planting, monitoring, and hay harvesting, although several of these activities may only be permitted after July 15.

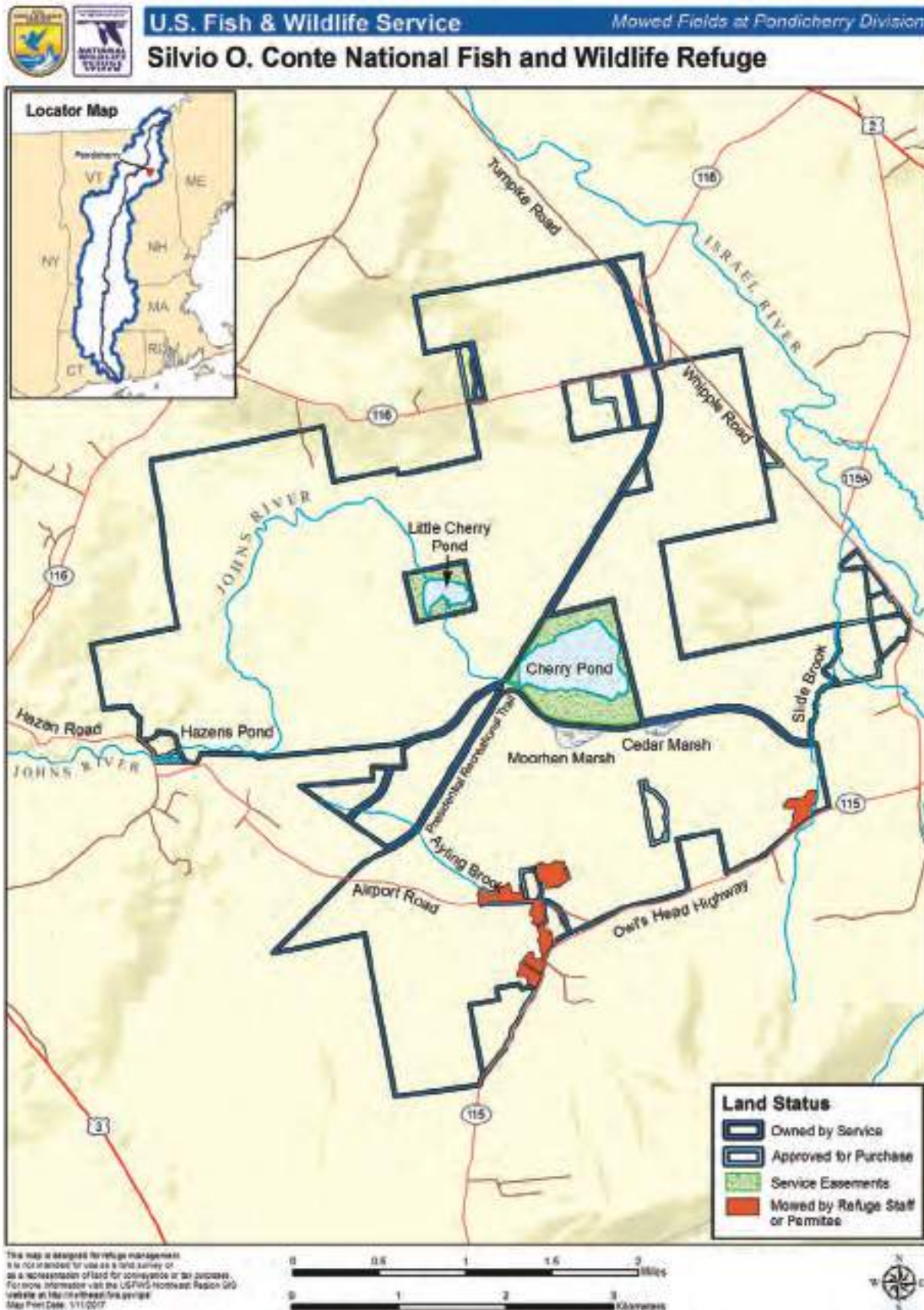
Administration of the haying program would be conducted in accordance with the forthcoming refuge HMP. Haying would be subject to the terms and conditions of an annual SUP issued by the refuge manager. The terms of this permit would ensure compatibility through application and implementation of Service policy and refuge-specific stipulations.



Map D.2. Mowed and hayed fields at the Fort River Division of the Silvio O. Conte National Fish and Wildlife Refuge.



Map D.3. Mowed Fields at the Pondicherry Division of the Silvio O. Conte National Fish and Wildlife Refuge.





In part, the Conte Refuge was established to conserve, protect, and enhance the natural diversity and abundance of plant, fish, and wildlife species and the ecosystem upon which these species depend within the refuge. Division-specific pasture/hay/grassland direction is found in the draft Comprehensive Conservation Plan (CCP), Part II Sub-objective 1.2b.

**Fort River Division:** Sub-objective 1.2b states that the refuge will manage abandoned agricultural fields, where appropriate, to provide forest connectivity, scrub-shrub and grassland habitat for breeding grassland species (e.g., upland sandpipers), migrating landbirds, and bat species.

**Pondicherry Division:** Sub-objective 1.2b states that the refuge will manage pasture, hay, and grasslands (where appropriate) to create a mosaic of habitat conditions required by American woodcock.

We would continue to maintain 103 acres of grassland habitat at the Fort River Division and 11 acres at the Pondicherry Division to provide nesting and migratory habitat for landbirds of high conservation priority in such as bobolinks and American woodcock (Partners in Flight [PIF] Area 27 Plan). Currently, 59 acres is commercially hayed at the Fort River Division. The remaining acres with low forage values at both divisions are mowed by refuge staff. We would strive to employ commercial cutting of pasture, hay, and grasslands wherever the vegetation is suitable for forage.

Haying and mowing are useful grassland management techniques (USFWS 1982). Mitchell et al. (2000) stated that mowing is an economical means of controlling invasion of grasslands by forbs and woody plants. Further, mowing may be a more convenient technique to apply than prescribed fire or grazing. Herkert et al. (1993) recommend rotational haying or mowing as a grassland management alternative with subunits left idle. This strategy provides a complex of grassland successional stages to meet the respective nesting requirements of several grassland bird species. More specifically, haying and mowing are recommended techniques for managing grasslands used by nesting northern harrier (Berkey et al. 1993, Dechant et al. 2001b), upland sandpiper (Kirsch and Higgins 1976, Dechant et al. 2001a), grasshopper sparrow (Dechant et al. 2001c, Vickery 1996), savannah sparrow (Swanson 2001), bobolink (Bollinger and Gavin 1992, Dechant et al. 2001d), American woodcock (U.S. Department of Agriculture, Natural Resources Conservation Service 2010), and eastern meadowlark (Lanyon 1995, Hull 2000). All of these species currently use, or were historically documented on, the Fort River and/or Pondicherry Divisions of Conte Refuge, at least during migration. These species could also be expected on the pasture, hay, and grassland habitats of additional acquisition priorities identified in the preferred alternative.

Historically most of New England was forested, except for a period following European settlement when much of the region was cleared for agriculture and subsequently grasslands and fields became abundant. In pre-settlement times, permanent, large openings were uncommon. Scattered openings occurred along large river floodplains, around beaver flowages, in coastal heathlands and in other areas of regular disturbance. In undeveloped areas, large grasslands are now in decline and often has reforested.

Populations of grassland birds are declining as grassland habitats and other agricultural conditions diminish. Grassland birds have declined more consistently and over a wider geographic area than any other group of North American birds over the last 30 years (Robbins et al. 1986, Askins 1993, Knopf 1995, Askins 1997, Sauer et al. 1997). As a result, most grassland birds appear on lists of rare and declining species (NYSDEC 1997, Pashley et al. 2000, U.S. NABCI Committee 2000, USFWS 2002). Norment (2002) notes that despite the relatively recent (last 200 years) rise and fall of grassland habitats and associated birds in New England, the region may still be important for these species given their continental decline and habitat loss in the core of their ranges in the Midwest.

Large grasslands are declining across the Northeast as a result of forest succession and development. Many remaining fields are mowed twice a year (late spring and mid-summer) for hay, and hence, are less suitable for nesting birds. Although there is uncertainty about the extent of grassland habitat and associated wildlife prior to European settlement, grasslands provide a component of diversity that is desired (Jones and Vickery 1997).

American woodcock, which depend on old fields and clearings for courtship displays in the spring, are declining at a rate of 2 to 3 percent per year. The major causes for these declines are thought to be loss and degradation of habitat on the breeding and wintering grounds, resulting from forest succession and land use

changes (Kelley 2003). Bobolinks also rely on open field habitat for nesting and foraging and are also declining (approximately 3 percent per year) in this region.

In addition to providing breeding habitat, the fields provide important foraging habitat for spring and fall migrating birds such as the bobolink. Most migratory birds rely on seeds, fruits, and insects to sustain them through migration. While difficult to quantify, the foraging habitat provided during migration is considered a vital component of the overall habitat quality.

Grassland management requires disturbance (e.g., mowing) to prevent natural succession to shrubland and forest. Most of the grassland bird species (e.g., grasshopper, vesper, and savannah sparrows, upland sandpiper, and eastern meadowlark) that have declined in the region require 20 acres or more of contiguous grassland habitat (Jones and Vickery 1997). Only the bobolink occupies areas less than 10 acres, although a viable population would require a larger grassland area. Small grasslands surrounded by forest or shrubland and isolated from each other are unlikely to provide quality nesting and feeding habitat for these birds (Askins 1997). Without active management, refuge grasslands would succeed to shrub and forest habitat and be susceptible to nonnative invasive species including purple loosestrife, multiflora rose, reed canary grass, and Japanese knotweed.

### **AVAILABILITY OF RESOURCES:**

This activity is a refuge management economic activity conducted for the Service by a citizen through the use of a SUP, and therefore, is not subject to the Refuge Recreation Act.

For purposes of documentation, the costs associated with this use are minimal and include the cost of preparing a permit annually, communicating habitat management goals to the permittee annually, and monitoring the activity.

We estimate these costs associated with this use:

<i>Law enforcement–patrol/visitor-resource protection/public use monitoring/enforcement/outreach</i> (GS-9 Refuge Officer):	\$1,000
<i>Resource impacts/monitoring</i> (GS-11 Wildlife Biologist):	\$1,000
<b>Total:</b>	<b>\$2,000</b>

### **ANTICIPATED IMPACTS OF THE USE:**

#### **Effects on Wildlife:**

Haying on the Fort River Division of the Conte Refuge is used as an inexpensive management tool to maintain habitat for grassland-nesting birds, and for woodcock singing grounds and nocturnal roosting fields (Sepik et al. 1981) as well as providing habitat for other wildlife species such as geese, deer, and bears. At the time of refuge establishment, sedge wrens, which are a State-listed endangered species, nested on the property. Traditional habitat management activities, including haying, have been continued to ensure no significant habitat changes that could threaten use by sedge wrens. Haying has continued to make the habitat attractive to other species of importance such as bobolinks, American kestrels, and red-tailed hawks.

Haying by private parties would result in short-term disturbances and long-term benefits to both resident and migratory wildlife using the refuge. Short-term impacts would include disturbance and displacement of some wildlife by equipment operation. Haying activities would also result in short-term loss of habitat for species using those areas for nesting, feeding, or resting. This would be partially mitigated by limiting all cutting and haying until after July 15, when bobolinks, savannah sparrows, and most other grassland-nesting birds have fledged at least one brood.



Other short-term impacts would be noise and exhaust fumes generated by the tractors and associated farm equipment; however this would not be a significant impact. The resulting habitat would improve conditions for most of the species adversely affected by the short-term negative impacts (e.g. upland sandpiper, grasshopper sparrow, savannah sparrow and bobolink).

The American woodcock requires open areas for its spring courtship. Large fields, such as those at the Fort River Division, are used by woodcock as nocturnal roosting areas during the summer months. The American woodcock is a high priority species under both the PIF and Bird Conservation Region (BCR) 30 programs.

The lush regrowth that appears after a field is hayed provides green browse for white-tailed deer and other wildlife.

**Effects on Habitat:**

Machinery and people can be vectors for invasive plants when seeds or other propagules are moved from one area to another. Once established, invasive plants can outcompete native plants, thereby, altering habitats and indirectly impacting wildlife. The threat of invasive plant establishment would always be an issue requiring annual monitoring, and when necessary, treatment. However, risks of introducing invasive plants via moving haying equipment from one hay field to another are thought to be minimal because there is usually little exposed soil in the fields to get stuck in the tires. Staff would work to eradicate any invasive species and educate the visiting public and permittee on ways to identify invasive species and methods to minimize the risk of spreading invasive species.

Overall, a controlled haying program would have long-term positive impacts to the refuge’s grassland habitat. Haying suppresses invasion of grasslands by perennial forbs and shrubs. Consequently, grass-dominated plant communities are maintained. Diverse grasslands provide habitat for a greater diversity and abundance of grassland birds and other wildlife.

**Effects on Water Quality:**

The farmer is allowed to test the soil for fertility and add amendments. Over-fertilizing, fertilizing at the wrong time of year, or applying fertilizer too close to a water body can have negative impacts on water quality. Excess nitrogen and phosphorus, entering a body either overland or through the groundwater, can increase the nutrient levels in the water body. Fertilizer in a water body results in increased plant growth just as on the farm field, only in this case growth of phytoplankton, algae, and macrophytes. Dying plant material can take up a great deal of dissolved oxygen, leading to anoxic conditions and possibly to fish kills. To protect water quality on and around the refuge unit, we would impose the following stipulations as part of the SUP: (1) the permittee would be required to submit results of the soil test and plans for any amendment application to the refuge manager for approval prior to any application, and (2) permittee may not apply any soil amendments (fertilizers) on frozen ground or within a buffer zone of 100-feet of a water body.

**Socioeconomic Effects:**

The haying program would also have positive economic impacts for the permittees, and would result in hay being available to local farmers and construction contractors.

**PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

**DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

**STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

On refuge lands:

- Commercial haying will be done under a SUP in accordance with 5 RM 17. Permittees will be selected according to 5 RM 17.11 (A).
- Permittees must abide by the conditions and stipulations stated in the SUP. SUPs include stipulations on the timing, frequency, and pattern of haying to best meet wildlife habitat objectives each year.
- The permittee will use every feasible precaution against causing excessive surface damage to Refuge lands, roads, wetlands, and waters. Permittee will report any damages to the refuge manager as soon as possible.
- The permittee shall take all reasonable precautions to prevent the escape of fires and to suppress fires and shall render all reasonable assistance in the suppression of refuge fires.
- Permittee will not conduct activities in connection with SUPs in any such manner that would interfere with or cause hazards to Refuge staff or other parties authorized to enter the property.
- Refuge staff must continue to monitor the refuge for the presence of threatened or endangered species and ensure that haying continues to produce the desired habitat conditions which are beneficial to wildlife.
- Refuge permittees may access refuge hay fields from April through September, as needed for the haying operation for the purposes of soil testing, and crop monitoring. Tractor, machinery, and vehicle access for the application of soil amendments, planting native species, and harvesting, will take place between July 15 and April 1.
- No soil amendments (fertilizers) will be applied on frozen ground or within a buffer zone of 100 feet of a water body.
- Permittees must have written approval from the refuge manager before applying any pesticide (including herbicides). The type, timing, and application rate will be based on a Service-approved pesticide use plan obtained by the refuge manager. To provide enough time to complete the Service's pesticide use approval process, permittees would need to submit the following to the refuge manager at least 3 months prior to the desired application date:
  - \* The pesticide label containing the common name of the pesticide and application.
  - \* Recommended number of applications.
  - \* Application methods.
  - \* Target pests.
  - \* If the pesticide use is approved, the permittee is required to complete a pesticide spray record at the time of application. The pesticide spray record would be supplied by the refuge manager
- Grass harvest must occur after July 15 each year, to ensure that grassland bird species have completed nesting. Harvesting and equipment removal must be completed by September 30, which is the ending date of the annual SUP issued for this refuge use.
- Haying locations may be adjusted annually or cancelled in any given year or series of years in the interest of optimizing habitat conditions for wildlife.

- Any seed used will be native and adapted to the region, and will not contain any genetically modified materials or neonectoid treatments.

**JUSTIFICATION:**

We have determined that allowing commercial haying on Conte Refuge would not materially interfere with, or detract from, the mission of the Refuge System or the purposes for which the refuge was established. In fact, based on the analysis presented above, we have determined that allowing this use will contribute to the mission of the Refuge System and the purposes for which the refuge was established as follows. Haying contributes to the refuge’s wildlife purposes by maintaining habitat in a condition suitable for use by wildlife, primarily obligate grassland nesting birds. Fields not mowed provide habitat from late summer through early spring. Raptors benefit from the area by using it extensively to hunt for small mammals. Small and large mammals use the fields for foraging and to raise their young. On some fields with low forage values mowing will be conducted by refuge staff and therefore, not be subject to a compatibility determination. However, where feasible, it is more efficient and cost effective to issue an annual special use permit to harvest hay.

**SIGNATURE:**

Refuge Manager: Andrew C. French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Scott B. Kuhn 1/18/17  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Non-traditional Geocaching

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: *Arden C French* Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: *Karla V Taylor* Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Non-traditional Geocaching

### **NARRATIVE:**

Non-traditional geocaching activities are not priority public uses; however, they can facilitate priority public uses on the refuge. When designed carefully, non-traditional geocaching activities can be used as a form of interpretation to educate the public about the U.S. Fish and Wildlife Service (Service), the National Wildlife Refuge System (Refuge System), and the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge). Non-traditional geocaching can also facilitate wildlife observation and photography. One of the goals of the Service and the Refuge System is to provide opportunities to view wildlife and to partake in interpretation. Allowing the use of the Silvio O. Conte National Fish and Wildlife Refuge areas that are already open to the public, such as designated roads, trails, pull-outs, overlooks, and visitor contact facilities, to persons engaging in non-traditional geocaching supports this goal.

Traditional geocaching is not appropriate on national wildlife refuges because it does not comply with Federal regulations or Service policies because it involves leaving behind objects (e.g., physical caches) and may involve digging which could disturb sensitive natural and cultural resources. Unlike traditional geocaching, in non-traditional geocaching physical caches (e.g., boxes, trinkets, etc.) are not left behind. Instead, non-traditional geocaching involves using Global Positioning System (GPS) receivers or mobile devices to navigate to certain locations to find visitor facilities, natural or cultural features of interest, wildlife-viewing hotspots, interpretive signs, etc. Visitors engaged in non-traditional geocaching would walk, hike, snowshoe, cross-country ski along refuge trails, boat in authorized areas, or bicycle or drive on public roadways.

All non-traditional geocaching programs, including but not limited to virtual geocaching, letterboxing, earthcaching, Trail Link and GPS Adventure, on the refuge would be designed or approved by refuge staff to ensure that they support priority public uses and to minimize impacts to refuge wildlife and habitats. Non-traditional geocaching would also only be allowed in locations open to the public and the majority of use would occur along refuge trails and roads and inside refuge facilities. Therefore, non-traditional geocaching is anticipated to have the same level of impacts as those under the primary public uses, because the access and activities are very similar. Because these activities will be supervised by refuge staff, impacts of geocaching will likely be minimal when conducted in accordance with refuge regulations.

Geocaching opportunities advertised on appropriate public Web sites would build awareness of the Refuge System and would attract new visitors, many of whom would partake in wildlife dependent activities while at the refuge. Additionally, non-traditional geocaching activities would not materially interfere with or detract from the fulfillment of the Refuge System mission or the purpose for which the refuge was established, and it would encourage geocachers to stop at the visitor center to obtain refuge or wildlife viewing information.

For the reasons above, non-traditional geocaching is an appropriate use on all divisions and units of the Conte Refuge, with the exception of the Dead Man's Swamp and the Wissatinnewag Units, which are closed to the public to protect sensitive resources, and the Mount Tom Unit, which is currently closed due to public safety and vandalism concerns.

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.



## COMPATIBILITY DETERMINATION

### USE:

Non-traditional Geocaching

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is it a priority public use?**

The use is non-traditional geocaching, including virtual geocaching, letterboxing, earthcaching, trail link.

Traditional geocaching is an outdoor activity in which the participants use a GPS receiver or mobile device or other navigational technique to find, hide, and seek containers, called “geocaches” or “caches.” A typical cache is a small, waterproof container containing a logbook where the geocacher enters the date that they found it and signs it. Larger containers such as plastic storage containers or ammunition boxes can also contain items

for trading, usually toys or trinkets of little value. Traditional geocaching is not appropriate and not compatible on national wildlife refuges because it does not comply with Federal regulations or U.S. Fish and Wildlife Service policies and guidance because it involves leaving behind objects and may involve digging which could disturb sensitive natural and cultural resources.

However, non-traditional geocaching generally does not involve leaving or removing a physical cache. Examples of non-traditional geocaching include virtual geocaching, earthcaching, Trail Link, letterboxing, and GPS Adventure. While this is not a complete list, these forms of geocaching focus on the use of a GPS or other means to locate places of interest such as a landmark, or a scenic vista rather than a hidden box with items to trade. These listed forms of non-traditional geocaching are allowable on national wildlife refuges if found appropriate and compatible. Below are more details on these types of non-traditional geocaching:

*Virtual Geocaching* ([www.waymarking.com](http://www.waymarking.com)) uses hand held GPS devices, but the goal of the activity is different [from traditional geocaching] and the activity can be enjoyed without placing a physical cache. Virtual caching provides GPS coordinates to existing points of interest, such as a facility, cultural feature, wayside exhibit, or object in public areas.

*Letterboxing* ([www.letterboxing.org](http://www.letterboxing.org)) involves the placement of a cache containing a stamp and an inkpad that participants use to document that they have discovered a specific location. Participants find the location by following “clues” offered on the web involving map coordinates or compass bearings. We would only allow letterboxing to occur inside refuge visitor contact stations because it does involve leaving behind a stamp and inkpad.

*Earthcaching* ([www.earthcache.org](http://www.earthcache.org)) is a type of virtual geocache. The Web site lists a number of virtual caches which are educational in purpose and judged for suitability by a team supported by the Geological Society of America.

*Trail Link* is a partnership between Geocaching.com and the Rails to Trails Conservancy to collect mapping data for over 15,000 miles of trails Nationwide. Members of the Rails to Trails Conservancy are encouraged to capture GPS coordinates as they hike. The GPS coordinates can be supplemented with photos and other interpretive information about particular points along the trails. For more information about the program and its possible application to Refuge System trails, visit [www.geocaching.com/railstotrails/default.aspx](http://www.geocaching.com/railstotrails/default.aspx).

*GPS Adventures* (<http://www.gpsmaze.com/index.html>) is a program that incorporates lesson plans from a number of educational programs about geography, history, science, and technology. The program includes a GPS Adventures Maze to provide students with hands-on exploration of the use of GPS technology in support of school programs.

Non-traditional geocaching is not a priority public use. However, it can be used to facilitate priority public uses of the Refuge System under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), and the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), such as interpretation, wildlife observation, and wildlife photography. This can be achieved by using the geocaching activity to lead visitors to areas of interest, to create a virtual tour that interprets different parts of the refuge, and by leading visitors into visitor centers or visitor contact centers where they can partake in other interpretation and education events. To ensure non-traditional geocaching supports priority public uses, we would only allow non-traditional geocaching opportunities on the refuge that are designed or approved by appropriate refuge staff.

**(b) Where will these uses be conducted?**

All non-traditional geocaching activities will be allowed only in areas of the refuge open to the public. All geocache routes must be approved by refuge staff prior to their use. Geocaching activities will avoid areas sensitive to disturbance (e.g. sensitive vegetation areas, sensitive breeding areas, areas with endangered, threatened, or rare animals and plants) or degradation (e.g. soil compaction), and will be designed to minimize impacts to endangered species, nesting birds, or other breeding, feeding, or resting wildlife. Certain areas of the Conte Refuge may be temporarily or seasonally closed to this use at the refuge manager’s discretion to protect sensitive habitats or species of concern, minimize conflicts with other refuge activities, or due to human health and safety concerns.

**(c) When will the uses be conducted?**

Geocaching can occur throughout the year during daylight hours on all refuge division and units, with the following exceptions:

**Third Island Unit:**

The Third Island Unit is seasonally closed (January 1 through July 31) to protect nesting bald eagles.

**Deadmans Swamp, Wissitinnewag, and Mount Tom Units:**

The Deadmans Swamp and the Wissitinnewag Units are closed to the public to protect sensitive resources. Currently, the Mount Tom Unit is also currently closed due to public safety and vandalism concerns.

**(d) How will the uses be conducted?**

Non-traditional geocaching can be used as a tool to get people to visit refuge divisions and units. Interpretive materials associated with geocaching will give the general public an opportunity to learn about the refuge, the Refuge System, and the Service. Geocaching is self-regulating with cache coordinates and clues listed on appropriate organization Web sites (see Web site link above in the description of use) along with any special rules and instructions. All geocaches will be designed to keep visitors within open public areas, generally along refuge trails and roads and at other public use facilities. Some geocaches may not be available year-round depending on weather conditions, staffing, and seasonal wildlife-related closures. When geocaches are not available, this will be posted on appropriate organization Web sites to notify possible visitors. All geocaches need to be approved by appropriate refuge staff and should support priority public uses (interpretation, environmental educations, wildlife observation, photography, fishing, and hunting). All areas where geocaching will be allowed are already managed by the refuge for other wildlife dependent activities.

Visitors engaged in non-traditional geocaching would walk, hike, snowshoe, or cross-country ski along refuge trails, boat in authorized areas, or bicycle or drive on public roadways. To partake in geocaching, visitors enter the refuge divisions and units at public entry points or drive to refuge parking areas and walk from there. Visitors may park vehicles at refuge parking areas, along the shoulders of designated refuge roads (Nulhegan Basin Division), and where legal, along public roads. Information about where to park to access a particular geocache will be listed on appropriate geocaching Web sites. Informational kiosks at the Nulhegan Basin Division and the Pondicherry Division currently explain permitted public uses. Similar parking lots and informational kiosks are planned for the entry of each refuge division and unit. Visitors will also participate in geocaching by walking, hiking, snowshoeing or cross-country skiing on wildlife observation trails on the refuge. Designated wildlife observation trails on the refuge are described and interpreted in the trail brochures and on the Web site. As trail connections are made, refuge brochures and kiosks will be updated to show all designated trails. Visitors may also access geocaches from small, motorized or non-motorized water craft; however, water access is difficult and limited in most of the refuge divisions and units; so, this is not expected to be a major source for geocaching. Finally, visitors may also partake in geocaching via bicycle on designated refuge roads where vehicle use by the public is allowed.

Geocaching can occur on an individual or group basis. To accommodate other users and promote a positive wildlife observation experience, we encourage smaller group sizes (less than 10 members).

**(e) Why are these uses being proposed?**

Geocaching activities are not priority public uses; however, they facilitate priority public uses on the refuge. When designed carefully, geocaching activities can be used as a form of interpretation to educate the public about refuge management challenges and goals, refuge missions, and about priority public uses. Through geocaching, visitors will have the opportunity to observe and learn about wildlife and wild lands at their own pace in both structured and unstructured environments, and to observe wildlife in their natural habitats firsthand. Likewise, geocaching provides visitors with opportunities to enjoy refuge resources and to 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 will enhance public understanding of natural resource management programs and ecological concepts, enable the public to better understand the problems facing our wildlife and wild lands resources, help visitors to better understand how they affect wildlife and other natural resources, and learn about the Service's role in conservation and restoration.

Geocaching opportunities advertised on appropriate public Web sites would build awareness of the Refuge System and would attract new visitors, many of whom would partake in wildlife dependent activities while at the refuge. Additionally, people partaking in geocaching would be encouraged to stop at refuge informational kiosks and visitor centers/contact stations to obtain refuge or wildlife viewing information, or to partake in a wildlife dependent activity.

### **AVAILABILITY OF RESOURCES:**

The following list estimates the required costs for the refuge to administer and manage geocaching as a form of interpretation. They do not include the costs of new construction, kiosks, signs and other costs associated with the Comprehensive Conservation Plan (CCP). They also do not cover unanticipated costs such as participation in search and rescue operations. The refuge officer is the primary contact for any emergency operations on the refuge, however local resources are available to assist and provide significant resources if necessary. Because such an incident is uncommon and unpredictable, these costs are not assumed in the resources estimate below.

<b>Costs</b>	
<i>Program Oversight</i> (wildlife refuge manager and visitor services manager):	\$2,000
<i>Monitoring Resource Impacts</i> (wildlife biologist):	\$1,800
<i>Materials</i>	\$500
<b>Total annual recurring costs:</b>	<b>\$4,300</b>

The financial and staff resources necessary to provide and administer these uses at their current levels are now available. We expect the resources to continue in the future, subject to availability of appropriated funds.

### **ANTICIPATED IMPACTS OF THE USE:**

The proposed use is anticipated to have the same level of impacts as those under the primary public uses, because the access and activities are very similar. Because these activities will be supervised by refuge staff, impacts of geocaching will likely be minimal if conducted in accordance with refuge regulations.

Following are descriptions of potential adverse effects on natural resources from geocaching accessed by walking, hiking, and motorized or non-motorized boating in authorized areas within the refuge.

In general, we expect impacts to refuge resources to be negligible or minor because the projected level of use is low, geocache courses must be approved by refuge staff, and the use will occur in areas of the refuge already open to public use. We will consider each proposed geocache course for its potential to impact refuge resources, and will not approve any that we feel will lead to adverse impacts to soils, wildlife, vegetation, water quality, or hydrology. For example, we would not approve a geocache course or site that would encourage visitors to walk through sensitive wetlands or through important breeding habitat. If, after approved, a particular geocache course causes any issues or negative impacts on refuge resources, we will relocate or discontinue that geocache course.

**Effects on Hydrology and Water Quality:** Visitor use has the potential to contaminate lakes, ponds, streams and the major tributaries of the Connecticut River. Exposed soils on hiking trails may increase sediments in near-by waterways, and petroleum products may be introduced by run-off from parking lots. However, overall we do not anticipate any major impacts to hydrology and water quality because these uses are limited to designated areas only, current and projected levels of use are relatively low, and we will build, maintain, and monitor trails and roads in such as ways as to minimize impacts.

Non-traditional geocaching will generally occur on or along designated roads, trails, pull-outs, overlooks, and visitor contact facilities that are on Service-owned areas. Buffers will be required on trails that are adjacent to waterways to decrease bank erosion, and filter contaminants before they enter waterbodies. Boardwalks will provide a path for users to cross over the wetlands or streams and not through them, thereby minimizing long-term adverse effects to hydrology and water quality. In addition, refuge staff will routinely monitor roads, trails, and boardwalks for damage and remediate problem areas as needed. Although some off-trail use may occur, the majority of users stay on trails and roads. Off-trail use would be dispersed and occur at low levels.



Some non-traditional geocaching may occur via motorized or non-motorized boating on refuge waterbodies in accordance with station boating regulations. The most likely locations for motor boating are Lewis Pond at the Nulhegan Basin Division and McConnell Pond, which is proposed for addition to this division. The use of motorboats is currently estimated at one to two boats per week. This low level of use is expected to continue into the future and is expected to have only minimal impacts to water quality. Boat speeds are not to exceed 5 miles per hour, so boat wakes and the associated erosion is not anticipated.

Refuge parking lots will not be located directly adjacent to streams, rivers, or other wetlands. Additionally, where feasible, parking lots will be constructed of gravel, which is more porous than impervious surfaces such as asphalt, and therefore would result in lower levels of runoff and sedimentation.

**Effects on Vegetation:** To facilitate geocaching, we will allow hiking, cross-country skiing, and snowshoeing access on areas open to the public and bicycle and automobile access on designated roads. Short-term effects consist of the deterioration of plant material, whereas long-term effects of trampling include direct and indirect effects on vegetation and soils like diminishing soil porosity, aeration, and nutrient availability through soil compaction (Kuss 1986, Roovers et al. 2004). Compaction of soils thus limits the ability of plants, particularly rare and sensitive species, to revegetate affected areas (Hammitt and Cole 1998). Kuss (1986) found that plant species adapted to wet or moist habitats are the most sensitive and increased moisture content reduces the ability of the soil to support recreational traffic. Where adverse impacts to vegetation are observed, the refuge will take necessary measures, such as remediation and trail closures, to restore plant communities.

It is anticipated that allowing foot traffic will cause some vegetation loss, increased tree root exposure and trampling effects, however we will minimize the potential for impacts to vegetation by encouraging users to stay on designated trails and roads including former logging roads with hardened surfaces and existing trails that have been used for many years. Although some off-trail use may occur, the majority of users stay on trails and roads. Off-trail use would be dispersed and occur at low levels.

Unmanaged non-traditional geocaching has the potential to damage or kill plants adjacent to designated trails and can lead to new unwanted “impromptu” trails on the refuge that become “short-cuts” through more ecologically sensitive sites. Heavy use of designated, managed, or unmanaged pedestrian travel routes can ultimately lead to areas void of vegetation (McDonnell 1981, Vaske et al 1992). We will encourage users to remain on existing trails and roads through signage and refuge brochures. It is also anticipated that under current and projected use the incidence of these problems will be minor. Some rare plants have been documented in habitat adjacent to trails; however, designated routes do not have any known occurrences of rare plant species on their surface or soils subject to compaction that will be impacted by this use. Because cross-country skiing and snowshoeing only occur during the winter, when plants are dormant and the ground is covered with snow, we anticipate negligible impacts to vegetation from cross-country skiing and snowshoeing. We will not allow bicycles or automobiles off of refuge roads. Refuge staff will monitor all trails, identify problem areas, and conduct appropriate restoration and protection efforts.

People can be vectors for invasive plants when seeds or other propagules are moved from one area to another. The threat of invasive plant establishment would always be an issue requiring annual monitoring, and when necessary, treatment. Staff would work to educate the visiting public to reduce introductions and would also monitor and control invasive species.

**Effects on Soils:** Soils can be compacted and eroded as a result of continued use of pedestrian routes (Cole and Landres 1995). It is anticipated that some soil compaction, erosion, and sedimentation would occur as a result of continuing pedestrian access. Geocaching is not expected to substantially increase trail use beyond what would be seen by the four priority public uses of environmental education, interpretation, wildlife observation, and wildlife photography. The majority of visitors stay on trails and roads. To protect sensitive resources, we may close areas of the refuge seasonally or permanently to minimize impacts.

**Effects on Wildlife:** Short-term and long-term adverse impacts will be expected for wildlife populations in relation to increasing trail miles and visitor use. However, we do not anticipate any major, long-term impacts on wildlife from allowing these uses because current and projected levels of use are relatively low and these uses are only allowed in designated areas, such as trails and roads.

Disturbances to wildlife will vary by wildlife species involved and the type, level, frequency, duration, and the time of year activities occur. Beale and Monaghan (2004) found that adverse effects to wildlife increase

as number of users increase. The study found that an animal's response to one visitor walking down a trail is entirely different than its response to a group of users walking down a trail. The refuge recognizes that large group sizes may amplify negative effects to wildlife. Therefore, groups larger than 10 are required to notify the refuge prior to visiting to determine if a special use permit (SUP) would be needed. This will enable the refuge to understand which trails are preferred by large groups, and to monitor any potential excessive wildlife disturbance created by large groups. Having the ability to monitor these kinds of disturbances will also enable the refuge to mitigate impacts associated with large groups. Examples of mitigation may include directing large groups to less sensitive habitats during breeding seasons or assigning refuge staff to lead or meet with the group while on refuge lands.

Other responses of wildlife to human activities includes: avoidance or departure from the site (Owen 1973, Burger 1981, Kaiser and Fritzell 1984, Korschen et al. 1985, Henson and Grant 1991, Kahl 1991, Klein 1993, Whittaker and Knight 1998), use of sub-optimal habitat (Erwin 1980, Williams and Forbes 1980), altered behavior or habituation to human disturbance (Burger 1981, Korschen et al. 1985, Morton et al. 1989, Ward and Stehn 1989, Havera et al. 1992, Klein 1993), attraction (Whittaker and Knight 1998), and an increase in energy expenditure (Morton et al. 1989, Belanger and Bedard 1990). Knight and Cole (1991) suggest recreational activities occurring simultaneously may have a combined negative impact on wildlife. Hammitt and Cole (1998) concluded that the frequent presence of humans in wildland areas can dramatically change the normal behavior of wildlife mostly through "unintentional harassment." These responses can have negative impacts to wildlife such as mammals becoming habituated to humans making them more susceptible to hunting mortality. Human induced avoidance by wildlife can prevent animals from using otherwise suitable habitat. Seasonal sensitivities can compound the effect of disturbance on wildlife. Both bird and mammal species which are present and active during the winter have the added environmental stressors of severe weather and food shortages, and can be more negatively affected than they would from the same level of disturbance during the warmer seasons (Hammit and Cole 1998). However, many migratory birds are not present in the winter, and most resident species are not breeding or raising young during the time of year when cross-country skiing and snowshoeing occur. Additionally, many mammal species are less active during winter months

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 Robins) were found near trails and rare species (e.g., blackburnian warblers) 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 (e.g., Schulz and Stock 1993), but in many cases disturbance act 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. For recreation activities that occur simultaneously (hiking, biking, and horseback riding) there will likely be compounding negative impacts to wildlife (Knight and Cole 1991).

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). This is especially true for federally listed species, as well as other species that are sensitive to human disturbance with specialized habitat requirements, such as bald eagle, peregrine falcon, and American black duck (DeGraff et al. 2001, Longcore et al. 2000). We will not allow geocaching where any federally listed species occurs. Also, limiting or closing recreational use within the vicinity of nest sites during the breeding season will mitigate impacts to other sensitive and rare species. For example, the Third Island Unit of the refuge is closed to these uses to protect bald eagles during the sensitive breeding season. Additionally, trail development has striven and will continue to avoid sensitive habitats.

Wildlife disturbance may be compounded by seasonal needs. For example, causing mammals to flee during winter months would consume stored fat reserves that are necessary to get through the winter. 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).

Short-term localized adverse impacts to fish populations may result from refuge construction and restoration projects that might cause soil erosion and sedimentation into refuge waterways. Long-term adverse impacts from increased trail miles and trail use might pose another concern to refuge fisheries. Trails that have stream and river crossings will likely degrade over time with increased use and contribute to downstream sedimentation and turbidity, which has been found to be a stressor to brook trout (Sweka and Hartman 2001) and redbreast dace (Holm and Crossman 1986) populations that are sensitive to habitat degradation. Buffers will be required for trails located along riparian areas to decrease erosion of river banks, and filter contaminants before they enter waterways. The refuge will monitor stream and river crossings closely and remediate any damaged areas to minimize adverse impacts associated with trail use.

Refuge visitors who choose to boat may cause localized, minor, short-term impacts by disturbing the bottom substrate in shallow water. In addition, discarded items such as plastic containers present a risk for waterfowl and other birds.

We will take all necessary measures to minimize all of these impacts, particularly where geocaches are involved. We will evaluate the sites and programs periodically to assess whether they are meeting the objectives, and to prevent site degradation. If evidence of unacceptable adverse impacts appears, we will rotate the activities to secondary sites, or curtail or discontinue them. We will close areas seasonally around active bird nesting sites and avoid recreational use of areas where federally listed species occur to minimize or eliminate human disturbance. We will post and enforce refuge regulations, and establish, post, and enforce closed areas.

**PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

**DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

**STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- No geocache shall be created or posted on public Web sites without the permission of appropriate refuge staff.
- Geocaches shall be created only in areas open to the public.
- All individuals partaking in geocaching must adhere to area closures and understand that certain geocaches may not be available year-round.
- Appropriate notification must be listed on public Web sites when a geocache is not available as a result of area closures.
- No physical item shall be placed or left on the refuge.
- Letterboxing would only be allowed within visitor contact stations or visitor centers.

- Appropriate notification about the availability of letterboxes based on staffing and visitor contact station open hours will be posted on all public Web sites.
- Refuge regulations will be posted and enforced. Closed areas will be established as needed, posted, and enforced. Signs necessary for visitor information, safety, and traffic control will be kept up to date.
- The known presence of a threatened or endangered species will preclude any new use of an area until the refuge manager determines otherwise.
- Locations for geocaching will be chosen to minimize impacts to wildlife and habitat. We will periodically evaluate sites and programs to assess whether objectives are being met and to prevent site degradation. If evidence of unacceptable adverse impacts appears, the location(s) of activities will be rotated with secondary sites, curtailed, or discontinued.
- Walking, hiking, snowshoeing, cross-country skiing, bicycling, driving and boating to facilitate geocaching is only compatible in designated areas of the refuge open to the public.
- Walking, hiking, snowshoeing, cross-country skiing, bicycling, driving, and boating are restricted to refuge open hours: one-half hour before sunrise until one-half after sunset (except the Nulhegan Basin Division, which is open 24 hours a day, 7 days a week).
- Boat launching and retrieval from refuge lands are restricted to refuge open hours.
- Camping and overnight parking are currently prohibited.
- Group size is encouraged to be no more than 10 persons to promote public safety, accommodate other users, and reduce wildlife disturbance. Groups larger than 10 persons must contact the refuge office prior to visiting the trail system so the refuge can determine if the group will require a SUP. Groups traveling only on roads shared with vehicles are not required to contact the refuge office or obtain a SUP.
- All routes designated for public access are annually inspected for maintenance needs. Prompt action is taken to correct any conditions that risk public safety. Roads and trails are maintained at a level that reasonably accounts for safe travel. Roads are not plowed in winter.
- Guidelines to ensure the safety of all participants will be issued in writing to any SUP holder for the activities and will be reviewed before the activity begins.
- Routes designated for public access are monitored periodically to determine if they continue to meet the compatibility criteria established by the refuge. Should monitoring and evaluation of the use(s) indicate that the compatibility criteria are or will be exceeded, appropriate action will be taken to ensure continued compatibility, including modifying or discontinuing the use.
- Routine law enforcement patrols are conducted throughout the year. The patrols promote education and compliance with refuge regulations, monitor public use patterns and public safety, and document visitor interaction.
- Potential conflicts with other public uses such as hunting will be minimized by using trailhead signs and other media to inform the visitors about current public use activities as well as which activities are authorized in specific locations throughout the refuge.



**JUSTIFICATION**

The Service and the Refuge System maintain the goal of providing opportunities to view wildlife and to partake in interpretation and wildlife observation and photography. Allowing the use of refuge areas that are already open to the public to persons engaging in non-traditional geocaching supports this goal. Non-traditional geocaching would provide visitors the chance to view wildlife and partake interpretation about the refuge; hence, promoting public appreciation of the conservation of wildlife and habitats. Non-traditional geocaching activities are not priority public uses; however they facilitate priority public uses on the refuge, and in some cases can be used as a form of interpretation which is a priority public use. In general, we expect impacts to refuge resources to be negligible or minor because the projected level of use is low, geocache courses must be approved by refuge staff, and the use will occur in areas of the refuge already open to public use and the use will occur at low levels. We will consider each proposed geocache course for its potential to impact refuge resources, and will not approve any that we feel will lead to adverse impacts to soils, wildlife, vegetation, water quality, or hydrology. If, after approved, a particular geocache course causes any issues or negative impacts on refuge resources, we will relocate or discontinue that geocache course. For these reasons, we believe that non-traditional geocaching activities would not materially interfere with or detract from the fulfillment of the Refuge System mission or the refuge’s purposes.

**SIGNATURE:** Andrew C. Fernald 1-18-17  
 Refuge Manager: \_\_\_\_\_  
 (Signature) (Date)

**CONCURRENCE:** Scott B. Kean 1/18/17  
 Regional Chief: \_\_\_\_\_  
 (Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:** 1/18/2027  
 \_\_\_\_\_

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Pet Walking

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Robert W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

**JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

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**Use:** Pet Walking

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**NARRATIVE:**

Individuals walking, hiking, snowshoeing, and cross-country skiing at the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge) have been accompanied by their pets (domestic canine and feline) for many years. Because domestic animals can disturb wildlife and generate conflicts with other refuge visitors, pet owners will be required to leash their pets (10-foot or shorter leash) at all times. Limiting pet walking to only those areas open to the public would also minimize potential disturbance to wildlife. The majority of pet walking occurs on refuge trails and roads. No adverse impacts have been observed in the past and current levels of this use are low and are not expected to increase substantially. Continuing to allow this use would provide the public with additional options for enjoying the great outdoors and possibly introduce new people to the refuge and the priority use of wildlife observation. For these reasons, we have determined that allowing pet walking on the refuge is consistent with the U.S. Fish and Wildlife Service’s policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.



## COMPATIBILITY DETERMINATION

### USE:

Pet Walking

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is the use a priority public use?**

The use is walking leashed pets on refuge trails and in other designated areas. Pet walking is not a priority public use of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

**(b) Where would the use be conducted?**

On-leash pet walking would be permitted on all designated roads, trails, pull-outs, and overlooks, and in other designated areas open to the public. By encouraging visitors with pets to stay on refuge trails and roads, we will minimize impacts to sensitive areas prone to disturbance (e.g., sensitive vegetation areas) or degradation (e.g., soil compaction) and would minimize impacts to threatened and endangered species, nesting birds or other breeding, feeding, or resting wildlife. Certain areas of the refuge may be permanently or seasonally closed to public access at the refuge manager’s discretion to protect sensitive habitats or species of concern, minimize conflicts with other refuge activities, or due to human health and safety concerns.

**(c) When would the use be conducted?**

All pet walking activities will occur during regular refuge hours, which are generally one-half hour before sunrise to one-half hour after sunset, with the following exceptions:

**Nulhegan Basin Division:**

The Nulhegan Basin Division is open 24 hours a day, 7 days a week. However, roads are closed to vehicular access during winter and the spring “mud” season, generally re-opening prior to the Memorial Day weekend.

**Third Island Unit:**

The Third Island Unit is seasonally closed (January 1 through July 31) to protect nesting bald eagles.

**Dead Man’s Swamp, Wissitinnewag, and Mount Tom Units:**

The Dead Man’s Swamp and the Wissitinnewag Units are closed to the public to protect sensitive resources. Currently, the Mount Tom Unit is closed to the public due to public safety and vandalism concerns.

**(d) How would the use be conducted?**

Refuge visitors are only allowed to walk their pet on the refuge if it is attached to a 10-foot (or shorter) leash and the pet walker is in control of the leash and pet at all times. The leash requirement will help keep pets on existing roads and trails, minimize disturbance to wildlife, minimize conflicts with other visitors, and ensure public safety. All pet walkers with properly leashed pets would be restricted to designated roads, trails, pull-outs, and overlooks, and in other areas open to the public.

**(e) Why is the use being proposed?**

Pet walking is an ongoing use on many of the refuge divisions and units, and has been occurring without any evidence that it is a significant disruption or consistently causing damage. It has been a long-time tradition for residents of the local communities to use these portions of the refuge for this activity building strong local support and allowing an excellent opportunity to educate pet walkers about the refuge and the Refuge System.

**AVAILABILITY OF RESOURCES:**

Except for maintaining and periodically updating existing signs explaining the regulations, minimal costs would be involved. Monitoring of the site for compliance would continue, but would not require significantly more resources beyond those already necessary to patrol the area for compliance with current regulations. Compliance with the leash regulation is within the regular duties of the refuge’s federal wildlife officer. The financial and staff resources necessary to provide and administer this use at its current level and at the level described in the final comprehensive conservation plan (CCP) are now available and we expect them to be available in the future. The annualized cost associated with the administration of pedestrian travel on the refuge is estimated below:

<i>Providing information to the public and administration needs</i>	\$1,000
<i>Resource impacts and monitoring</i>	\$800
<b>Total:</b>	<b>\$1,800</b>

Based on a review of the budget allocated for management of this activity, funding is adequate to ensure compatibility, and to administer and manage the use listed. Our existing staff and budget have provided sufficient resources to manage this use historically.

## ANTICIPATED IMPACTS OF THE USE:

**Effects on Hydrology and Water Quality:** Pet walking is not expected to substantially increase use and the following impacts beyond what would be seen by the four priority public uses of environmental education, interpretation, wildlife observation, and wildlife photography. Visitor use has the potential to contaminate lakes, ponds, streams and the major tributaries of the Connecticut River. Exposed soils on walking trails may increase sediments in nearby waterways, and petroleum products may be introduced by run-off from parking lots. Contaminants from pet waste may runoff into waterways if not properly picked up and disposed. However, overall, we do not anticipate any major impacts to hydrology and water quality because these uses are limited to designated areas only, current and projected levels of use are relatively low, and we will build, maintain, and monitor trails and roads in a manner to minimize impacts.

Pet walking will generally occur on designated trails and roads. Although some unauthorized pet walking will occur off trail, visitors will be strongly encouraged to stay on refuge trails (where they exist) and the majority of pet walking occurs on existing trails and roads. Buffers will be required on trails that are adjacent to waterways to decrease bank erosion, and filter contaminants before they enter waterbodies. Boardwalks will provide a path for users to cross over the wetlands or streams and not through them, thereby minimizing long-term adverse effects to hydrology and water quality. In addition, refuge staff will routinely monitor roads, trails, and boardwalks for damage and remediate problem areas as needed.

Refuge parking lots will not be located directly adjacent to streams, rivers, or other wetlands. Additionally, where feasible, parking lots will be constructed of gravel, which is more porous than impervious surfaces such as asphalt, and therefore would result in lower levels of runoff and sedimentation.

**Effects on Vegetation:** People engaged in pet walking generally hike, cross-country ski, and snowshoeing along designed trails and roads. Pet walking is not expected to substantially increase use and the following impacts beyond what would be seen by the four priority public uses of environmental education, interpretation, wildlife observation, and wildlife photography. Short-term effects consist of the deterioration of plant material, whereas long-term effects of trampling include direct and indirect effects on vegetation and soils like diminishing soil porosity, aeration, and nutrient availability through soil compaction (Kuss 1986, Roovers et al. 2004). Compaction of soils thus limits the ability of plants, particularly rare and sensitive species, to revegetate affected areas (Hammit and Cole 1998). Kuss (1986) found that plant species adapted to wet or moist habitats are the most sensitive and increased moisture content reduces the ability of the soil to support recreational traffic. Where adverse impacts to vegetation are observed, the refuge will take necessary measures, such as remediation and trail closures, to restore plant communities.

It is anticipated that allowing foot traffic on designated routes will cause some vegetation loss, increased tree root exposure and trampling effects, however we will minimize the potential for impacts to vegetation by encouraging visitors to stay on designated trails and roads, including former logging roads with hardened surfaces and existing trails that have been used for many years.

Heavy use of designated, managed, or unmanaged pedestrian travel routes can ultimately lead to areas devoid of vegetation (McDonnell 1981). However, current and projected levels of visitor use on the refuge are low. We will also encourage users to remain on existing trails and roads through signage and refuge brochures to minimize impacts to vegetation. Although some off-trail use will occur, it will be dispersed and occur at low levels. It is anticipated that under current and projected use the incidence of these problems will be minor. Some rare plants have been documented on the refuge; however, designated routes do not have any known occurrences of rare plant species on their surface or soils subject to compaction that will be impacted by this use. If necessary, we will close portions of the refuge seasonally or permanently to protect sensitive species and habitats. Because cross-country skiing and snowshoeing only occur during the winter, when plants are dormant and the ground is covered with snow, we anticipate negligible impacts to vegetation from cross-country skiing and snowshoeing. We will not allow bicycles or automobiles off of refuge roads. Refuge staff will monitor all trails, identify problem areas, and conduct appropriate restoration and protection efforts.

People and pets can be vectors for invasive plants when seeds or other propagules are moved from one area to another. The threat of invasive plant establishment would always be an issue requiring annual monitoring, and when necessary, treatment. Staff would work to educate the visiting public to reduce introductions and would also monitor and control invasive species.

**Effects on Soils:** Soils can be compacted and eroded as a result of continued use of pedestrian routes (Cole and Landres 1995). It is anticipated that some soil compaction, erosion, and sedimentation would occur as a result

of continuing to allow pedestrian access. Pet walking is not expected to substantially increase use and these impacts beyond what would be seen by the four priority public uses of environmental education, interpretation, wildlife observation, and wildlife photography. Further, we will minimize these impacts by only allowing pet walking in areas open to the public and if necessary, close portions of the refuge to use to avoiding wetlands and other sensitive habitats.

**Effects on Wildlife:** The presence of dogs, or other pets, may flush incubating birds from nests (Yalden and Yalden 1990), disrupt breeding displays (Baydack 1986), disrupt foraging activity in shorebirds (Hoopes 1993), disturb roosting activity in ducks (Keller 1991), and displaced and reduced fitness in grassland and forest species (Miller et al. 2001). Many of these authors indicated that people with dogs on a leash provoked more disturbance than people walking without a dog, and loose dogs provoked the most pronounced disturbance reactions from their study animals. However, Miller et al. (2001) found that the presence of a human walking caused grassland bird species to flush and displace longer distances than the presence of a dog alone, while there was no difference in response of forest bird species. In the same study, mule deer exhibited the greatest response in the presence of a dog alone versus a human walking alone.

The greatest stress reaction results from unanticipated disturbance. Animals show greater flight response to humans moving unpredictably than to humans following a distinct path (Gabrielson and Smith 1995). Despite thousands of years of domestication, dogs still maintain instincts to hunt and chase. The appropriate stimulus can trigger those instincts. Dogs that are unleashed or not under the control of their owners may disturb or threaten the lives of some wildlife. In effect, off-leash dogs increase the radius of human recreational influence or disturbance beyond what it would be in the absence of a dog. To minimize these impacts, we require that pet walkers must have their pets on leash at all times and pet walkers must be in control of the leash and pets at all times.

Constant human and pet 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 robins) were found near trails and rare species (e.g., Blackburnian warblers) 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 (e.g., 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. For recreation activities that occur simultaneously (hiking, biking, and horseback riding) there will likely be compounding negative impacts to wildlife (Knight and Cole 1991).

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. 1996). This is especially true for federally listed species. This use will not occur where any federally listed species occur. Other species that are sensitive to human disturbance with specialized habitat requirements include bald eagle, peregrine falcon, and American black duck (DeGraff et al. 2001, Longcore et al. 2000). Limiting or closing recreational use within the vicinity of nest sites during the breeding season will mitigate impacts to these species. For example, we do not permit use at the refuge's Dead Man's Swamp unit to protect the federally listed puritan tiger beetle and seasonally close the Third Island Unit to limit disturbance to breeding and nesting bald eagles. Where necessary, we will close portions of the refuge to protect listed, rare, or sensitive wildlife. Additionally, trail development has and will continue to avoid sensitive habitats.

Wildlife disturbance may be compounded by seasonal needs. For example, causing mammals to flee during winter months would consume stored fat reserves that are necessary to get through the winter. 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).



Pet walkers staying on existing trails and roads will be important to minimize impacts to wildlife. In a study by Miller et al. (2001), species, area of influence, flush distance, distance moved, and alert distance were almost always greater when activities occurred off-trail versus on-trail. The study suggests that because recreational activities occurred frequently on trails and were spatially predictable, wildlife likely habituated to activity in these locations. To minimize these impacts, we require that pet walkers must have their pets on leash at all times, pet walkers must be in control of the leash and pets at all times, and pet walkers and their pets remain on existing trails and roads.

The role of dogs and other pets in wildlife diseases is poorly understood. However, dogs can host endo- and ectoparasites, and can contract diseases from or transmit diseases to wild animals. In addition, pet waste is known to transmit diseases that may threaten the health of some wildlife and other domesticated animals. Domestic pets potentially can introduce various diseases and transport parasites into wildlife habitats (Sime 1999). To minimize the potential for disease transmission, we require that pet walkers must have their pets on leash at all times, pet walkers must be in control of the leash and pets at all times, and pet walkers remove pet wastes from the refuge.

Because the visitor use is light and pet walking would be restricted to areas open to the public where disturbance may already occur due to other public use activities, the potential impacts to wildlife and their habitats are expected to be minimal. In addition, the requirement for dogs to be kept on a 10-foot (or shorter) leash will minimize the impacts to other users and wildlife.

**Impacts to Other Visitor Uses:** User conflicts are unlikely because this use occurs at low levels on the refuge and pets would be on-leash and in control of pet walkers, and in the majority of cases, prevented from disturbing other users. The presence of people and pets may scare away wildlife; thus, has the potential to disturb wildlife observers and wildlife photographers. However, these uses will likely occur in more remote areas of the refuge away from heavily used trails. Pet waste is unsightly and may carry pathogens, but these impacts may be minimized by requiring pet walkers to pick up their pet's waste.

**PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

**DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

**STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- Only leashed pets would be allowed on the refuge. The leash must be no more than 10 feet long. Pet walkers would be required to maintain control of their animal while on the refuge, thereby reducing the potential and severity of impacts to wildlife and must refrain from entering closed areas.
- Pet walking is allowed only during refuge open hours (generally one-half hour before sunrise until one-half hour after sunset).
- All individuals partaking in pet walking must adhere to area closures and understand that certain areas of refuge divisions and units may not be available year-round.
- Pet walking will only occur on designated roads, trails, pull-outs, and overlooks, and in other designated areas open to the public in order to reduce the potential disturbance of wildlife. Areas of the refuge may be closed seasonally or permanently to this use to minimize disturbance to wildlife and sensitive habitats and/or reduce conflicts between user groups.



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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

Refuge Name: Silvio O. Conte National Fish and Wildlife Refuge

Use: Privately Owned Recreational Cabins at the Nulhegan Basin Division

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?		✓
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

Not Appropriate  Appropriate

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Gregory W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

**JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Privately Owned Recreational Cabins at the Nulhegan Basin Division

**NARRATIVE:**

Fifty-nine privately owned recreational cabins existed on the Nulhegan Basin Division at the time of U.S. Fish and Wildlife Service (Service) acquisition, of which 30 currently remain. Additionally, the McConnell Pond tract, proposed for acquisition in the preferred alternative, contains an additional eight cabins. These cabins have occupied leased land from Champion International Corporation and The Conservation Fund, and their predecessors for many decades. These are managed under a SUP which includes an annual fee. The current permits will not be extended beyond 2049, the 50-year sunset date. We anticipate enacting a similar sunset date for any cabins acquired with the McConnell Pond tract. Provided funding is available, we also offer to purchase cabins at the owners' discretion. Continuing to allow this use is consistent with the Service's policy on the appropriateness of refuge uses (603 FW 1) because this use has little impact on refuge management activities, wildlife, or wildlife habitat given that this use has been occurring for upwards of 50 years.

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## COMPATIBILITY DETERMINATION

### USE:

Privately Owned Recreational Cabins at the Nulhegan Basin Division

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is it a priority public use?**

The use is the occupancy and use of privately owned recreational cabins (camps), which are located on refuge lands. It is not a priority public use of the National Wildlife Refuge System (Refuge System), under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997.

Recreational use of camps on timber company lands in the Nulhegan Basin originated in the early 1900s as logging camps were abandoned after forestry operations in an area were completed, and the company then permitted loggers to use and maintain them, primarily as hunting and fishing camps. Construction and use of privately owned camps on timber company lands began in the 1930s and accelerated in the 1960s. Camps were built on approximately 1-acre lots that were leased through an annual payment to the timber company. Ownership and use of these camps were often passed within families from generation to generation. About 190 camps were present on the 133,000 acres of Champion International Corporation lands in Essex County, Vermont, at the time of the sale of these lands to the Service, the Vermont Agency of Natural Resources, and Essex Timber Company (now Plum Creek Corporation) in 1999. Fifty-nine of these camps were located on the 26,000-acre parcel that was purchased by the Service as the Nulhegan Basin Division of the refuge.

The camps are located in the spruce-fir, northern hardwood, and mixed conifer/hardwood habitats that are typical on the division. Wildlife species occurring in the vicinity of camps include: various migratory birds, ruffed grouse, snowshoe hare, moose, white-tailed deer, black bear, various furbearers, reptiles and amphibians, and brook trout.

The majority of camps are of one-story, wood or log construction. Camps typically are small (<600 square feet). Expansions of camp size or additional buildings are not allowed, but routine maintenance of structures is permitted. No utilities service the camps. Water is obtained from pond, stream, or spring sources via a gravity flow system or from a generator-powered pump, or is hand carried to the camp from on or off the division. Heat is usually supplied by wood stoves. Firewood is either brought to the site from an off-refuge source or is cut from the lot, and is restricted to dead or downed wood only. Bottled (LP) gas in above-ground portable tanks is often used to power cooking stoves, refrigerators, and ceiling lamps. Most camps have separate, outdoor privies, but some have underground septic tanks. Cutting of live vegetation is restricted. The camp lots are not posted but the public is expected to reasonably respect the privacy of camp owners while using the division. Permittees are not allowed to restrict or interfere in any way with public use of the division, and are not granted exclusive use of any shoreline or water body. The construction of new cabins will not be permitted.

**(b) Where would the use be conducted?**

The 30 camps are scattered across the division, including the shoreline of Lewis Pond and along the branches of the Nulhegan River. An additional eight camps may be acquired with the McConnell Pond tract pursuant to the Comprehensive Conservation Plan's preferred alternative. Camps occur in all four towns in which the division is located: Bloomfield, Brunswick, Ferdinand, and Lewis. The McConnell Pond tract occurs primarily in the town of Brighton.

**(c) When would the use be conducted?**

Use of camps occurs year-round, but the duration of use is short-term. Generally the deer hunting season (mid- to late November) is the heaviest period of use. Otherwise, use occurs in an intermittent fashion, primarily on weekends. Use wanes significantly after late December through the winter and mud season, and then increases after the Memorial Day weekend. The number of people using an individual camp during any given stay varies greatly from one or two to perhaps eight or more during deer season. Camps are sometimes accessed via snowmobile in the winter from the statewide snowmobile trail system, which runs through the division, and occasionally via cross-country skis or snowshoes. Only seasonal use is permitted. The camps cannot be used as permanent, year-round residences.

**(d) How would the use be conducted?**

During the process leading up to acquisition of the division, the Service agreed to permit occupancy and use of those camps on the division for the life of the current lessees up to a 50-year maximum, as long as the use was determined to be compatible (USFWS 1999). Under no circumstances will occupancy and use of the existing camps on the division extend beyond July 21, 2049. Should the McConnell Pond tract be acquired, leases for those cabins occurring on that property will also terminate no later than July 21, 2049, pending negotiations with the current landowner. Under Service land ownership, use and occupancy of these camps will be administered through a SUP (SUP) system, the conditions of which are analogous to the former lease. We review the language and renew permits at a 5-year interval. The next renewal is slated for 2016. Permit fees are based on the appraised value of the property, which is determined by a market appraisal to be performed roughly every five years, as stipulated in the SUP.



Currently, 30 camps remain in private use: 22 are privately owned (meaning the private individual owns the cabin structure) and 8 are under term use agreements (meaning the Service owns the structure, but a private individual is leasing it for a pre-defined amount of time). The SUP for privately owned cabins expires in 2049 (50 years after the land was purchased). A term use compensates the leaseholder for his/her equity in the structure and the value of their use of the camp until 2049. The leaseholder decides the period of the term and approximately one percent of the value is deducted for each year of continued use. The duration of existing term use agreements ranges from 10 to 37 years. Holders of term use agreements must still adhere to the provisions of the permit, including the payment of annual lease fees and maintenance of adequate insurance. The Service also owns an additional two vacant structures.

The annual permit fee currently is \$950, and \$1,125 for the camps adjacent to Lewis Pond. These fees were increased in 2011, based on a market appraisal. Previously, fees had remained at \$550 and \$650, the same rates that were charged by Champion International at the time of purchase by the Service.

Property taxes on the value of the tenant-owned improvements are paid to the respective towns by the camp owners. The camps traditionally were associated with the area of surrounding use, usually approximately 1 acre. Most camps can be accessed by motor vehicle via gravel roads, but some can be accessed only by foot or boat.

The conditions of the SUP require that cabins must be maintained in a manner compatible with the purposes of the refuge and produce the least amount of environmental disturbance. Cabins may only be used for non-commercial recreational purposes, and cannot be used as a principal place of residence. Modifications of existing structures require prior approval by the refuge manager. Cutting live vegetation is restricted. We do not post the camp lots, but expect the public to reasonably respect the privacy of camp owners. A complete description of the permit conditions is attached (attachment 1).

**(e) Why is this use being proposed?**

Camp use is an important traditional use of timber lands in this region of Vermont, and this use predated acquisition of these lands by the Service. A 50-year phase-out of camps was a reasonable compromise between the agencies and public involved in the original land acquisition—and this was addressed and evaluated in the environmental assessment establishing the division (USFWS 1999). By managing this cabin lease program, the Service is following through on earlier commitments.

**AVAILABILITY OF RESOURCES:**

Funds from permit fees are deposited in a national “collections” account and then reapportioned by Congress to the Service. Such funds returned to the refuge amounted to \$6,000 in fiscal year (FY) 2011, \$9,000 in FY12, and \$7,470 in FY13. Staff time associated with administration of this use is primarily related to processing annual permit fees, answering questions of permittees concerning SUP conditions, monitoring compliance with SUP conditions, and monitoring potential impacts of the use on refuge resources and visitors. The program is principally administered by the wildlife refuge manager and forester. Resource impacts will be monitored by the wildlife biologist, who is already assigned to the refuge. No special equipment, facilities, or resources are needed to administer this use. Road maintenance and signage installation are performed as needed to ensure adequate facilitation of priority public uses for the general public; therefore these operations already are being administered with annual appropriations. Refuge law enforcement resources are not directed toward providing safety for Permittees or security for their property beyond that which is expected for the general visiting public. Maintenance of camps and associated lots are the responsibility of Permit holders.

We estimate below the annual costs associated with the administration of the cabin lease program on the division.

Program Oversight (wildlife refuge manager):	\$3,700
Processing Annual Permit Fees/Insurance (forester):	\$1,600
Resource Impact Monitoring (wildlife biologist):	\$1,000
Safety/Security (federal wildlife officer):	\$2,100
Total Annual Cost of Program:	\$8,400

**ANTICIPATED IMPACTS OF THE USE:**

Occupancy and use of privately owned camps on the division will not extend beyond July 21, 2049, as a matter of compliance with Title 50-*Wildlife and Fisheries*, Chapter 1, Part 26, Section 35 - *Cabin Sites*. Meanwhile, conditions for the permit are designed to help maintain the compatibility of this use, reduce negative impacts to refuge resources, and to minimize conflicts with refuge management and other uses of the refuge.

Possible impacts of this use include: direct loss of habitat, possible wildlife disturbances caused by camp occupancy or camp user travel along roads, slight additional hunting pressure on upland species, and impacts to sensitive wetland areas due to some camps being improperly located. Regarding direct loss of habitat, only approximately 35 non-contiguous acres are impaired during the short term. The Service has acquired, removed, and restored the habitat at 24 camp locations. This short-term use is not considered a significant impact on a 26,605-acre division. As permits expire or camps are sold to the Service most, if not all, camps will be relocated off-refuge or destroyed; therefore, there will be no long-term loss of habitat. Because the number of camps is low and they generally are not located in the proximity of any known major concentrations of waterfowl, shorebirds, or other wildlife, with the possible exception of wintering concentrations of white-tailed deer, and because travel and other activities by camp owners does not differ substantially in type or intensity than that allowed by the general public during allowed day-use activities, disturbance by occupancy and travel are not considered significant. Hunting, whether by camp occupants or the general public, is currently allowed according to State regulations and harvest levels are set so as not to impact game populations. Meanwhile, we designed the SUP conditions to help maintain the compatibility of this use, reduce negative impacts on refuge resources, and minimize conflicts among refuge management activities and other uses of the refuge. All camps have been inspected and no locations appear to be adversely affecting sensitive wetlands areas or other critical habitats. A Level I contaminants survey was performed on refuge lands prior to purchase and no contaminant problems were identified around camps. In addition, Level 1 surveys were completed on all the camps that have been acquired and no negative impacts were found.

This use is not anticipated to result in short-term or long-term impacts that would materially interfere with or detract from the fulfillment of the purposes for which the refuge was established or the mission of the National Wildlife Refuge System.

**PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

**DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

**STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

See attached list of SUP Conditions (Attachment 1).

**JUSTIFICATION:**

This use has been determined to be compatible provided the Permit Special Conditions are implemented. This use will not diminish the purposes for which the refuge was established, will not pose significant adverse effects on trust species or other refuge resources, will not interfere with public use of the refuge, nor cause an undue administrative burden.

The occupancy and use of privately owned recreational camps on the refuge will not materially interfere with or detract from the fulfillment of the purposes for which the refuge was established or the mission of the Refuge System.

**SIGNATURE:**

Refuge Manager: Andrew C. French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Scott B. Kahen 1/18/2017  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

U.S. Fish and Wildlife Service. 1999. Final Environmental Assessment—U.S. Fish and Wildlife Service Participation in a Partnership to Protect “the Champion Lands” in Essex County, Vermont. 78 pp.

Attachment 1

SPECIAL USE PERMIT CONDITIONS  
for  
PRIVATELY OWNED CAMPS  
on the  
NULHEGAN BASIN DIVISION  
Silvio O. Conte National Fish and Wildlife Refuge  
Essex County, Vermont

May 1, 2011



The Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge (Refuge) is a unit of the National Wildlife Refuge System (System), administered by the U.S. Fish and Wildlife Service (Service), a bureau of the U.S. Department of the Interior. The mission of the System, as stated in the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), 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.*”

The legislation further recognizes wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation as the priority public uses of the System. All uses of a refuge (including occurrence, use, and occupancy of privately owned camps) must be compatible with the System mission and the purposes of the individual refuge. A compatible use is a proposed or existing wildlife-dependent recreational use or any other use of a refuge that, based on sound professional judgment, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purpose(s) of the national wildlife refuge. Although the conditions below cannot in any way guarantee compatibility, they are designed in part to create the foundation for compatible use.

Camps were built and occupied through recreational leases on lands formerly owned by Champion International Corporation and St. Regis Paper Company, and maintenance of the existing camp sites was part of the Service’s commitment in the Environmental Assessment (EA) that authorized the project when the property was acquired (U.S. Fish and Wildlife Service 1999). This special use permit (SUP) replaces the previous permit, which expired April 30, 2011, and will remain in effect through April 30, 2016. The use of the word “Premises” hereinafter refers to the privately owned camp and any associated buildings, and an approximately one-acre site on which such buildings are located as indicated on the “As-built Sketch” maintained in the Refuge’s files. This Permit will be subject to the following conditions, to which the Permittee agrees to abide. The use of the term “Permittee” refers collectively to all leaseholders of record as of July 21, 1999. Violation of any of the following conditions will be grounds for termination of the permit at the sole discretion of the Service. In the event of Permit termination, Permittees may appeal the decision as provided in Title 50 - Code of Federal Regulations - Section 25.45 “Appeals Procedures,” available upon request from the Refuge Manager.

## **1. Term.**

A. The term of the Permit will be five (5) years, commencing May 1, 2011 and may be renewed for additional terms of five years, contingent upon compliance with all terms and conditions of this Permit, and on a determination by the Service that continued occupancy of the Premises is compatible with the purpose for which the Refuge was established, which determination will be re-evaluated every five years. However, Permits will not be renewed to allow any occupancy or use of the Premises beyond the life of the Permittee except in the case of an heir of the original Permittee as provided in Section 11 “Permit Assignment”. Either party may cancel this Permit by giving notice in writing to the other party at least thirty (30) days prior to the last day of the original term or any renewal term, as applicable, unless sooner terminated under the provisions of this Permit. It is the intent of the Service to renew camp Permits for a maximum of fifty (50) years from date of Service acquisition of the Refuge, July 21, 1999, subject to compliance with Permit conditions and continued compatibility (see pages 20, 55, and Appendix 3, page 2 in “Final Environmental Assessment - U.S. Fish and Wildlife Service Participation in a Partnership to Protect ‘the Champion lands’ in Essex County, Vermont”- May 1999).

B. If the Permittee chooses to not renew this Permit, the Permittee may:

- (1) subject to the availability of funding, sell his or her camp to the Service at Market Value based on an appraisal conducted for the Service;
- (2) request that the Service move his or her buildings off the Refuge to another site within 50 miles, provided the cost is less than the purchase value and such action is deemed by the Service to be fiscally and environmentally prudent, when compared to the purchase of the building by the Service at Market Value and the cost of site remediation following the termination of the Permit.

*The Uniform Relocation Assistance and Real Property Acquisitions Policy Act* will guide the Service procedures for acquiring camps on the Refuge. Information about these procedures is available upon request from the Refuge Manager. Upon termination or cancellation of this Permit, the Permittee agrees to vacate the

Premises in an orderly fashion, remove all personal property, and leave the Premises in a neat and orderly condition.

## **2. Payments.**

A. Permittee will pay a fee of (\$\_\_\_\_\_ .00) Dollars, annually to U.S. Fish and Wildlife Service, Silvio O. Conte Refuge, Nulhegan Basin Division, 5396 Rt. 105, Brunswick, VT 05905, at the time of the signing of this Permit, and annually thereafter. Payment must be received on or before May 1 each year. Permittee shall pay the annual fee, in full, without demand. Payment shall be made by certified check or money order and shall be made out to: “U.S. Fish and Wildlife Service.”

B. The Service reserves the right to increase/decrease the fee for the succeeding term or alter the terms of this Permit by providing the Permittee with written notice of the same at least forty-five (45) days prior to any annual renewal. Permit fee amounts will be determined based on market analysis of comparable camp leases in the area. Fee amounts will be analyzed through market analysis approximately every five years and readjusted if necessary. Fees received by the Service after May 1, will be deemed past due, and Permittee shall pay interest on a daily basis at a rate of 5 percent per year on amounts past due thirty (30) days or more. Failure to pay Permit fees for ninety (90) days or more beyond the due date shall constitute a breach and shall result in automatic termination of the Permit without further act or deed on the part of the Service or Permittee; upon such occurrence, the Service may take possession of the structures on the Premises (See Section 14 below).

## **3. Occupancy of the Camp.**

By acceptance of this Permit, Permittee hereby warrants and represents that:

- (a) the Premises shall be occupied and/or used by the Permittee and his or her guests for the sole purpose of noncommercial recreational use.
- (b) the Permittee bears full responsibility for his or her guests, their use of the Premises, and their compliance with these Permit conditions. Violation of any of the permit conditions by the Permittee or their guests will be grounds for termination of the permit at the sole discretion of the Service.
- (c) subletting of the Premises for fee or donation is prohibited.
- (d) the Premises shall be occupied and/or used only in such manner and purpose that is in compliance with all applicable federal, state, or local laws, statutes, regulations, rules, or ordinances, including zoning ordinances and regulations, and
- (e) the Premises shall NOT be used as a principal or year-round residence.

## **4. Use.**

Subject to all conditions contained herein, Permittee will have the right to occupy and use the existing buildings and improvements (for purposes of this Permit, “improvements” will mean improvements to the Premises, including, but not limited to roads and paths). No additional structures, roads, or paths may be constructed. Permittee may not locate any trailers (excepting e.g., utility trailers, snowmobile trailers), busses, or campers on the Premises.

Permittee shall not build roads or driveways on the Premises or any other Refuge lands, nor have any public utility service installed.

Permittee will fully comply with all federal (including refuge-specific regulations), state, and local statutes, rules, and regulations controlling and regulating hunting, fishing, the use of firearms, the use of off-highway recreational vehicles including snowmobiles, and outdoor fires. Campfires (including cooking fires) will be permitted if they are contained and located in such manner as not to present a risk of fire escape. Such fires will not be permitted off the Premises, nor during bans on burning issued by the local Forest Fire Warden or other applicable authority, including the Refuge Manager. Open fires, including but not limited to the burning of brush, trash, or debris, are prohibited, except with prior written permission from the Refuge Manager and any other necessary permit (municipal, fire warden and/or state).

Permittee will use every precaution to prevent damage to the Premises by fire, vandalism, malicious mischief or otherwise and will take all reasonable action to suppress any fire and report any act of vandalism or mischief which may occur and immediately notify Refuge Manager of any fire or vandalism damage. The opening of any chimney will be equipped with an adequate spark arrester or screen with a mesh size no larger than one-half inch.

Permittee shall not cut or destroy any tree or shrub, including hazard trees, on the Premises (excepting firewood, see below) without obtaining prior specific written permission from the Refuge Manager.

Permittee will not pile brush resulting from any allowed cutting, but will reduce the brush to a reasonable size and spread it over a large area. Permittee shall not enlarge the area of open space on the Premises.

Cutting of firewood will be for the purpose of camp use only, and firewood shall not be removed from the Premises. Only trees downed by natural causes within or adjacent to the Premises, or those that have fallen as a result of natural means across a Refuge roadway, or other trees as specified by the Refuge Manager, may be cut for camp firewood. The importation of firewood can serve as a means of introducing several harmful insect species which can have a devastating effect on our forests. Two of the species of greatest concern are the Asian longhorned beetle and the Emerald ash borer. For this reason, only firewood from Essex, Caledonia, Orleans, Orange, and Washington Counties, Vermont, and Coos and Grafton Counties, New Hampshire, may be imported to the Refuge.

The soil of the Premises or any other Refuge lands may not be cultivated, except for small gardens, not to exceed 200 square feet, located within the Premises specifically for camp use. No exotic or invasive plants will be cultivated on the Premises or any other Refuge lands, except for garden vegetables and fruits (within the Premises only). Use of pesticides or herbicides in gardens, or elsewhere on or off the Premises, is prohibited.

Permittee shall keep the Premises neat and clean and shall dispose of all garbage, trash, and debris by removing all such material from the property and returning the same to its place of origin or depositing it in some municipal or other governmental approved solid waste disposal areas. Garbage, trash or any other wastes shall not be burned on the Premises without prior written permission from the Refuge Manager and any permits required by any governing local or state authority, and shall not be burned elsewhere on the Refuge, nor shall it be dumped into lakes, ponds, streams, or any lands of the Refuge. Permittee will comply with all applicable solid waste laws imposed by the State, Town, or Municipality.

If the use of the Premises by Permittee, guests, or invitees is of such a nature as to constitute a threat to public safety, a nuisance or annoyance to other Permittees, Refuge staff, or visitors, or causes, in the sound professional judgment of the Refuge Manager, a diminution in the value of other property in the vicinity, the Refuge Manager will have the right to demand that such use be abated, and may terminate this Permit for failure to comply with any such demand in the time specified by the Refuge Manager by serving written notice on Permittee.

With the exception of gasoline; diesel fuel; motor oil; engine, vehicular, and chainsaw lubricating fluids; antifreeze; heating fuels; bottled gas; insect repellents; and materials used in the routine operation and maintenance of the improvements on the Premises, in quantities reasonable for camp use, all of which must be stored in a safe manner in sealed, above-ground containers, Permittee may not store or allow to be stored on the Premises, or elsewhere on the Refuge, any hazardous material as defined by the U.S. Environmental Protection Agency. Permittee shall not dispose of, or allow the disposal of any hazardous substances, including those substances and materials specifically listed above, on the Premises or elsewhere on the Refuge. Permittee shall indemnify, defend, save and hold harmless the United States of America and the Service from all losses, claims, damages, environmental injuries, expenses, response costs, remediation expenses, allegations or judgments (including fines and/or penalties) arising out of the activities of the Permittee, its agents and contractors relating to or in any way connected with the presence or release of such hazardous material in or on the Premises. The said obligation to indemnify shall survive the termination or expiration of this Permit.

## **5. Sanitation.**

Subject to the approval of the Refuge Manager, Permittee will provide proper disposal of septic (for the purposes of this Permit, "septic" will mean, but is not limited to, sewage, wash water, and slop water), and other waste in compliance with all applicable federal, state, and local laws and in a manner so as not to be

objectionable or detract from the aesthetic values of the general area. Permittee shall not discharge any untreated or partially-treated sewage or other waste materials directly or indirectly (e.g., through any ditches, gullies, or above-ground or below-ground piping, except as may be provided for below) into any stream or other body of water.

Properly planned and designed sanitary toilet facilities are required for all sites. Appropriate facilities include, but are not limited to, incinerator, chemical, compost, privy or sub-surface waste-water systems. Type, design, placement, and construction of any future toilet and sanitary facilities will be selected to minimize damage to Refuge air, lands, and water. Properly constructed privies (dug pit toilets) will be allowed provided they meet this requirement, conform to local and State requirements, and are located more than 100 feet from any stream or other water body.

All future construction of toilets and sanitary facilities including waste water disposal systems must be approved in advance in writing by the Refuge Manager, be built in accordance with all applicable codes, and be properly permitted and inspected by the governing local or state authority. It is the Permittee's responsibility, after securing written permission for construction from the Refuge Manager, to secure the proper permits and provide copies to the Refuge Manager, prior to any construction activity.

Permittee bears the responsibility for any noncompliance with all federal, state, and local laws and regulations governing septic and other waste disposal, and Permittee will indemnify, defend, save and hold the United States of America and the Service harmless from and against any and all actions, suits, damages, and claims by any party by reason of noncompliance with such laws and regulations. The said obligation to indemnify will include all costs and attorneys' fees and shall survive the termination of this permit.

## **6. Maintenance and Improvement.**

This Permit allows use of existing structures and improvements only. No additional permanent structures may be constructed or installed. Permittee shall not enlarge the area of open space on the Premises. The Permittee may perform routine maintenance of buildings. For the purposes of this Permit, "routine maintenance" is defined as repairs made to any of the existing privately owned buildings on the Premises in order to sustain their intended useful purpose and to prolong their useful life expectancy, but shall not include substantial rebuilding or remodeling of any existing structure, except in the case of approved repairs in response to destruction of less than 80 percent of the structure(s) due to disaster. Driveway and road surfaces, bridges, culverts, and similar structures may not be modified, replaced, or rebuilt without prior written approval of the Refuge Manager. Driveways and road surfaces may not be enlarged or hard-surfaced. Mowing of camp lawns, pathways to outbuildings, and camp driveways is permitted.

No substantial improvements will be allowed. Examples of substantial improvements include, but are not limited to, expansion of cabin size, other permanent additions including storage sheds, porches or decks, and constructing, enlarging, or paving driveways and roads.

No rebuilding of any structure will be allowed in the event of a loss of 80 percent or more of the area of the structure due to fire, flood, earthquake or other disaster.

## **7. Access.**

Permittee may access the Premises by the route existing at the time of the acquisition of the land by the Service, subject to the conditions set forth herein. However, the Service retains the right to restrict or deny vehicular access to the Premises if such access poses a risk to human safety, creates such an environmental risk that compatibility can no longer be ensured, could result in damage to refuge facilities such as roads, or otherwise materially conflicts with Refuge management needs.

Although the Service will maintain access for Permittees along with other refuge visitors on existing roads within its budget and capabilities, nothing herein shall imply any duty or obligation upon the Service to construct or maintain specific roads, paths, trails, culverts, or bridges to the Premises, that, in the sound professional judgment of the Refuge Manager, would solely or primarily benefit the Permittee. Any payment received by the Service is solely for the use of the subject Premises and does not provide the Permittee with the guarantee of any greater rights of access over Refuge property than is provided to the general public.



Road maintenance, including snow plowing, will be performed by the Service only as necessary for the Refuge's management operations and other administrative needs. Maintenance of any road or associated structure by the Service solely for the benefit of Permittee is not implied and should not under any circumstances be expected. However, if the Service ceases to maintain a road necessary for Permittee's access to the Premises, Permittee may maintain, at his own expense, said road with prior written permission from the Refuge Manager.

The Service retains the right to close, lock, or otherwise restrict vehicular (including snowmobile) access to the public, including Permittees, along, through or over roads, gates, bridges, or rights of way under its control at any time including but not limited to, the snowmobile and spring mud seasons, periods of high fire danger, when forestry operations, road, or other conditions make such access hazardous, or when such restrictions are necessary for refuge management purposes, in the professional judgment of the Refuge Manager. Permittees whose camps are not situated on a trail within the Vermont Association of Snow Travelers, Inc. (VAST) trail system must secure a separate SUP from the Refuge Manager to access their camps via snowmobile from the closest point on the nearest VAST trail or public highway, as approved in advance by the Refuge Manager. The Service advises that logging trucks always have the right of way. Permittees and their invitees, guests, employees or agents, must be alert at all times on any road for logging trucks and equipment as well as for possible road hazards such as fallen trees, limbs, and other road damage or washouts resulting from heavy rains, beaver flooding, damaged culverts or other causes.

Permittees shall under no circumstances close, lock, or otherwise restrict access along, through, or over existing roads, gates, or rights of way on Refuge lands, except for the gating of camp driveways, with prior permission of the Refuge Manager. No driveway gates will be installed without prior written consent of Refuge Manager and approval of the design and placement. Under no circumstances shall cables or chains be used to restrict access on camp driveways, or elsewhere on the Refuge. Permittees will provide a key or combination for any lock on an existing or new driveway gate to the Refuge Manager, upon request.

During any time that a gate used to control access to a camp blocks any Refuge road to vehicular travel due to closure of said gate, then the respective Permittees and their guests or invitees that use said gate and road to access their camp will be restricted to direct travel to and from the camp for purposes of ingress and egress only and shall not drive any motorized vehicle beyond the point necessary to access said camp.

## **8. Privacy and Security.**

The Service reserves the right for itself and its agents and assigns (not including the general public), to pass freely over the Premises at any and all times, by foot or with vehicles necessary in the pursuit of Refuge operations and programs, during reasonable hours. Entry into buildings by the Service will only be allowed for law enforcement personnel in the event of executing a search warrant, or in the presence of the Permittee, for the inspection of interior building spaces to ensure compliance with the conditions of this Permit.

The Permittee may not take any actions to discourage legitimate (authorized by the Service) public access on Refuge lands. The Permittee will not have exclusive rights to any shoreline area or water surface area. However, the Refuge will publicize in their public use documents and guidance that Permittees' occupancy and use of the Premises should be treated with respect and that the Premises should be reasonably avoided by the public. The Permittee may not post signs at the boundaries of the Premises, or any gate, road, or driveway without the Refuge Manager's prior written permission and approval of the wording, construction, and placement of any signs. If refuge visitors, or others, cause any problems with authorized use of the Premises or the Permittee's property on the Premises, the Permittee should notify the Refuge Manager so that appropriate action may be taken by the Service.

Although Service law enforcement personnel may, as a by-product of their presence while performing their routine duties, deter thefts and break-ins, nothing herein shall imply any duty or obligation upon the Service to provide increased security services for the camps or their contents, beyond that which reasonably would be expected for the protection of the general visiting public.

## **9. Fiscal Liability.**

Permittee agrees that all taxes, charges, assessments, and other impositions levied upon their buildings, improvements, and fixtures thereon shall be paid by the Permittee when due and payable.

## **10. Permittee's Liability for Damages.**

Permittee will be responsible to the Service for any damages caused directly or indirectly by Permittee or his guest(s), invitees, employees, or agents, including, but not limited to, surface damages or damage to terrestrial or aquatic habitats or resources, interference or meddling with any tools, machinery, equipment, gates, buildings, signs, Refuge employees, or other Refuge visitors, on or off the Premises.

## **11. Permit Assignment.**

Permittee understands and acknowledges the only interest in the Premises held by the Permittee is that of a Permit holder and that nothing in this agreement shall be construed to imply that the Permittee has any property interest in the Premises, other than ownership of the structures and personal property items thereon. Permittee has no authority, right or power to sell, convey, transfer, sublet, assign, give, devise or otherwise encumber the Premises, any portion of the Premises, or any structure on the Premises, except as otherwise permitted by this Permit or by the Service's prior written permission.

Permits are only issued to original lease holders (Champion International Corporation lease holders of record as of July 21, 1999) and may not be transferred to third parties. Should original lease holders wish to withdraw their interest, they may transfer it to others who were original lease holders on the same lease, but not to an outside party who was not a lease holder of record on July 21, 1999.

In the event that an individual original Permittee dies within the first twenty years after the July 21, 1999 purchase of the land by the Service, a transfer by inheritance of the original Permittee interest in the buildings will allow the heir(s) to become a Permit holder provided that such transfer shall be subject to all terms and conditions of this Permit. However, all transfers due to this inheritance clause during the first 20 years will terminate on July 21, 2019. For the purposes of this Permit, an "heir" is defined as a relative by blood, or as a relative otherwise may be specified by the laws of the state of Vermont. In order to designate an heir for the purposes of this Permit, a letter of such designation naming an heir must be sent to the office of the Nulhegan Basin Division of the Silvio O. Conte Refuge (address given under "Section 22. Notices" below) for inclusion in the appropriate camp file. Letters having designated an heir must be on file at the refuge office in advance of a Permittee's death. Issuance of a new Permit will be required upon transfer through inheritance. Any such transferred Permits will expire not later than July 21, 2019. After July 21, 2019, the interest of any deceased Permittee will lapse. The death of an original lease holder will not affect the Permit status of any surviving original lease holders of record for that camp.

## **12. Insurance.**

The Permittee shall be required to acquire and maintain during the term of this Permit, Comprehensive General Liability insurance against claims occasioned by the actions or omissions of the Permittee, his/her agents, employees, invitees, and/or guests while engaged in the activities authorized hereunder. Such insurance shall be in a form and amount satisfactory to the Service and in an amount commensurate with the degree of risk and the scope of such activities authorized hereunder, but in any event not less than \$300,000 per occurrence. All liability policies shall specify that the insurance company shall name the "United States of America" as an additional named insured and shall provide that the insurance company shall have no recourse against the Government for payment of any deductible, premium or assessment; or, alternatively, if the United States of America is not named as an additional insured, the liability policy shall specify that the insurance company shall have no right of subrogation against the United States, its agents, servants and employees and shall provide that the insurance company shall have no recourse against the Government for payment of any deductible, premium or assessment. A certificate of insurance indicating that the required insurance and specifications are in effect and the annual premium is paid in advance shall be provided by the Permittee to the Refuge Manager with the annual payment, or submitted at the time of policy renewal, and anytime within thirty (30) days of the Refuge Manager's request for such documents. The Permittee shall provide to the Refuge Manager thirty (30) days advance written notice of any material change in the Permittee's insurance coverage hereunder.

### **13. Liability.**

Permittee assumes full control of the Premises “as is,” and the Service makes no warranty as to the habitability or condition of the Premises. Permittee also will inform the Refuge Manager immediately of any personal injuries and/or property damage in excess of \$500 suffered by any person on the Premises, and of all risks, hazards, and dangerous conditions of which Permittee becomes aware elsewhere on the Refuge. The Service shall not be liable to Permittee for any injury or harm to any person, including Permittee, occurring in or on the Premises or on any other lands of the Refuge or for any injury or damage to the Premises, to any property of the Permittee or to any property of any third entity.

In consideration of being permitted to engage in the activity authorized under this Permit at the Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge, the Permittee, being of lawful age, for himself and his personal representatives, heirs, and next of kin, hereby releases, waives, and forever discharges the United States of America, its agents, and employees, all for the purposes herein referred to as, Releasees, from any and every claim, demand, action or right of action, of whatsoever kind or nature, either in law or in equity, arising from or by reason of any bodily injury or personal injuries known or unknown, death and/or property damage resulting or to result from any injury, which may occur while engaged in the permitted activity, and covenants not to sue the Releasees, for any loss or damages, and any claim or damage therefore, on account of injury to the person or property or resulting in death of the Permittee, whether caused by the negligence of Releasees or otherwise. Permittee agrees to indemnify, defend, save, and hold harmless the Releasees and each of them from any loss, liability, damage, or cost Releasees may incur due to the presence of Permittee in or upon the said property of the United States. Releasor agrees that this release and waiver are intended to be as broad and inclusive as permitted by the laws of the State of Vermont and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full legal force and effect. The said obligation to indemnify shall survive the termination or expiration of this Permit.

Permittee shall further indemnify the Service against all actions, suits, damages, and claims by whomever brought or made by reason of the nonobservance or nonperformance of:

- (a) any obligation under this Permit; or
- (b) any federal, state, local law or regulation.

### **14. Default.**

Any of the following will constitute a default under this Permit:

- (a) Permittee’s failure to perform any obligation under this Permit or the violation of any term or condition of this Permit,
- (b) the filing of any bankruptcy/insolvency petition by or against Permittee or if Permittee makes a general assignment for the benefit of creditors, or
- (c) an execution or attachment issued against the Permit, the Premises, or Permittee’s property on the Premises, unless Permittee provides the Refuge Manager with satisfactory assurances and evidence that such execution or attachment will be released within a reasonable time.

In the event of a default, the Permittee will have ninety (90) days following receipt of written notice from the Service to cure the default. If the default is not so cured, then the Service shall have all its remedies provided by law and hereunder, including terminating the Permit by written notice to the Permittee stating the reason for termination, and entering the Premises. The Service may take possession and retain Permittee’s personal property that is on the Premises, including all structures, to secure the performance of any obligation under the Permit, subject to any right of any compensation which may be owed to the Permittee. The Service may, at its option, re-enter and take possession of the Premises after a default without releasing Permittee’s obligation to perform under the Permit. Notwithstanding any provision to the contrary contained herein, the Service has the right, but not the obligation, to sell, remove, or destroy structures and improvements remaining on the Premises after Permittee has vacated or been evicted from the same. In the event of default and subsequent Permit termination, the Permittee has the ability to appeal the termination action as specified in Title 50 - Code of Federal Regulations - Section 25.45 “Appeals Procedures,” available upon request from the Refuge Manager.

### **15. Security Agreement.**

Permittee hereby grants the Service a security interest in all of Permittee's improvements, fixtures, and personal property to secure the obligations of the Permittee hereunder. Permittee hereby grants the Service the right to perfect this security agreement by taking possession of the secured property upon Permittee's default under this Permit.

### **16. Mechanic's Lien.**

If any notice is filed at the county registry of deeds of a builder's, supplier's or mechanic's lien on the Premises, arising out of any work performed by or on behalf of Permittee, Permittee shall cause such lien to be discharged or released immediately and shall indemnify the Service against any such claim or lien, including all costs and attorneys' fees that the Service may incur in connection with the same.

### **17. Succession.**

This Permit shall be binding upon the heirs, executors, administrators, successors in interest and assigns of the parties hereto.

### **18. Waiver.**

Any consent, express or implied, by the Service to any breach by Permittee of any covenant or condition of this Permit shall not constitute a waiver by the Service of any prior or succeeding breach by Permittee of the same or any other covenant or condition of this Permit. Acceptance by the Service of any fee or other payment with knowledge of a breach or default by Permittee under any term of this Permit shall not constitute a waiver by the Service of such breach or default.

### **19. Savings Clause.**

The invalidity or unenforceability of any provision of this Permit shall not affect or impair the validity of any other provision.

### **20. Rights and Benefits.**

The rights and benefits conferred by this Permit shall be subject to the laws of the United States governing the Service and to the rules and regulations promulgated hereunder, whether now in force or hereafter enacted or promulgated.

### **21. Anti-deficiency Provision.**

Nothing contained herein shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purposes of this Permit for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure on money in excess of such appropriations or allocations.

### **22. Notices.**

Any official notice regarding fiscal matters, including payment of the annual Permit fee, or the status of Permits or Permittees to be given to either party under provisions of, or with respect to, this Permit shall be given by certified, United States mail, and addressed to the U.S. Fish and Wildlife Service, Nulhegan Basin Division, Silvio O. Conte Refuge, 5396 Rt. 105, Brunswick, VT 05905 (by the primary contact only). Correspondence from the Refuge to the Permittee will be addressed to the primary contact only at the primary contact's address of record. Any notice will have been deemed given when so mailed. It will be the responsibility of the Permittee to promptly inform the above-referenced office of any change of address and phone number applicable to Permittee contacts.

All such written correspondence with regard to any and all references made herein to "Refuge Manager," including but not limited to, requests for permission and approvals, notification of troubles or damages, other matters of concern or question about the Premises, or clarification of or compliance with Permit conditions or Refuge regulations shall be given to: Refuge Manager, Silvio O. Conte Refuge, Nulhegan Basin Division, 5396 Rt. 105, Brunswick, VT 05905.



**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Research Conducted by Non-service Personnel

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: [Signature] Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

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**Use:** Research Conducted by Non-service Personnel

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### **NARRATIVE:**

Research by non-U.S. Fish and Wildlife Service (Service) personnel on the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge) is conducted by academic institutions, Federal, State, and local agencies, non-governmental organizations, and qualified members of the general public. Only research that is relevant, applicable, and useful to the refuge or the National Wildlife Refuge System (Refuge System) would be allowed. The primary purpose of this use is to further our basic understanding of the refuge's biological and cultural resources, and to inform our management decisions that affect those resources. In many cases, research by non-Service personnel ensures the perception of unbiased and objective information gathering, which can be important when using the research to develop management recommendations for politically sensitive issues. Additionally, universities and other Federal and State partners can often access equipment and facilities unavailable to refuge staff for analysis of data or biological samples.

Research conducted by non-Service personnel would also help the refuge to better achieve the goals of the Comprehensive Conservation Plan (CCP) because the data would help evaluate objectives and strategies identified in the plan. In addition, allowing research supports one of the purposes for which Conte Refuge was established: "provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes..."

The Service would encourage and prioritize research and management studies on refuge lands that would improve and strengthen natural resource management decisions. The refuge manager would particularly encourage research supporting approved refuge goals and objectives that clearly improves land management decisions related to Federal trust resources, helps evaluate or demonstrate state-of-the-art techniques, and/or helps address or adapt refuge lands to climate and land use change impacts.

Refuge staff would also consider research for other purposes that may not be directly related to refuge-specific goals and objectives, but contribute to the broader enhancement, protection, use, preservation, and management of cultural resources and native populations of fish, wildlife, and plants, and their natural diversity within the Northeast region or Atlantic flyway. All research proposals must also comply with the Service's compatibility policy.

Evaluating and accepting or rejecting study proposals, as well as conditioning the special use permits (SUP) appropriately, would minimize the impacts of, and maximize the value of, such research. If a research project occurs during the refuge's hunting season, special precautions would be required and enforced to ensure the researchers' health and safety. If conducted according to refuge-specific stipulations set forth in an approved compatibility determination and in a project-specific SUP, this use would not affect the Service's ability to protect, conserve and manage wildlife and their habitats, nor would it impair existing wildlife-dependent recreational uses or reduce the potential to provide quality, compatible, wildlife-dependent recreation uses into the future.

Research therefore has been found appropriate because it is beneficial to the refuge's natural and cultural resources, is consistent with the goals and objectives of the CCP, and supports one of Conte Refuge's purposes.

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## COMPATIBILITY DETERMINATION

### USE:

Research Conducted by Non-service Personnel

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is it a priority public use?**

This determination covers low impact research projects; namely, those projects with methods that only have a minimal potential to adversely impact cultural resources and native wildlife and plants.

This is not an all-inclusive list, but examples of the types of research that would be allowed include: mist-netting for banding or tagging birds, point count surveys, fish and amphibian tagging, electrofishing, radio-telemetry tracking, use of cameras and recorders, use of live or other passive traps, or non-destructive searches of nests, dens, or burrows.

Research activities allowed under this determination would not result in long-term, negative alterations to species' behavior (e.g. result in wildlife leaving previously occupied areas for long periods; modifying their habitat use; or, causing nest or young abandonment). No project would degrade wildlife habitat, including vegetation, soils, and water. Research associated activities that would not be allowed include, but are not limited to, those that would result in soil compaction or erosion, degrade water quality, remove or destroy vegetation, involve off-road vehicle use, collect and remove animals or whole native plants, cause public health or safety concerns, or result in conflicts with other compatible refuge uses.

Refuge support of research directly related to refuge goals and objectives may take the form of funding, in-kind services such as housing or use of other facilities, vehicles, boats, or equipment, direct staff assistance with the project in the form of data collection, provision of historical records, conducting of management treatments, or other assistance as appropriate.

Research conducted by non-Service personnel is not a priority public use of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), and the Refuge System Improvement Act of 1997 (Public Law 105-57).

**(b) Where would the use be conducted?**

This use will be allowed on all refuge divisions and units, including lands acquired in the future pursuant to the final comprehensive conservation plan (CCP). The location of the research will vary depending on the individual research project that is proposed. An individual research project is usually limited to a particular habitat type, plant, or wildlife species. On occasion, research projects will encompass an assemblage of habitat types, plants, or wildlife. The research location will be limited to those areas of the refuge that are absolutely necessary to conduct the research project. The refuge may limit areas available to research as necessary to ensure the protection of Federal trust resources, or to reduce conflict with other compatible refuge uses. The methods and routes of access to study locations will be identified by refuge staff.

**(c) When would the use be conducted?**

The timing of the research may depend entirely on the individual research project that is being conducted. Scientific research will be allowed to occur on the refuge throughout the year. An individual research project could be short-term in design, requiring only one or two visits over the course of a few days, or be a multiple year study that may require regular visits to the study site. The timing of each individual research project will be limited to the minimum required to complete the project. If a research project occurs during the refuge hunting season, special precautions will be required and enforced to ensure public health and safety. The refuge manager would approve the timing (e.g., project length, seasonality, time of day) of the research prior to the start of the project to minimize impacts to wildlife and habitats, ensure safety, and reduce conflicts with other compatible refuge uses.

**(d) How would the use be conducted?**

Research activities will depend entirely on the individual research project that is conducted. The objectives, methods, and approach of each research project will be carefully scrutinized by the refuge manager before it will be allowed on the refuge. Only low impact research activities, such as those listed under section (a) above, are covered under this determination.

Research projects must have a Service-approved study plan and protocol. A detailed research proposal that follows the refuge's study proposal guidelines (see attachment 1) is required from parties interested in conducting research on the refuge. Each research proposal request will be considered, and if determined appropriate and compatible, will be issued a special use permit (SUP) by the refuge manager that includes the stipulations in this determination. The refuge manager will use sound professional judgment and ensure that the request will have no considerable negative impacts to natural or cultural resources, or impact visitors, and does not violate refuge regulations. Before initiating a research project that involves federally listed endangered or threatened species, an interagency Section 7 consultation process should be completed.

If approved, multi-year research projects will be reviewed annually to ensure that they are meeting their intended design purposes, that reporting and communicating with refuge staff is occurring, and that projects continue to be consistent with the mission of the Refuge System and purposes for which the refuge was established.



If the refuge manager decides to deny, modify, or halt a specific research project, the refuge manager will explain the rationale and conclusions supporting their decision in writing. The denial or modification to an existing study will generally be based on evidence that the details of a particular research project may:

- Negatively impact native fish, wildlife, and habitats or cultural, archaeological, or historical resources.
- Detract from fulfilling the refuge’s purposes or conflict with refuge goals and objectives.
- Raise public health or safety concerns.
- Conflict with other compatible refuge uses.
- Not be manageable within the refuge’s available staff or budget time.
- Deviate from the approved study proposal such that impacts to refuge resources are more severe or extensive than originally anticipate.

**(e) Why is this use being proposed?**

Quality, scientific research, including inventory and monitoring projects, are an integral part of refuge operations and management. Thorough research provides critical information for establishing baseline information on refuge resources and evaluating management effects on wildlife and habitat. Research results will help inform, strengthen, and improve future refuge management decisions, as well as inform management decisions on other ownerships with Federal trust resources in the Connecticut River Watershed and possibly elsewhere in the Northeast Region. For example, past projects on the refuge have studied federally listed species, such as Canada lynx, Puritan tiger beetles, and northeastern bulrush, or other species of conservation concern, such as rusty blackbirds and Canada warbler. Research projects may also include evaluating habitat management treatments and the associated wildlife community response, as well as, measures of impacts from public uses on refuge lands.

The refuge manager would particularly encourage research supporting approved refuge goals and objectives that clearly improves land management decisions related to Federal trust resources, helps evaluate or demonstrate state-of-the-art techniques, and/or helps address or adapt to climate and land use change impacts.

Finally, quality scientific research is encouraged because it would support one of the purposes for which Conte Refuge was established: “provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes...”

**AVAILABILITY OF RESOURCES:**

The resources necessary to provide and administer this use are available within current and anticipated refuge budgets. The bulk of the cost for research is incurred in staff time to review research proposals, coordinate with researchers, and write SUPs. In some cases, a research project may only require 1 day of staff time to write a SUP. In other cases, a research project may take many weeks, as the refuge staff must coordinate with students and advisors and accompany researchers onsite visits. These responsibilities are accounted for in budget and staffing plans.

We estimate below the annual costs associated with the administration of this use.

<i>Review proposals, coordinate with researchers</i> (Refuge biologist):	\$3,200
<i>Review proposals, issue SUPs General coordination</i> (Refuge manager):	\$2,100
<i>Vehicle, equipment, housing maintenance</i> (Maintenance worker):	\$1,900
<b>Total Annual Cost of Program:</b>	<b>\$7,200</b>

We do not anticipate charging fees.

## **ANTICIPATED IMPACTS OF THE USE:**

The Service encourages quality research to further the understanding of natural resources. Research by non-Service personnel contributes to the availability of the best available scientific information to support refuge management decisions.

Disturbance to wildlife, vegetation, water, soils, or cultural resources could occur while researchers are accessing study sites on vehicles or by foot, or while they are engaged in their project. The presence of researchers could also indirectly disturb wildlife. Potential impacts include:

- Trampling, damage, and killing of vegetation from walking offtrail (Kuss 1986, Roovers et al. 2004, Hammitt and Cole 1998).
- Soil compaction, soil erosion, and changes in hydrology from hiking on and offtrail (Kuss 1986, Roovers et al. 2004).
- Disturbance to wildlife that causes shifts in habitat use, abandonment of habitat, increased energy demands on affected wildlife, changes in nesting and reproductive success, and singing behavior (Knight and Cole 1991, Miller et al. 1998, Shulz and Stock 1993, Gill et al. 1996, Arrese 1987, Gill et al. 2001).

Overall, we expect that these impacts would be negligible because of the low number of researchers and because, under this determination, only low impact projects would be allowed. As indicated under (a) above, low impact projects are those that would only minimally impact cultural resources or native wildlife and plants, and would not result in long-term, negative alterations to species' behavior, or their habitat, including vegetation, soils, and water. Research would only be conducted in approved locations and at approved times of day and times of season to minimize impacts to sensitive habitats and wildlife.

Animals may be temporarily disturbed during direct or remote observation, telemetry, capture (e.g., mist-netting), or banding. In very rare cases, direct injury or mortality could result as an unintended result of research activities. Mist-netting and banding, which are common research methods, can cause stress, especially when birds are captured, banded, and weighed. In very rare cases, birds have been injured or killed during mist netting, or killed when predators reach the netted birds before researchers. In a study of mist-netting and banding at 22 bird banding stations in the U.S. and Canada, Spotswood et al. (2012) found that the average rate of injury was very low (0.59 percent; mostly from damage to the wings, stress, cuts, or breaks) and the average rate of mortality was also very low (0.23 percent; mostly from stress and predation). Overall, they found that the likelihood of injury differed among species (e.g., heavier birds were more prone to incidents) and some species were more vulnerable to certain types of injuries. To minimize the potential for injuries, researchers should be properly trained (Fair et al. 2010, Spotswood et al. 2012) and look for signs of stress (e.g., lethargy, panting, raising feathers, closing eyes), wing strain, tangling, and predation (Spotswood et al. 2012). Impacts can also be minimized by considering the species to be captured, mesh size of net, time of day, time of year, weather, the number of birds that need to be captured, and the level of predation (Fair et al. 2010).

Barron et al. (2010) found that transmitters attached for research can also negatively impact bird species by affecting their behavior and ecology. The greatest impacts from transmitters were increased energy expenditure and decreased the likelihood of nesting. They also found that the method of transmitter attachment had an impact on the likelihood of injury or mortality, with anchored and implanted transmitters having the highest mortality due to the need for anesthesia. Collar and harness transmitters also had high mortality rates because they could cause birds to become entangled in vegetation. To minimize these risks, researchers can avoid anchored/implanted transmitters and use adjustable harnesses and collars with weak links that allow the device to detach if it becomes trapped in vegetation (Barron et al. 2010).

The U.S. Department of Agriculture's Animal Welfare Information Center maintains a website with resources to help minimize stress, injury, and mortality of wildlife in field studies at: <https://awic.nal.usda.gov/research-animals/wildlife-field-studies>. Recommendations relevant to refuge research projects would be followed. Included on this site are links to the following guidelines to help researchers limit their impacts on wildlife:

- The Ornithological Council's "Guideline to the Use of Wild Birds in Research" (Fair et al. 2010).

- The American Society of Mammologists, “Guidelines of the American Society of Mammologists for the Use of Wildlife Mammals in Research” (2011).
- American Fisheries Society, “Guidelines for the Use of Fishes Research” (2004).
- American Society of Ichthyologists and Herpetologists, “Guidelines for Use of Live Amphibians and Reptiles in Field Research” (2006).

Researchers may also inadvertently damage plants (e.g. via trampling or equipment use) during the research project. To minimize impacts, the SUP will outline how researchers are allowed to access their study sites and use equipment to minimize the potential for impacts to refuge vegetation, soils, and water. We would not allow the collection and removal, or permanent damage, of any native plants under this determination.

Overall, allowing well-designed, properly reviewed, low impact research to be conducted by non-Service personnel is likely to have very little negative impact on refuge wildlife populations and habitats. We anticipate research will only have negligible to minor impacts to refuge wildlife and habitats because it will only be carried out after the refuge approves a detailed project proposal and issues a SUP including the stipulations in this determination to ensure compatibility. These stipulations are designed to help ensure each project minimizes impacts to refuge cultural resources, wildlife, vegetation, soils, and water. We also anticipate only minimal impacts because Service staff will supervise this activity, and it will be conducted in accordance with refuge regulations. In the event of persistent disturbance to habitats or wildlife, the activity will be further restricted or discontinued. If the research project is conducted with professionalism and integrity, potential minor adverse impacts are likely to be outweighed by the body of knowledge contributed to our understanding of refuge resources and our management effects on those resources, as well as the opportunity to inform, strengthen, and improve future refuge management decisions.

#### **PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

#### **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible with the following stipulations

#### **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- Only low impact projects are covered under this determination. Low impact projects, as indicated under (a) above, are those that would only have a minimal potential to impact cultural resources and native wildlife and plants. No project should result in long-term negative alterations to species’ behavior (e.g. result in wildlife leaving previously occupied areas for a long term; modifying their habitat use within their range; or, causing nest or young abandonment). No project should degrade wildlife habitat, including vegetation, soils, and water. Nest, dens, and burrows must not be harmed. No research activities should result in soil compaction or erosion, degrade water quality, remove or destroy vegetation, involve off-road vehicle use, or result in collection and removal of animals or whole native plants.
- Research would only be conducted in Service-approved locations, using approved modes of access, and conducted only after the timing, season, duration, numbers of researchers, and areas open and closed is approved. Sensitive wildlife habitat areas will be avoided unless sufficient protection, approved by the Service, is implemented to limit the area and/or resources potentially impacted by the proposed research.

- If a research project occurs during the refuge hunting season, special precautions will be required and enforced to ensure public health and safety, and otherwise reduce conflicts with other compatible refuge uses.
- The Service will require modifications to research activities, including temporarily closing areas, or changing methods, when warranted, to avoid harm to sensitive wildlife and habitat when unforeseen impacts arise.
- All researchers will be required to submit a detailed research proposal following the refuge’s study proposal guidelines (Attachment 1) and Service Policy (FWS Refuge Manual Chapter 4 Section 6). The refuge must be given at least 45 days to review proposals before initiation of research. Proposals will include obligations for regular progress reports and a final summary document including all findings.
- The criteria for evaluating a research proposal, outlined in the “Description of Use” section (a) above, will be used when determining whether a proposed study will be approved on the refuge. Projects would be denied if they:
  - \* Negatively impact native fish, wildlife, and habitats or cultural, archaeological, or historical resources.
  - \* Detract from fulfilling the refuge’s purposes or conflicts with refuge goals and objectives.
  - \* Cause public health or safety concerns.
  - \* Conflicts with other compatible refuge uses.
  - \* Are not manageable within the refuge’s available staff or budget time.
- Proposals will be prioritized and approved based on need, benefit to refuge resources, and the level of refuge funding required. Service experts, State agencies, or academic experts may be asked to review and comment on proposals.
- If proposal is approved, a SUP will be issued. The SUP will contain this determination’s stipulations as well as project-specific terms and conditions that the researcher(s) must follow relative to the activities planned (e.g., location, duration, seasonality, etc.).
- Researchers must comply with all state and Federal laws and follow all refuge rules and regulations. All necessary State and Federal permits must be obtained before starting research on the refuge (e.g., permits for capturing and banding birds). Any research involving federally listed species may require Section 7 consultation under the Endangered Species Act. Any research involving ground disturbance may require historic preservation consultation with the Regional Historic Preservation Officer and/or State Historic Preservation Officer.
- Researchers will mark any survey routes, plots, and points in as visually unobtrusive a manner as practical. No permanent markers or infrastructure can be left on the refuge.
- Researchers will use every precaution and not conduct activities that would cause damage to refuge property or present hazards or significant annoyances to other refuge visitors. Any damage should be reported immediately to the Refuge Manager
- Researchers must not litter; or start or use open fires on refuge lands.
- All research staff handling wildlife must be properly trained to minimize the potential for impacts to individual wildlife prior to initiating the project. In addition, a review of the U.S. Department of Agriculture’s Animal Welfare Information Center website must be documented by the researcher with identification of practices that will be followed to help further minimize stress, injury, and mortality of wildlife. The website is reached at: <https://awic.nal.usda.gov/research-animals/wildlife-field-studies>.



- Researchers may not use any chemicals (e.g., herbicides to treat invasive plants) or hazardous materials without prior written consent of refuge manager (e.g., the type of chemical, timing of use, and rate of application). All activities will be consistent with Service policy and an approved refuge Pesticide Use Plan.
- Researchers will be required to take steps to ensure that invasive species and pathogens are not inadvertently introduced or transferred to the refuge and surrounding lands (e.g., cleaning equipment).
- Refuge staff will monitor research activities for potential impacts to the refuge. The refuge manager may determine that previously approved research and SUP be modified or terminated due to observed impacts that are more severe or extensive than originally anticipated. The refuge manager will also have the ability to cancel a SUP if the researcher is not in compliance with the stated conditions.
- Researchers must have the SUP in their possession when engaged in research activities and will present it to refuge officials and State and Federal law enforcement agents upon their request.
- Researchers will submit a final report to the refuge upon completion of their work. For long-term studies, interim progress reports may also be required. The refuge also expects that research findings will be published in peer-reviewed publications. The contribution of the refuge and the Service should be acknowledged in any publications. The SUP will identify a schedule for annual progress reports and the submission of a final report or scientific paper.

**JUSTIFICATION:**

The Service encourages quality, scientific research because it provides critical baseline information on Federal trust and other refuge resources and helps evaluate the management effects on those resources. Conducting research is also one of the purposes for establishing Conte Refuge. Research results will also help inform, strengthen, and improve future refuge management decisions, as well as inform management decisions on other ownerships in the Connecticut River Watershed and possibly elsewhere in the Northeast Region. Given the stipulations above, and given that only low impact research projects would be conducted under this determination, we do not anticipate this activity will have greater than minor impact on refuge resources. Impacts, if they occur, would be confined in area, duration, and magnitude, with no long-term consequences predicted. Therefore, research conducted by non-Service personnel on Conte Refuge will not materially interfere with or detract from the mission of the Refuge System or the purposes for which the refuge was established.

**SIGNATURE:**

Refuge Manager:

Andrew C. French  
(Signature)

1-18-17

(Date)

**CONCURRENCE:**

Regional Chief:

Scott B. Kahan  
(Signature)

1/18/17

(Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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## Attachment 1. Silvio O. Conte National Fish and Wildlife Refuge Study Proposal Guidelines

A study proposal is a justification and description of the work to be done, and includes cost and time requirements. Proposals must be specific enough to serve as “blueprints” for the investigative efforts. Step-by-step plans for the actual investigations must be spelled out in advance, with the level of detail commensurate with the cost and scope of the project and the needs of management. Please submit proposals electronically as a Microsoft Word document or hardcopy to the refuge manager.

The following list provides a general outline of first order headings/sections for study proposals.

- Cover Page.
- Table of Contents (for longer proposals).
- Abstract.
- Statement of Issue.
- Literature Summary.
- Objectives/Hypotheses.
- Study Area.
- Methods and Procedures.
- Quality Assurance/Quality Control.
- Specimen Collections.
- Deliverables.
- Special Requirements, Concerns, Necessary Permits.
- Literature Cited.
- Peer Review.
- Budget.
- Personnel and Qualifications.

### **Cover Page**

The cover page must contain the following information:

- Title of Proposal.
- Current Date.
- Investigator(s): name, title, organizational affiliation, address, telephone and fax numbers and e-mail address of all investigators or cooperators.
- Proposed starting date.
- Estimated completion date.
- Total Funding Support Requested from the U.S. Fish and Wildlife Service.
- Signatures of Principal Investigator(s) and other appropriate institutional officials.

### **Abstract**

The abstract should contain a short summary description of the proposed study, including reference to major points in the Statement of Issue, Objectives, and Methods and Procedures sections.

### **Statement of Issue**

Provide a clear, precise summary of the problem to be addressed and the need for its solution. This section should include statements of the importance, justification, relevance, timeliness, generality, and contribution of the study. Describe how any products will be used, including any anticipated commercial use. What is the estimated probability of success of accomplishing the objective(s) within the proposed timeframe?

## **Literature Summary**

This section should include a thorough but concise literature review of current and past research that pertains to the proposed research, especially any pertinent research conducted within the Connecticut River watershed, and specifically, on refuge units. A discussion of relevant legislation, policies, and refuge planning and management history, goals, and objectives should also be included.

## **Objectives/Hypotheses**

A very specific indication of the proposed outcomes of the project should be stated as objectives or hypotheses to be tested. Project objectives should be measurable. Provide a brief summary of what information will be provided at the end of the study and how it will be used in relation to the problem. These statements should flow logically from the statement of issue and directly address the management problem.

Establish data quality objectives in terms of precision, accuracy, representativeness, completeness, and comparability as a means of describing how good the data need to be to meet the project's objectives.

## **Study Area**

Provide a detailed description of the geographic area(s) to be studied and include a clear map delineating the proposed study area(s) and showing specific locations where work will occur.

## **Methods and Procedures**

This section should describe as precisely as possible how the objectives will be met or how the hypotheses will be tested. Include detailed descriptions and justifications of the field and laboratory methodology, protocols, and instrumentation. Explain how each variable to be measured directly addresses the research objective/hypothesis. Describe the experimental design, population, sample size, and sampling approach (including procedures for sub-sampling). Summarize the statistical and other data analysis procedures to be used. List the response variables and tentative independent variables or covariates. Describe the experimental unit(s) for statistical analysis. Also include a detailed project time schedule that includes initiation, fieldwork, analysis, reporting, and completion dates.

## **Quality Assurance/Quality Control**

Adequate quality assurance/quality control (QA/QC) procedures help insure that data and results are: credible and not an artifact of sampling or recording errors; of known quality; able to stand up to external scientific scrutiny; and accompanied by detailed method documentation. Describe the procedures to be used to insure that data meet defined standards of quality and program requirements, errors are controlled in the field, laboratory, and office, and data are properly handled, documented, and archived. Describe the various steps (e.g., personnel training, calibration of equipment, data verification and validation) that will be used to identify and eliminate errors introduced during data collection (including observer bias), handling, and computer entry. Identify the percentage of data that will be checked at each step.

## **Specimen Collections**

Clearly describe the kind (species), numbers, sizes, and locations of animals, plants, rocks, minerals, or other natural objects to be sampled, captured, or collected. Identify the reasons for collecting, the intended use of all the specimens to be collected, and the proposed disposition of collected specimens. For those specimens to be permanently retained as voucher specimens, identify the parties responsible for cataloging, preservation, and storage and the proposed repository.

## **Deliverables**

The proposal must indicate the number and specific format of hard and/or electronic media copies to be submitted for each deliverable. The number and format will reflect the needs of the refuge and the Refuge manager. Indicate how many months after the project is initiated (or the actual anticipated date) that each deliverable will be submitted. Deliverables are to be submitted or presented to the refuge manager.



Deliverables that are required are as follows:

### *Reports and Publications*

Describe what reports will be prepared and the timing of reports. Types of reports required in fulfillment of natural and social science study contracts or agreements include:

- (1) Progress report(s) (usually quarterly, semiannually, or annually): may be required
- (2) Draft final and final report(s): always required

A final report must be submitted in addition to a thesis or dissertation (if applicable) and all other identified deliverables. Final and draft final reports should follow refuge guidelines (Attachment 1a).

In addition, investigators are encouraged to publish the findings of their investigations in refereed professional, scientific publications and present findings at conferences and symposia. The Refuge manager appreciates opportunities to review manuscripts in advance of publication.

### *Data Files*

Provide descriptions of any spatial (Geographic Information Systems; GIS) and non-spatial data files that will be generated and submitted as part of the research. Non-spatial data must be entered onto Windows CD ROMs in Access or Excel. Spatial data, which includes GPS (Global Position System)-generated files, must be in a format compatible with the refuge's GIS system (ArcGIS 8 or 9, Arcview 3.3, or e00 format). All GIS data must be in UTM 19, NAD 83.

### *Metadata*

For all non-spatial and spatial data sets or information products, documentation of information (metadata) describing the extent of data coverage and scale, the history of where, when, and why the data were collected, who collected the data, the methods used to collect, process, or modify/ transform the data, and a complete data dictionary must also be provided as final deliverables. Spatial metadata must conform to U.S. Fish and Wildlife Service (Federal Geographic Data Committee; FDGC) metadata standards.

### *Oral Presentations*

Three types of oral briefings should be included: pre-study, annual, and closeout.

These briefings will be presented to refuge staff and other appropriate individuals and cooperators. In addition, investigators should conduct periodic informal briefings with refuge staff throughout the study whenever an opportunity arises. During each refuge visit, researchers should provide verbal updates on project progress. Frequent dialogue between researchers and refuge staff is an essential element of a successful research project.

### *Specimens and Associated Project Documentation*

A report on collection activities, specimen disposition, and the data derived from collections, must be submitted to the refuge following refuge guidelines.

### *Other:*

Researchers must provide the refuge manager with all of the following:

- (1) Copies of field notes/ notebooks/ datasheets.
- (2) Copies of raw data (in digital format), including GIS data, as well as analyzed data.
- (3) Copies of all photos, slides (digital photos preferred), videos, and films.
- (4) Copies of any reports, theses, dissertations, publications or other material (such as news articles). resulting from stvvudies conducted on refuge.

- (5) Detailed protocols used in study.
- (6) Aerial photographs.
- (7) Maps.
- (8) Interpretive brochures and exhibits.
- (9) Training sessions (where appropriate).
- (10) Survey forms.
- (11) Value-added software, software developed, and models.

Additional deliverables may be required of specific studies.

### **Special Requirements, Permits, and Concerns**

Provide information on the following topics where applicable. Attach copies of any supporting documentation that will facilitate processing of your application.

#### *Refuge Assistance*

Describe any refuge assistance needed to complete the proposed study, such as use of equipment or facilities or assistance from refuge staff. It is important that all equipment, facilities, services, and logistical assistance expected to be provided by the Fish and Wildlife Service be specifically identified in this section so all parties are in clear agreement before the study begins.

#### *Ground Disturbance*

Describe the type, location, area, depth, number, and distribution of expected ground-disturbing activities, such as soil pits, cores, or stakes. Describe plans for site restoration of significantly affected areas.

Proposals that entail ground disturbance may require an archeological survey and special clearance prior to approval of the study. You can help reduce the extra time that may be required to process such a proposal by including identification of each ground disturbance area on a U.S. Geological Survey (USGS) 7.5-minute topographic map.

#### *Site Marking and/or Animal Marking*

Identify the type, amount, color, size, and placement of any flagging, tags, or other markers needed for site or individual resource (e.g., trees) identification and location. Identify the length of time it is needed and who will be responsible for removing it. Identify the type, color, placement of any tags placed on animals (see SUP for requirements on marking and handling of animals).

#### *Access to Study Sites*

Describe the proposed method and frequency of travel to and within the study site(s). Explain any need to enter restricted areas. Describe duration, location, and number of participants, and approximate dates of site visits.

#### *Use of Mechanized and Other Equipment*

Describe any vehicles, boats, field equipment, markers, or supply caches by type, number, and location. You should explain the need to use these materials and if or how long they are to be left in the field.

#### *Safety*

Describe any known potentially hazardous activities, such as electro-fishing, scuba diving, whitewater boating, aircraft use, wilderness travel, wildlife capture or handling, wildlife or immobilization.

### *Chemical Use*

Identify chemicals and hazardous materials that you propose using within the refuge.

Indicate the purpose, method of application, and amount to be used. Describe plans for storage, transfer, and disposal of these materials and describe steps to remediate accidental releases into the environment. Attach copies of Material Safety Data Sheets.

### *Animal Welfare*

If the study involves vertebrate animals, describe your protocol for any capture, holding, marking, tagging, tissue sampling, or other handling of these animals (including the training and qualifications of personnel relevant to animal handling and care). If your institutional animal welfare committee has reviewed your proposal, please include a photocopy of their recommendations. Describe alternatives considered, and outline procedures to be used to alleviate pain or distress. Include contingency plans to be implemented in the event of accidental injury to or death of the animal. Include state and Federal permits. Where appropriate, coordinate with and inform state natural resource agencies.

### **Literature Cited**

List all reports and publications cited in the proposal.

### **Peer Review**

Provide the names, titles, addresses, and telephone numbers of individuals with subject-area expertise who have reviewed the research proposal. If the reviewers are associated with the investigator's research institution or if the proposal was not reviewed, please provide the names, titles, addresses, and telephone numbers of three to five potential subject-area reviewers who are not associated with the investigator's institution. These individuals will be asked to provide reviews of the proposal, progress reports, and the draft final report.

### **Budget**

The budget must reflect both funding and assistance that will be requested from the Fish and Wildlife Service and the cooperator's contributions on an identified periodic (usually annual) basis.

### *Personnel Costs*

Identify salary charges for principal investigator(s), research assistant(s), technician(s), clerical support, and others. Indicate period of involvement (hours or months) and pay rate charged for services. Be sure to include adequate time for data analysis and report writing and editing.

### *Fringe Benefits*

Itemize fringe benefit rates and costs.

### *Travel*

Provide separate estimates for fieldwork and meetings. Indicate number of trips, destinations, estimated miles of travel, mileage rate, air fares, days on travel, and daily lodging and meals charges. Vehicle mileage rate cannot exceed standard government mileage rates. Charges for lodging and meals are not to exceed the maximum daily rates set for the locality by the Federal Government.

### *Equipment*

Itemize all equipment to be purchased or rented and provide a brief justification for each item costing more than \$1,000. Be sure to include any computer-related costs. For proposals funded under Service agreement or contract, the refuge reserves the right to transfer the title of purchased equipment with unit cost of \$1,000 or more to the Federal Government following completion of the study. These items should be included as deliverables.

### *Supplies and Materials*

Purchases and rentals under \$1,000 should be itemized as much as is reasonable.

*Subcontract or Consultant Charges*

All such work must be supported by a subcontractor's proposal also in accordance with these guidelines.

*Specimen Collections*

Identify funding requirements for the cataloging, preservation, storage, and analyses of any collected specimens that will be permanently retained.

*Printing and Copying*

Include costs for preparing and printing the required number of copies of progress reports, the draft final report, and the final report. In general, a minimum of two (2) copies of progress reports (usually due quarterly, semiannually, or as specified in agreement), the draft final report, and the final report are required.

*Indirect Charges*

Identify the indirect cost (overhead) rate and charges and the budget items to which the rate is applicable.

*Cooperator's Contributions*

Show any contributing share of direct or indirect costs, facilities, and equipment by the cooperating research institution.

*Outside Funding*

List any outside funding sources and amounts.

**Personnel and Qualifications**

List the personnel who will work on the project and indicate their qualifications, experience, and pertinent publications. Identify the responsibilities of each individual and the amount of time each will devote. A full vita or resume for each principal investigator and any consultants should be included here.

## Attachment 1a. Interim Final Report Guidelines

Draft final and final reports should follow Journal of Wildlife Management format and should include the following sections:

Title Page  
Abstract  
Introduction/Problem statement  
Study Area  
Methods (including statistical analyses)  
Results  
Discussion  
Management Implications  
Management Recommendations  
Literature Cited



**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Recreational Gathering of Blueberries, Blackberries, Strawberries, Raspberries, Mushrooms, Fiddleheads, and Antler Sheds

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use ["no" to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ["no" to (b), (c), or (d)] may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate** \_\_\_\_\_ **Appropriate**  \_\_\_\_\_  
 Refuge Manager: Andrew C. Frank Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Frederic W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Recreational Gathering of Blueberries, Blackberries, Strawberries, Raspberries, Mushrooms, Fiddleheads, and Antler Sheds

### **NARRATIVE:**

Federal regulations (50 CFR 27.51(a) and 27.21) prohibit the destruction or collection of plants and the taking of plants or animals (except as allowed by regulated hunting) on national wildlife refuges. However, picking and gathering blueberries, raspberries, blackberries, and mushrooms involves the removal of fruiting bodies only and does not harm the plants, which are left in place. Similarly, the removal of fiddleheads involves removing only some of the fronds as they sprout, similar to harvesting asparagus. Again, the plant itself is not destroyed or collected. Antler sheds are a discarded animal part; collecting these does not harm the deer or moose that have shed them. This use specifically does not include recreational gathering of cranberries since they occur in wetlands due to potential impacts to wetland vegetation (our highest priority habitat).

The gathering of berries, mushrooms, fiddleheads, and antler sheds are historic uses of Silvio O. Conte National Fish and Wildlife Refuge (refuge) and have occurred continuously on refuge lands for decades. These uses are not priority public uses of the National Wildlife Refuge System (Refuge System), as defined by the Refuge System Improvement Act of 1997 (Public Law 105-57). However, the gathering of these materials can foster a connection to, and appreciation for, the area's natural resources, and they often occur concurrently with other public uses, including priority public uses. Current levels of these uses are low and we are not aware of any conflicts with other public uses or negative effects on refuge resources from these uses. This use only allows the collection of parts of plants and animals, such as berries and antler sheds, and not the collection of entire plants or wildlife.

We have determined that continuing to allow these uses is consistent with the U.S. Fish and Wildlife Service's policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## COMPATIBILITY DETERMINATION

### USE:

Recreational Gathering of Blueberries, Blackberries, Strawberries, Raspberries, Mushrooms, Fiddleheads, and Antler Sheds

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is it a priority public use?**

The use is recreational gathering of blueberries, blackberries, strawberries, raspberries, mushrooms, fiddleheads, and antler sheds. This use specifically does not include recreational gathering of cranberries since they occur in wetlands due to potential impacts to wetland vegetation (our highest priority habitat). The berries, mushrooms, fiddleheads, and antlers collect must be for personal use only, and not for commercial

sale. It is not a priority public use of the National Wildlife Refuge System (Refuge System), under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997.

**(b) Where would the use be conducted?**

These activities would take place on all refuge divisions open to public uses, including lands acquired in the future pursuant to the final comprehensive conservation plan (e.g., McConnell Pond tract at Nulhegan Basin Division, or any of the conservation focus areas).

**(c) When would the use be conducted?**

Visitors may collect these materials whenever they are seasonally available. All refuge units are open to this use daily from one-half hour before sunrise to one-half hour after sunset, with the following exceptions:

- The Third Island Unit (Deerfield, MA) is seasonally closed (January 1 through July 31) to protect nesting bald eagles.
- Both the Dead Man’s Swamp (Cromwell, CT) and the Wissatinnewag Units (Greenfield, MA) are closed to the public at all times to protect sensitive resources.
- The Mount Tom Unit (Holyoke, MA) is currently closed due to public safety and vandalism concerns.

**(d) How would the use be conducted?**

We are proposing to open refuge lands to recreational gathering of natural materials for personal use. The gathering of these materials is a use of the area and fosters a connection to, and appreciation for, the area’s natural resources. We recognize that picking and gathering blueberries, blackberries, strawberries, raspberries, mushrooms, fiddleheads, and antler sheds has occurred on the refuge for many years. Current levels of this use are low and this use often occurs concurrently with other public uses, including priority public uses.

Natural materials gathered on the refuge are for private use only; the exact quantities are described below under “Stipulations Necessary to Ensure Compatibility.” Any sale of these materials would be considered a commercial use of these materials and is prohibited by Federal law. This use specifically does not include recreational gathering of cranberries because they occur in wetlands and their harvesting poses potential impacts to wetland vegetation (our highest priority habitat).

At the discretion of the refuge manager, some areas may be seasonally, temporarily, or permanently closed to gathering of natural materials if wildlife or habitat impacts, or if user conflicts become an issue. Furthermore, the refuge manager may modify daily and yearly limits of natural materials to be collected. No plants may be introduced or transplanted on refuge lands to promote recreational gathering of berries and no whole plants are to be removed from the refuge.

**(e) Why is this use being proposed?**

The use is being proposed by the refuge to accommodate a requested use of the area. Gathering of these natural materials has occurred in the area for many years.

**AVAILABILITY OF RESOURCES:**

The resources necessary to provide and administer this use are available within current and anticipated refuge budgets. Staff time associated with the administration of this use is primarily related to answering general questions from the public and monitoring impacts of the use on refuge resources. This activity is administered by the refuge staff who assess interactions among user groups and any related user impacts. Resource impacts will be monitored by refuge staff, under the supervision of the Refuge Manager. The use of refuge staff to monitor the impacts of public uses on refuge resources, and visitors is required for administering all refuge public uses. Therefore, these responsibilities and related equipment are accounted for in budget and staffing plans.

We estimate below the annual costs associated with the administration of this use.



<i>Supplies and materials:</i> (This includes in-house brochure production)	\$300
<i>Monitoring resource impacts:</i>	\$1,400
<i>Law enforcement:</i>	\$2,000
<b>Total Annual Cost of Program:</b>	<b>\$3,700</b>

We do not anticipate charging fees for this use.

### **ANTICIPATED IMPACTS OF THE USE:**

The gathering of natural materials would have impacts to refuge resources that are similar to those discussed in the compatibility determination for wildlife observation, photography, environmental education, and interpretation. In general, visitors engaged in these uses would be traveling by foot, either by walking or hiking, in designated areas and along designated trails and roads. Visitors would likely engage in gathering natural resources while participating in priority public uses on the refuge. Engaging in priority public uses provides visitors with a better appreciation for and more complete understanding of the wildlife and habitats associated with the refuge. This can translate into more widespread and stronger support for the refuge, the Refuge System, and the U.S. Fish and Wildlife Service (Service), as well as wildlife conservation in general.

The negative impacts of this use include impacts to plants, soils, hydrology, and wildlife from visitors walking and hiking on the refuge, we have described these impacts below; however, because most visitors gathering natural materials are also participating in other compatible public uses, we do not expect pedestrian impacts associated with this use to be additive.

### **Vegetation Impacts:**

Pedestrian travel can have indirect impacts to plants by compacting soils and diminishing soil porosity, aeration, and nutrient availability that affect plant growth and survival (Kuss 1986). Hammitt and Cole (1998) note that compaction limits the ability of plants to re-vegetate affected areas. Repeated foot travel can directly impact plants by crushing the plants themselves. Rare plants with limited site occurrence are particularly susceptible to such impacts. Plants growing in wet or moist soils are the most sensitive to disturbance from trampling effects (Kuss 1986). Moist and wet soil conditions are present at the refuge, particularly during spring and early summer. To minimize impacts to sensitive wetland plants, we would not allow the gathering of cranberries and discourage visitors from walking through wetland areas.

It is anticipated that allowing this use would cause vegetation loss on designated routes. Foot travel may increase root exposure and trampling effects; however, it is anticipated that under current levels of use the incidence of these problems would be minor. Designated routes for pedestrian travel consist of existing trails, many with hardened surfaces or are existing trails that have been used for many years. Designated routes do not have any known occurrences of rare plant species on their surface that would be impacted by this use. Continuing pedestrian travel on these routes is not likely to cause any significant impacts to plants or plant communities. There may also be limited amounts off-trail pedestrian use associated with recreational gathering. However, we do not anticipate that impacts to vegetation from off-trail use would be greater than negligible because it would be dispersed and occur at low levels. We also encourage visitors to stay on designated roads and trails, and expect most recreational gathering will occur nearby to trails and roads.

People can be vectors for invasive plants when seeds or other propagules are moved from one area to another. Once established, invasives can out-compete native plants, thereby altering habitats and indirectly impacting wildlife. The threat of invasive plant establishment would always be an issue requiring annual monitoring, and when necessary, treatment. Staff would work to educate the visiting public to reduce introductions and would also monitor and control invasives plants and other species.

### **Soils Impacts:**

Soils can be compacted and eroded as a result of continued use of pedestrian routes (Cole and Landres 1995). It is anticipated that some soil erosion would occur as a result of continuing pedestrian access on designated

routes and some limited off-trail use. Under current and anticipated levels of use, impacts to soils (erosion, compaction) are not likely to be significant.

### **Hydrologic Impacts:**

Roads and trails can affect the hydrology of an area, primarily through alteration of drainage patterns. It is anticipated that existing roads and trails would continue to influence hydrology regardless of pedestrian travel. Maintenance would be required to create adequate and proper drainage to avoid hydrologic impacts. Trail construction may also cause erosion and run-off of sediment into nearby waterways from exposed soils. To minimize these impacts, we would properly site trails, encourage visitors to stay on designated roads and trails, and discourage visitors from walking through sensitive wetland areas.

### **Wildlife Impacts:**

Disturbances vary with the wildlife species involved and the type, level, frequency, duration and the time of year such activities occur. The responses of wildlife to human activities includes: avoidance or departure from the site (Owen 1973, Burger 1981, Kaiser and Fritzell 1984, Korschen et al. 1985, Henson and Grant 1991, Kahl 1991, Klein 1993, Whittaker and Knight 1998), use of sub-optimal habitat (Erwin 1980, Williams and Forbes 1980), altered behavior or habituation to human disturbance (Burger 1981, Korschen et al. 1985, Morton et al. 1989, Ward and Stehn 1989, Havera et al. 1992, Klein 1993), attraction (Whittaker and Knight 1998), and an increase in energy expenditure (Morton et al. 1989, Belanger and Bedard 1990). Knight and Cole (1991) suggest recreational activities occurring simultaneously may have a combined negative impact on wildlife. Hammitt and Cole (1998) conclude that the frequent presence of humans in wildland areas can dramatically change the normal behavior of wildlife mostly through “unintentional harassment.” These responses can have negative impacts to wildlife such as mammals becoming habituated to humans making them easier targets for hunters. Human induced avoidance by wildlife can prevent animals from using otherwise suitable habitat.

Seasonal sensitivities can compound the effect of disturbance on wildlife. Examples include regularly flushing birds during nesting or causing mammals to flee during winter months, thereby consuming large amounts of stored fat reserves. Hammitt and Cole (1998) noted that females with young (such as white-tailed deer) are more likely to flee from a disturbance than those without young. Some uses, such as bird observation, are directly focused on viewing certain wildlife species and can cause more significant impacts during the breeding season and winter months.

Trails can disturb wildlife outside the immediate trail corridor (Trails and Wildlife Task Force 1998, Miller et al. 2001). 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. Bird communities in this study were apparently affected by the presence of recreational trails, where “generalists” (e.g., American robins (*Turdus migratorius*)) were found near trails and “specialist” species (e.g., grasshopper sparrows (*Ammodramus savannarum*)) were found farther from trails. Nest predation was also found to be greater near trails (Miller et al. 1998).

Visitors engaged in this use have the potential to impact shorebird, waterfowl, and other migratory bird populations feeding and resting near the trails during certain times of the year. Human disturbance to migratory birds has been documented in many studies in different locations. Conflicts arise when migratory birds and humans are present in the same areas (Boyle and Samson 1985). McNeil et al. (1992) found that many waterfowl species avoid disturbance by feeding at night instead of during the day. Flight in response to disturbance can lower nesting productivity and cause disease and death.

Studying the effects of human visitation on waterbirds at J.N. “Ding” Darling Refuge, Klein (1989) found resident waterbirds to be less sensitive to disturbance than migrants; she also found that sensitivity varied according to species and individuals within species. Herons and bitterns were quite tolerant of people; however, the presence of people did disturb these birds when hunting terrestrial prey. Great blue herons (*Ardea herodias*), tricolored herons (*Egretta tricolor*), great egrets (*Casmerodius albus*), and little blue herons (*E. caerulea*) were disturbed to the point of flight more than other birds. Kushlan (1978) found that the need of these birds to move frequently while feeding may disrupt interspecific and intraspecific relationships. In addition, Batten (1977) and Burger (1981) found that wading birds were extremely sensitive to disturbance in the Northeastern United States.

Klein (1993), in studying waterbird response to human disturbance, found that as intensity of disturbance increased, avoidance response by the birds increased and that out-of-vehicle activity to be more disruptive than vehicular traffic; Freddy et al. (1986) and Vaske et al. (1983) also found the latter to be true. In regards to waterfowl, Klein (1989) found migratory dabbling ducks to be the most sensitive to disturbance and migrant ducks to be more sensitive when they first arrived in the late fall, than later in winter. She also found gulls and sandpipers to be apparently insensitive to human disturbance, with Burger (1981) finding the same to be true for various gull species.

For songbirds, Gutzwiller et al. (1994) found that singing behavior of some species was altered by low levels of human intrusion. Some studies have found that some bird species habituate to repeated intrusion; frequently disturbed individuals of some species have been found to vocalize more aggressively, have higher body masses, or tend to remain in place longer (Cairns and McLaren 1980). Disturbance may affect the reproductive fitness of males by hampering territory defense, male attraction, and other reproductive functions of song (Arcese 1987). Disturbance, which leads to reduced singing activity, would make males rely more heavily on physical deterrents in defending territories which are time and energy consuming (Ewald and Carpenter 1978).

Several studies have examined the effects of recreationists on birds using shallow-water habitats adjacent to trails and roads in the Eastern United States (Burger 1981, Burger 1986, Klein 1993, Burger et al. 1995, Klein et al. 1995, Rodgers and Smith 1995, 1997, Burger and Gochfeld 1998). Overall, the existing research clearly demonstrates that disturbance from recreation activities always have at least temporary effects on the behavior and movement of birds within a habitat or localized area (Burger 1981, 1986, Klein 1993, Burger et al. 1995, Klein et al. 1995, Rodgers and Smith 1997, Burger and Gochfeld 1998). The findings that were reported in these studies are summarized as follows in terms of visitor activity and avian response to disturbance.

**Presence:** Birds avoided places where people were present and when visitor activity was high (Burger 1981, Klein et al. 1995, Burger and Gochfeld 1998).

**Distance:** Disturbance increased with decreased distance between visitors and species (Burger 1986), though exact measurements were not reported.

**Approach Angle:** Visitors directly approaching birds on foot caused more disturbance than visitors driving by in vehicles, stopping vehicles near birds, and stopping vehicles and getting out without approaching birds (Klein 1993). Direct approaches may also cause greater disturbance than tangential approaches to birds (Burger and Gochfeld 1981, Burger et al. 1995, Knight and Cole 1995, Rodgers and Smith 1995, 1997).

**Type and Speed of Activity:** Joggers and landscapers caused birds to flush more than fishermen, clammers, sunbathers, and some pedestrians, possibly because the former groups move quickly (joggers) or create more noise (landscapers). The latter groups tend to move more slowly or stay in one place for longer periods, and thus birds likely perceive these activities as less threatening (Burger 1981, 1986, Burger et al. 1995, Knight and Cole 1995). Alternatively, birds may tolerate passing by with unabated speed whereas if the activity stops or slacks birds may flush (Burger et al. 1995).

**Noise:** Noise caused by visitors resulted in increased levels of disturbance (Burger 1986, Klein 1993, Burger and Gochfeld 1998), though noise was not correlated with visitor group size (Burger and Gochfeld 1998).

There are several known federally listed threatened or endangered species occurring on refuge lands or lands proposed for refuge acquisition. Where necessary, we will close sensitive areas to protect these species. For example, the Dead Man's Swamp Unit is closed to protect the federally listed puritan tiger beetle. Therefore, this activity is not expected to affect any threatened or endangered species. Disturbance to other species is expected to be negligible. Trail use may discourage use of habitat by nesting birds very close to the trails, but the area impacted by trails is small compared to the area available to wildlife away from any trail. Although some off-trail use occurs on the refuge, visitors are encouraged to stay on designated trails and roads.

**PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

**DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

**STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- The daily limit of blueberries, blackberries, raspberries, and strawberries shall be 1 quart per person per day.
- The daily limit of fiddleheads and mushrooms shall be one-half pound (8 ounces) per person per day.
- The annual limit of antlers shall be one pair of deer antlers and one pair of moose antlers per person (a pair includes: a matching pair; an unmatched right-left pair; two right antlers, or two left antlers).
- No whole plants will be collected or removed from the refuge.
- Ground disturbance will be minimized in the collection of mushrooms; only above-ground parts may be removed.
- Recreational gathering of cranberries will not be allowed due to potential impacts to wetland vegetation.

**JUSTIFICATION:**

Harvest of these natural materials within the Conte Refuge will not materially interfere with or detract from the mission of the Refuge System or the purposes for which the refuge was established. Providing the opportunity for recreational gathering of natural materials on the refuge provides visitors with an opportunity to observe wildlife and to view Service wildlife habitat management projects. Also, we do not anticipate any greater than negligible impacts to refuge resources from this use.

**SIGNATURE:**

Refuge Manager:

Andrew C. Furrer  
(Signature)

1-18-17  
(Date)

**CONCURRENCE:**

Regional Chief:

Scott B. Kahana  
(Signature)

1/18/17  
(Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027



**LITERATURE CITED:**

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Snowmobiling on Designated Snowmobile Trails on the Dead Branch Division

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public’s understanding and appreciation of the refuge’s natural or cultural resources, or is the use beneficial to the refuge’s natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use [“no” to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe [“no” to (b), (c), or (d)] may not be found appropriate. If the answer is “no” to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor’s concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Padma W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

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**Use:** Snowmobiling on Designated Snowmobile Trails on the Dead Branch Division

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### **NARRATIVE:**

The Commonwealth of Massachusetts has over 2,000 miles of snowmobile trails (Snowmobile Association of Massachusetts, undated). The 0.2 miles of snowmobile trail on the Dead Branch Division is part of a larger trail network in the area that connects trails in Williamsburg with trails in the Berkshires. Snowmobile recreation is a popular winter activity in Massachusetts and it provides access to the refuge and can provide an opportunity for visitors to be introduced to the refuge. The best way to engage visitors on this short section of trail will be to install boundary signs at both entrance points and construct an informational kiosk near the southern boundary.

The primary reason for retaining the existing trail is for snowmobiles to avoid wet areas off the division and to use an existing snowmobile bridge over the Dead Branch that has been in place for many years. The route for this trail (State Corridor Trail 93) is in an abandoned utility corridor that extends nearly 7 miles starting in Williamsburg. Both this corridor, and the trail proper, lie just south of the division boundary. However, early in the snowmobile season when there is sufficient snow cover to open the trail elsewhere, the section just south of the division is unsuitable because the saturated soils have not yet frozen and the Dead Branch is unsafe to cross. During this period, the historical route on the division offers a safe and environmentally sound alternative to the main trail. This trail is used less once the ground and stream are frozen, but it is used throughout the snowmobile season by some.

The use does not interfere with the refuge's conservation goals and objectives, because impacts to trust resources during winter are minimized when the ground is frozen and covered with snow and fewer species and fewer numbers of wildlife are present. Key winter habitat for most resident wildlife such as big game and gallinaceous birds (e.g., species of grouse) would be minimally affected by snowmobile presence on the short section of trail on the refuge. Because this short section of trail lies within the former Berkshire Hardwoods wood mill site and there is limited to no thermal cover, little impact to resident winter wildlife is anticipated.

This use may also contribute to public understanding of, and appreciation for, the refuge's natural resources by providing opportunities for participants to experience the refuge, see refuge habitats, and support wildlife-dependent recreation during winter when access to the majority of the refuge is otherwise limited.

We anticipate that noise from use of this trail may be an annoyance to other visitors. However, the trail on the division is a small link in the larger state trail network and snowmobile noise will continue to be present, as it has for several decades, whether or not the division trail is open because most of the trail is on private property. Although snowmobiles emit exhaust and can have loud engines, the Commonwealth of Massachusetts (undated) requires that no snowmobiles be operated which emit noxious fumes or produce a sound pressure level of more than 96 decibels using test procedures established by the Society of Automotive Engineers under Standard J1287 JUL98 or other test procedures adopted by the State. Also, the level of pedestrian use on the refuge is relatively limited because this division was newly created in 2011 and there is no other visitor infrastructure.

For these reasons, we have determined that continuing to allow this use is consistent with the U.S. Fish and Wildlife Service's policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

**LITERATURE CITED**

Commonwealth of Massachusetts. Undated. Massachusetts General Laws, Part I, Title XIV, Chapter 90B, Section 24 Lights; reflectors; excessive noise; noxious fumes. Accessed July 2013 at <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90B/Section24>

Snowmobile Association of Massachusetts. Undated. Committed to enhancing safe snowmobiling in Massachusetts. Accessed July 2013 at: <http://sledmass.com/about-2/>.





## **COMPATIBILITY DETERMINATION**

### **USE:**

Snowmobiling on Designated Snowmobile Trails on the Dead Branch Division

### **REFUGE NAME:**

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### **DATE ESTABLISHED:**

October 3, 1997

### **ESTABLISHING AND ACQUISITION AUTHORITY(IES):**

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### **REFUGE PURPOSE(S):**

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### **NATIONAL WILDLIFE REFUGE SYSTEM MISSION:**

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.

### **DESCRIPTION OF USE:**

#### **(a) What is the use? Is the use a priority public use?**

Public snowmobile access is the use considered in this Compatibility Determination. This is not a priority public use of the National Wildlife Refuge System (Refuge System), under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997. This compatibility determination pertains only to non-commercial, public snowmobile access on the Dead Branch Division; commercial snowmobile tours are a different use that would need to be considered separately.

**(b) Where would the use be conducted?**

Massachusetts has more than 2,000 miles of snowmobile trails. The Dead Branch Division included approximately 0.2 miles of snowmobile trail through the former Berkshire Hardwoods mill site (see map D.4). This trail is part of a larger network that connects the Williamsburg area to trails in the Berkshires. The U.S. Fish and Wildlife Service (Service) owns this land in fee.

Assuming a 12-foot wide trail, approximately 0.3 acres or 0.03 percent of the division landbase is directly impacted by the active snowmobile trail. The snowmobile trail is located in mixed hardwood habitat within 300 feet of log landings of the former mill site. A limited number of migratory bird species are affected because most move to their wintering areas prior to snowmobile season. Some species such as black-capped chickadees, downy woodpeckers, ruffed grouse, white-tailed deer, and other forest species that overwinter may be affected by snowmobile presence. Black bears, reptiles, amphibians, bats, beavers, and fish may be found in the vicinity, but typically these species are inactive or under ice during the snowmobile season. No federally listed species are known to occur at the Dead Branch Division.

**(c) When would the use be conducted?**

Snowmobile use on the refuge would begin no earlier than December 1 and end no later than April 30. This minimizes conflicts with migratory and hibernating wildlife, and soil disturbance since snow cover is a prerequisite to opening the trail. Snowmobile access and trail grooming will be allowed during daytime and nighttime hours. General trail maintenance activities such as brush cutting and down tree removal also may be performed occasionally during the late summer and fall.

**(d) How would the use be conducted?**

Snowmobilers at the Dead Branch Division must comply with Massachusetts General Law Part I, Title XIV, Chapter 90B *Motorboats, other vessels, and recreational vehicles* which includes provisions for annual registration, manufacturing specifications, and rules for lawful operation (Commonwealth of Massachusetts Undated a). Individual snowmobile operators are required to obtain permission to use public lands, unless they are on a trail marked and designated for use by snowmobiles (Commonwealth of Massachusetts Undated b).

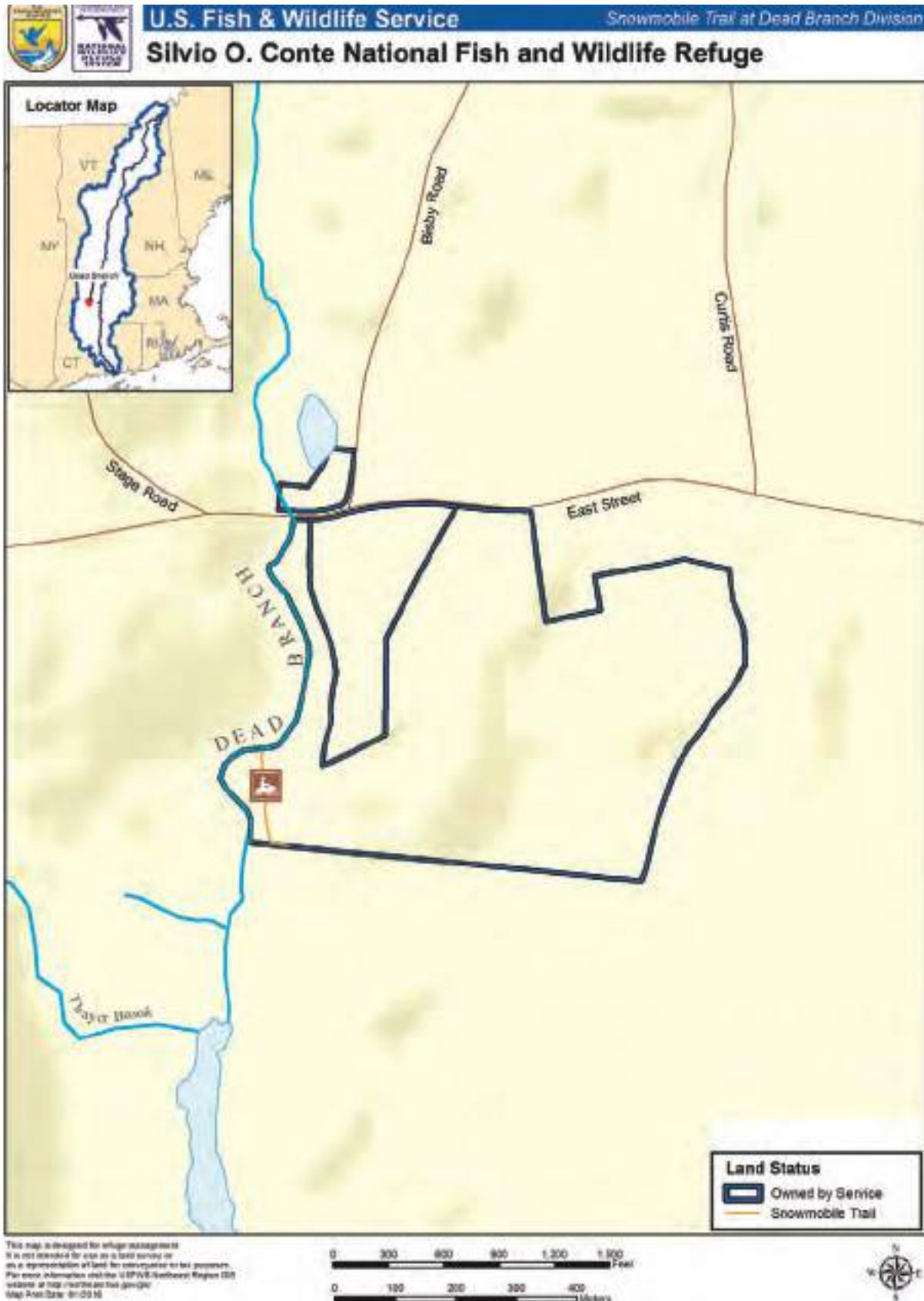
In Massachusetts, snowmobiles must be registered for a 2-year period with the Massachusetts Boat, Recreation Vehicle, and Snowmobile Registration Bureau unless they are exclusively used for agricultural, forestry, lumbering, or construction purposes (Commonwealth of Massachusetts Undated a). Snowmobilers that ride on Snowmobile Association of Massachusetts (SAM) club trails across private property must be a SAM member or have written permission of each landowner (Commonwealth of Massachusetts Undated c). SAM uses these funds for a variety of related purposes including liability insurance and trail maintenance. A portion of the registration fees also support Massachusetts Environmental Police Officers engaged in snowmobile enforcement.

Snowmobile access and use on the Dead Branch Division also will comply with applicable federal regulations (50 CFR 27.31), and executive orders (11644 *Use of Off-Road vehicles on the Public Lands*, February 8, 1972; and, 11989 *Off-Road Vehicles on Public Lands*, May 24, 1977). An annual special use permit (SUP) will be issued to the local snowmobile club affiliated with SAM for the purpose of authorizing snowmobile use, trail maintenance, and grooming on the Dead Branch Division. One stipulation of this permit is that SAM must carry general liability insurance for the snowmobile club.

The snowmobile club will be responsible for funding and carrying out maintenance and infrastructure repair to maintain a safe snowmobile trail on the Division. They will install signage (e.g. trail number and speed limit) authorized by the Refuge Manager before the trail opens in winter, maintain those signs throughout the snowmobile season, and remove them when the season ends. The local club also is responsible for grooming the trail on the division throughout the snowmobile season. Grooming will generally be done at night with the frequency dependent on snow and trail conditions. During the late summer or fall, with prior approval in writing by the Refuge Manager, the club may prepare the trail for the upcoming season by cutting back woody vegetation and removing trees that have fallen across the trail. Under the permit, club members may use all-terrain vehicles solely to access the trail for maintenance and sign activities during the late summer or fall; however, they must secure permission by notifying the Refuge Manager at least 48 hours in advance.

We will allow snowmobiling generally following MassWildlife snowmobiling guidelines, where otherwise compatible and consistent with applicable Service laws, policy and guidelines. The refuge manager will continue to meet with the club at least annually to discuss and reach agreement on planned activities and to review SUP

Map D.4. Snowmobile Trail at Dead Branch Division.



stipulations and conditions. Because clubs must secure landowner permission for construction and maintenance grants, the annual meeting also will serve to identify any up-front requirements for work on the Division (e.g. compliance with the National Environmental Policy Act).

There is a 0.2-mile section of snowmobile trail within the division boundary that was in existence prior to Service ownership. This trail enters the Division from the North on the current western boundary, crosses the Dead Branch and exists on the southern boundary. Historically, this trail crossed a larger section of the former Berkshire Hardwoods mill site; however, it was shortened and rerouted to avoid the log landings (personal communication, Jeff Poirier Berkshire Hardwoods).

According to SUP conditions, the snowmobile trail will not open prior to December 1 and will close on or before April 30, each year. The actual length of the season will be dependent on having enough snow cover to protect underlying soils and vegetation.

Snowmobile operation must be reasonable and prudent as described in Federal regulations (50 CFR 27.31) and State regulations (323 CMR 3.03:4).

**(e) Why is this use being proposed?**

As previously stated, the snowmobile trail within the refuge boundary was in existence prior to Service purchase. This section is part of a larger trail network that links the Williamsburg vicinity with the Berkshires. The trail section on the division has been in existence for many years (personal communication, Jeff Poirier Berkshire Hardwoods). Mr. Poirier has been satisfied with the snowmobile club partnership and the trail riders.

The primary reason for retaining the existing trail is for snowmobiles to avoid wet areas off the division prior to the hard freeze and to use an existing snowmobile bridge over the Dead Branch that has been in place for many years. The route for this trail (State Corridor Trail 93) is in an abandoned utility corridor that extends nearly 7 miles starting from the town of Williamsburg. This corridor and the trail proper lie just south of the division boundary. However, early in the snowmobile season when there is sufficient snow cover to open the trail elsewhere, the section just south of the division is unsuitable because the saturated soils have not yet frozen and the Dead Branch is unsafe to cross. During this period, the historical route on the Division offers a safe and environmentally sound alternative to the main trail. This trail is used less once the ground and stream are frozen, but it is used throughout the snowmobile season by some.

The majority of migratory birds found on the division are breeders or migrants that move south to more temperate climates during the winter. Snowmobiling at the Dead Branch Division would be inconsequential to these species because there is no temporal overlap in use and habitat composition and structure would not be altered. Some species, such as chickadees, downy woodpeckers, and nuthatches remain in the area yearlong and would be affected to some degree by snowmobile use. However, the short section of trail does not intersect unique habitat and individual birds affected by snowmobiles have ample suitable habitat to avoid disturbance.

Key winter habitat for most resident wildlife such as big game, gallinaceous birds (e.g. grouse) would be minimally affected by snowmobile presence. Winter thermal cover for many species in this part of Western Massachusetts is composed of dense conifers, rhododendrons, or mountain laurels (Massachusetts Department of Fish and Game Undated). Because this trail is short and does not intersect key winter range habitat, little impact to resident winter wildlife is anticipated.

There are benefits of allowing snowmobile use of the trail across the division. From the snowmobile club perspective closure of this trail would create a gap in a historically popular trail during the early part of the season. The necessary rerouting to avoid the wet areas south of the division and construction of another bridge would in all likelihood entail new road crossings and trail and bridge construction on private lands, if permission could be secured. It would also be longer than the current route. Moving this trail would result in alteration of habitats not currently impacted and be a significant expense. The current trail location has minimal effect on habitat composition and structure because of its limited length.

One means of reaching snowmobilers is via an informational kiosk on the south end of the trail where snowmobilers can stop and view information. We would work in cooperation with the other conservation partners (i.e. SAM, local snowmobile club, and the Department of Fish and Game) to construct an informational kiosk along the trail if use levels warrant. This would give us and partners an opportunity to connect with



riders through interpretive displays, brochures, fact sheets, and other pertinent information that will increase their understanding of the importance of this refuge and how it fits into the larger conservation efforts of the Service.

An unknown number of snowmobilers that enter the division engage in one or more priority public uses, particularly wildlife observation and photography. Moose, deer, and coyotes are active at the Dead Branch Division in winter and seeing them during a warm day would not be unusual. However, because the trail on the division is so short (0.2 miles) and lies within a forest without vistas, most snowmobilers are likely passing through to another destination. Today, most snowmobilers probably do not even know they are on a national wildlife refuge; however, continued use of this existing trail through the division has the potential to cultivate support from a non-traditional public sector and give them an appreciation of the conservation importance of the Dead Branch Division.

**AVAILABILITY OF RESOURCES:**

Sufficient Refuge resources in terms of personnel and budget are available to administer snowmobiling on the refuge. The Dead Branch Division is approximately 1 hour from the Sunderland, Massachusetts headquarters, but Massachusetts Environmental Police Officers have the authority to enforce State snowmobile regulations on SAM trails and are the primary law enforcement agency for snowmobiling in Massachusetts. This would be a continuation of how snowmobile laws and regulations were administered when the land was owned and managed by the previous owners. This portion of the Conte Refuge is covered by a Zone Refuge Law Enforcement Officer. Refuge staff will be responsible for onsite evaluations to resolve public use issues, monitor and evaluate impacts, maintain boundaries and signs, and meet with state officials, adjacent landowners and the interested public, when necessary. All costs for trail maintenance and repair are borne by SAM and carried out by the local snowmobile club under a refuge SUP.

Annualized costs associated with the administration of snowmobiling on the Refuge are estimated below:

<b>Initial Costs</b>	
<i>Document preparation/review/public comment</i>	\$1,000
<i>Supplies</i> (kiosk construction, brochures, kiosk notices)	\$3,500
<i>Traffic counter purchase</i>	\$2,000
<i>Law enforcement/responding to the public</i>	\$1,000
<b>Total Initial Costs</b>	<b>\$7,500</b>
<b>Annual Costs</b>	
<i>Issue &amp; administer SUP</i> (GS-12 Refuge Manager)	\$1,000
<i>Refuge law enforcement</i> (GS-11 Zone Officer)	\$1,000
<i>Resource impact evaluation</i> (GS-12 Refuge Manager)	\$1,000
<i>Visitor contacts</i> (in addition to Law Enforcement) (GS-12 Refuge Manager)	\$1,000
<i>Traffic counter maintenance/data collection/analysis</i>	\$1,000
<i>Miscellaneous</i>	\$500
<b>Total Annual Costs</b>	<b>\$5,500</b>

The estimated costs listed above are primarily salary costs. Monitoring public use and providing law enforcement are required for properly administering public use programs; therefore, these operations are

accounted for in budget and staffing projections. Additional law enforcement on the division is provided by Massachusetts Environmental Police Officers at no cost.

No special facilities or resources are needed to administer snowmobile use on the Dead Branch Division. There is no cost to the Refuge for trail maintenance which is provided by the local snowmobile clubs with funds from SAM. This trail is lightly used during the rest of the year, so no additional maintenance considerations are necessary.

Based on a review of the budget allocated for recreational use management, we certify that annual funds are adequate to ensure compatibility and to administer and manage the recreational use described above.

### **ANTICIPATED IMPACTS OF THE USE:**

Potential direct negative impacts resulting from snowmobile use on 0.2-mile trail include habitat loss and damage, pollution, and disturbance to wildlife and other refuge visitors. A positive effect of allowing this type of access will be winter access for a segment of the public that may not otherwise spend time on the refuge. By constructing an informational kiosk at a key location, these visitors will be exposed to educational panels and materials that will inform them of the division's role in wildlife conservation in the Connecticut River Watershed, the Refuge System, and Service.

### **Habitat Loss and Damage:**

This trail has been used for many year, although the exact date of trail opening is unknown. This generally north-south oriented trail directly affects approximately 0.3 acres of land or about 0.03 percent of the current division landbase. The direct loss of habitat is considered inconsequential because travel and trail grooming only commence when there is a sufficient snow pack. Trails are closed in the spring or during the season if patches of ground become exposed.

The most common impacts to vegetation attributable to snowmobiles are physical damage like bending and breaking when hit or run over (Stangl 1999). Additionally, plants are impacted during trail maintenance when shrubs and sapling trees are trimmed back; however, similar impacts occur throughout the power line corridor where vegetative growth is retarded to protect the electrical lines. Trimming associated with the snowmobile trail is done by hand or with power brush cutters which sets back growth, but does not kill the plants. Brush cutting only occurs when woody plants encroach within the trail corridor or are tall enough to protrude above the snow surface. Plants in the snowmobile trail probably end winter dormancy later and are less productive than those that are unaffected (Stangl 1999). No federally listed or State-listed plants are known from the area encompassing the snowmobile trail. The amount of habitat directly affected by the snowmobile trail represents a small percentage of similar habitat in the division.

### **Soils:**

Soil temperature fluctuations are moderated during winter by a covering of snow. When this layer is compacted, as is the case with a snowmobile trail, soil temperatures are generally lower and freezing is deeper which can be detrimental to both plants and soil microbes (Douglass et al. 1999, Stangl 1999). Impacts depend on snow depth, traffic intensity, and soil and plant susceptibility. Bog soils and shrubs are particularly susceptible to these types of impacts (Stangl 1999). Compacted snow melts rapidly and has lower water holding capacities (Douglass et al. 1999), which can increase erosion during spring melt, particularly on slopes. Probable soil impacts on this include compaction and possibly localized erosion. However, there is no perceptible evidence of substantial soil or plant degradation and erosion is minimal on this generally flat trail.

### **Air Resources:**

Until recently, two-stroke snowmobiles with traditional carburetors were the only models available. Within the last few years manufacturers, responding in part to calls for quieter and cleaner burning snowmobiles, have brought direct injection, two-stroke and four stroke engines to market. Two-stroke engines are commonly preferred for their better power to weight ratio (Braven 2009), although advancements in four-stroke technology has improved their performance.

Two-stroke carbureted snowmobile engines emit pollutants, particularly hydrocarbons and particulate matter, through exhaust systems from an incomplete combustion of fuel and oil (NPS 2000, GAO 2000). Four-stroke engines are cleaner, but still produce similar levels of carbon monoxide and oxides of nitrogen (University of Wyoming 2000). A recent addition to the market has been direct injection two-stroke snowmobiles that emit fewer pollutants than the carbureted versions. In fact, these engines can cut hydrocarbon emissions by about 70 percent (NPS 2000).

According to information cited by the U.S. General Accounting Office (2000), the National Park Service concluded, primarily through analyses of studies in Yellowstone and Grand Teton national parks, snowmobiles caused increased levels of air pollution. At that time traditional two-stroke engines were the only versions readily available. On an average day in Yellowstone National Park during the 1990s over 700 snowmobiles entered the park (NPS 2000), with peak day with peak day use exceeding 2,000. The park averaged 66,619 snowmobile visits annual from 1992 to 1999. Up to one-third of the fuel can pass through the exhaust, unburned (University of Wyoming, Institute for Environment and Natural Resources 2000). Two-stroke snowmobiles reportedly produced 68 to 90 percent of the hydrocarbons and 35 to 69 percent of carbon monoxide emissions at those parks during the winter (NPS 2000). In response to concerns including air pollution, Yellowstone National Park is in the process of developing a long-term plan for winter operations, including snowmobiles (NPS 2013).

A study cited in the Final Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS) for the Little Pend Orielle National Wildlife Refuge (Little Pend Orielle Refuge) in northeastern Washington stated that average snowmobile emission per hour is 216 grams of hydrocarbons and nitrous oxide and 564 grams of carbon monoxide per horsepower (USFWS 2000). Reportedly, a 54-horsepower two-stroke, carbureted snowmobile engine was estimated to emit approximately 360 times as much pollution per hour as an automobile. It should be noted that this information is based on the higher polluting, traditional two-stroke engines.

Other studies cited in the CCP claimed that such air pollutants can result in foliar injury, reduced productivity, tree mortality, decreased growth, altered plant populations, modifications in species diversity, increased susceptibility to pests and diseases, and pollutant depositions that melt into streams during spring snow melt. Neither the exposure levels nor duration necessary to cause these effects were stated. These impacts were derived from a literature source and the CCP does not say whether these impacts were evident on the refuge.

The amount and impact, if any, of snowmobile emissions at the Dead Branch Division have not been studied. Neither have the effects of snowmobile exhaust emissions on habitat or wildlife, but the types of vegetative impacts described in the Little Pend Orielle Refuge CCP are not evident at this division. Annual snowmobile traffic at the division has not been monitored but it undoubtedly is substantially lower than those reported for Yellowstone, where, outside of the high concentration areas around West Yellowstone and Old Faithful, snowmobiles were not substantially affecting atmospheric deposition of the principal pollutants (Ingersoll 1998). This author reported diminished levels of carbon monoxide, a primary emission compound from two-stroke snowmobiles, at monitoring stations 20 and 100 meters from park entry points. The influence of snowmobiles on air quality is expected to diminish in the future because viable alternatives to higher polluting two-stroke snowmobiles are becoming more popular.

Pollutants are emitted by snowmobiles using the Dead Branch snowmobile trail. There is no evidence of chronic air pollution, similar to what was described for a high elevation site in Wyoming (Musselman and Korfmacher 2007). Undoubtedly, frequent winds dispersed pollutants more rapidly at their Wyoming study area, but dispersion also appears to be relatively quick at Dead Branch.

### **Aquatic Resources:**

The impacts of snowmobile exhaust on aquatic systems have not been well studied, but fish can acquire and accumulate hydrocarbons (Ruzycki and Lutch 1999). Adams (1975) found hydrocarbon levels and lead to be at high levels the week after ice out in a Maine pond where snowmobiles were driven over ice during the previous winter. Lead no longer is an additive in gasoline, and therefore, not a concern. Repeated packing of snow during grooming can accumulate pollutants on developed trails which are then released during spring runoff (Ruzycki and Lutch 1999). The effects of snowmobile exhaust on aquatic invertebrates have received little

attention. Currently, the trail crosses the Dead Branch on a snowmobile bridge as it enters the division. This stream supports a fishery cold water fishery.

Water pollution from snowmobiles is certainly a concern, but the traffic at Dead Branch is undoubtedly less than the study sites discussed in Olliff and Kaeding (1999). The industry movement toward less polluting snowmobiles will reduce threats to aquatic systems. Strategic monitoring may be warranted to evaluate snowmobile impacts to the Dead Branch.

### **Disturbance to Wildlife:**

Winter is a particularly stressful period for resident wildlife in northern latitudes due to severe weather, limited food resources, the energetic costs of moving through snow, and in some places, thermal cover limitations. Disturbance from any source during winter can tax energy reserves and be a contributing factor to winter mortality and affect reproduction. Several factors influence the impact of disturbance including timing, frequency, duration, and extent; physical condition of the individual animal; weather; habitat, particularly thermal cover, forage availability, quality, and spatial arrangement; and snow conditions. Late winter and early spring snow storms can be lethal, especially to pregnant females and those that are old, young, or in poor health.

Although individual animals certainly come into visual or auditory range of snowmobiles on the division and react by moving back into cover, there is no evidence to suggest that wildlife populations are being negatively affected. No specific evaluation of disturbance has been done at the Dead Branch Division, but a study of wildlife use in the vicinity of snowmobile trails at the Nulhegan Basin Division located in Essex County, Vermont, was recently completed (Benoit et. al. 2008). This work detected some differences in wildlife use near active snowmobile trails and unused trails, but the results were inconclusive because of confounding difference in snow accumulation between the two study years (2005 and 2008) and the habitat type adjacent to trails.

Some of the potentially negative effects of snowmobiling and other winter recreational activities on resident wildlife include:

1. Energetic costs of displacement by recreationists (Picton 1999). Herbivores, especially ungulates, operate at an energy deficit depending on stored body reserves during winter because high quality food is not readily available. Additional stress caused by recreationists flushing them from winter habitat can increase susceptibility to disease and predation, lead to higher mortality rates, and reduce productivity.
2. Displacement of animals into marginal or ineffective habitat (Clark and Wiseman 1999). High quality winter habitat is a key to survival for many herbivores, because of the close proximity of thermal protection and forage. Actions that cause animals to move to marginal habitats can lead to increased energy consumption during cold periods; increased travel distances for forage, decreased nutritional intake and reductions in thermal efficiency. Each of these can contribute to higher mortality rates.
3. Animals that are disturbed may alter their daily activity patterns leading to increased energy consumption and higher risk of predation (Clark and Wiseman 1999).
4. Direct mortality from collisions with snowmobiles.

Snowmobiling can have a limited, beneficial influence for some wildlife. Compacted snowmobile trails often serve as travel corridors because they are easier to walk on than adjacent deep snows. This was observed anecdotally in the study at the Nulhegan Basin Division (Benoit et. al. 2008). These trails may increase the probability of predator-prey confrontations. Snowmobile trails may allow some species to exploit new areas during winter. For instance, the compacted snow on trails appears to be necessary for coyotes to inhabit areas with deep snow (Bunnell et. al. 2006). This probably contributed to occupation of marginal habitats in the Northeast (Crete and Laiviere 2003) and a breakdown in spatial segregation of Canada lynx and coyotes during periods of deep snow (Bunnell et. al. 2006) where the two species overlap.



Most of the recent research of the effects of snowmobiling on wildlife and habitats has been conducted in the Greater Yellowstone Ecosystem (e.g., Olliff et al. 1999, Caslick 1997a, White et al. 2006). The conditions under which these studies were conducted including the number of snowmobiles per day (i.e. over 1,000 on a busy day) (Sacklin et al. 2000), affected habitats, and even species studied (e.g. bison and elk) may not have direct applicability to the Northeast and the Dead Branch Division. Older research was limited to studying two-stroke, traditional carburetion snowmobiles that used leaded fuel. These machines are much noisier than newer models and emit more pollutants, which at the time, included lead. Although that type of snowmobile is still the most common, newer direct-injection and four-stroke engines which are much less polluting are becoming more popular. So the application of the body of work on snowmobiling effects may not always be relevant to the situation at this division.

Most wildlife-related research has been limited to studying the effects of snowmobiling on individuals, then extrapolating potential impacts to populations. There has been little work done on the influence of snowmobile use on population dynamics. Although no direct research has been done on winter recreational effects, including snowmobiles, at the Dead Branch Division, deer populations in Western Massachusetts are at goal levels (Christensen 2011). The section of trail on the Dead Branch Division is too short to have a substantial impact on deer populations, but because it is part of a trail network it is important to consider the larger landscape. The extensive network of snowmobile trails west of the Connecticut River does not appear to be negatively impacting population levels.

Most of the Federal trust species (e.g. Neotropical migratory birds, waterfowl, American woodcock) are on winter ranges well before the start of snowmobile season and do not return in the spring until after the trails close. The trail on Service-owned land does not intersect any habitats that would serve as winter concentration areas.

Snowmobile travel on and through the division is limited to the established snowmobile trail confining disturbances to a specific area. The timing, location, and occurrence of snowmobile use are fairly predictable which allows wildlife to habituate (Biel 1999, Freddy et al. 1986). At least one study found that heart rates increased whenever snowmobiles were present with no apparent habituation (Moen et al. 1982), although the implications to survival were not assessed. Trail maintenance with a groomer often occurs at night when conditions warrant. Assuming the use of the trail corridor for wildlife is compromised by snowmobile use, the total area impacted is approximately 2.4 acres assuming a 100-foot-wide area of impact, representing about 2 percent of the division.

Wildlife that hibernate or go into a dormant state during the winter such as black bears, reptiles, amphibians are not directly impacted by snowmobile travel because use is limited to the trail in the utility corridor which affords little, if any, good winter hibernaculum habitat. Some small mammals (e.g. voles) remain active below the snow surface (i.e. subnivean habitat). The compacted snowmobile trail may be a barrier to their movement and can alter subnivean conditions such as lowering temperatures (Caslick 1997b). However, only a small portion of habitat at the division (0.3 percent) might be marginalized for these species.

### **Impacts to Visitors:**

Snowmobile engine noise increases with the amount of traffic and proximity of the listener. Yellowstone National Park officials believed that snowmobile use conflicted with the solitude of Park visitors, and the noise had an impact on the natural quiet of the park setting (GAO 2000). Snowmobile noise levels have not been documented at the Dead Branch Division; however, Massachusetts regulations prohibit use of snowmobiles producing sound pressure levels of more than 96 decibels when measured from a distance of 20 inches using the Society of Automotive Engineers Standard J1287 JUL98 (Commonwealth of Massachusetts Undated a). These levels approximately equate to that experienced along a busy street (<http://www.asha.org/public/hearing/Noise/>; accessed September 2016). Although the sound is present to some degree on much of the refuge, attenuation reduces the levels so that if discernable, it becomes more of a background sound on the northern portions of the division. There are few, if any, areas of the division completely devoid of motorized sounds because it is surrounded by public roads.

Currently, pedestrian visitors have no developed access during winter. People hiking, snowshoeing, or skiing have the option of using the groomed snowmobile trail or making their own snow trails. Few people hike this area because until recently it was a private sawmill.

### **Summary of Anticipated Impacts**

In summary, many studies identify and discuss snowmobile impacts to wildlife, their habitats, and other outdoor recreational users. Clearly, snowmobiles can have an effect on wildlife when the two are in close proximity. The typical reaction of wildlife is to move into cover to avoid the disturbance. Snowmobile use on the Dead Branch Division will be restricted to the 0.2-mile section of existing trail. Based on available literature and monitoring at the nearby Nulhegan Basin Division impacts to wildlife are primarily to individual animals that come in contact with the trail when snowmobiles are present. Reactions are subject to a variety of factors, but there is no evidence that snowmobile use on this trail will not have a deleterious impact on wildlife populations at the division, nor the federal trust species (i.e. migratory birds). At this time, based on professional judgment and the available information including the limited extent of the affected area, wildlife species present during the winter, and impacted habitats, regulated snowmobile use does not materially interfere with or detract from the purposes for which the Refuge was established or the mission of the Refuge System. Snowmobile use does provide the public with an opportunity to enjoy and experience the winter landscapes and engage in wildlife-oriented recreation, including priority public uses, in support of Refuge Purpose Number 6. It also gives the refuge a chance to inform a non-traditional visitor about the Dead Branch Division, Conte Refuge, Refuge System, and Service. From the perspective of a snowmobiler and SAM, the trail on Refuge property is an important connection to the trail networks that lie beyond the Refuge boundary.

### **PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

### **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

### **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

The administration of snowmobile access and use on the refuge will comply with 50 CFR 27 and Massachusetts General Law 90B. The administration and management of the use as described in Section “(d)” above, and consideration, evaluation, and assessment of the impacts of the use as described in the “Anticipated Impacts of the Use” above, document our compliance with Executive Orders 11644 (Use of Off-Road Vehicles on the Public Lands, February 8, 1972) and 11989 (Off-Road Vehicles [ORV] on Public Lands, May 24, 1977) as summarized below.

*(1) Specific areas and trails shall be designated where snowmobile use is either permitted or prohibited.*

Public snowmobile travel on the division will be restricted to the historic, existing trail that crosses the division for approximately 0.2 miles. There also will be signs that identify the Refuge boundary on the trail and also require snowmobilers to stay on the groomed trail.

*(2) Designated areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.*

Damage to soils and vegetation is minimal because the ground is frozen and a snow cover must be present for the use to occur; damage to water is minimized because snowmobiles travel on a hard-packed snow cover, not across water; and, damage to other resources is limited by restricting snowmobile use to the established trails.

*(3) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.*

Wildlife harassment is minimized because: (a) trust species (i.e. migratory birds) are generally absent from the Dead Branch during the winter; (b) many resident species are dormant (e.g. black bears), under ice (e.g. beavers, muskrats, fish), or active under the snow (i.e. subnivean wildlife); (c) the trail does not intersect areas or habitats with significant concentrations of wildlife, including deer winter yards; and, (d) most active wildlife species during the winter are presumed to have acclimated to snowmobiles over the many years this trail has been in existence. The restricted area available and predictability of use, in time and space, make it reasonable to assume that resident wildlife populations can and have adapted to this long-term use.

*(4) Trails shall not adversely affect the natural, aesthetic, or scenic values of the lands.*

This trail will not measurably affect the natural, aesthetic, or scenic values because: (a) the amount of land directly impacted by the active trail is about 0.3 acres or about 0.3 percent of the 97.5-acre Division; (b) the trail lies adjacent to a former sawmill with considerable area cleared for buildings and log landings. The trail itself is confined to a patch of mixed hardwood forest that is common in this area; (c) the snow pack required for snowmobiling protects the ground surface, and the mechanical treatment of vegetation on the trail itself does not permanently damage plants; (d) litter associated with snowmobiling is removed by the snowmobile clubs during and at the end of the season.

*(5) Operating conditions shall be directed at protecting resource values, preserving public health, safety, and welfare, and minimizing use conflicts.*

Resource values are protected because snowmobile operating dates require sufficient snow pack to protect soils and vegetation from being damage. Use is discontinued if conditions become unsuitable. Public safety, health, and welfare are preserved and use conflicts minimized through the applicable provisions of 50 CFR 27.31, Massachusetts General Law 90B. Specifically, use is limited to the designated snowmobile trail, noise level limits must comply with State regulations, vehicles must meet the Federal and State standards for safe operation, reasonable and prudent operation is required, and unsafe trail conditions trigger closure. Pedestrian visitors are not precluded from using the snowmobile trail or if they prefer, may snowshoe or ski anywhere else on the division.

*(6) Areas and trails where ORV use is permitted are well-marked and information about location and conditions for use are made available to the public.*

Recreational snowmobile use at the Dead Branch Division is limited to the 0.2-mile section of trail near the western boundary. Standard State or refuge snowmobile trail signs will be posted at key points. The refuge boundary will be posted on both trail entry sites. Updated trail conditions are available from SAM either by phone or on their web site (<http://sledmass.com/>; accessed April 2015). Visitors also can contact the refuge to find out about current conditions. SUPs issued to local snowmobile club will contain specific special conditions that govern their operation and use of the trail.

*(7) Provisions are made for law enforcement.*

The Dead Branch Division is unstaffed, but a Zone Law Enforcement Officer is available. Officers from the Massachusetts Environmental Police have conducted law enforcement on this trail in the past as part of their normal duties, and will continue to do so on the division.

*(8) Effects of ORV use must be monitored.*

Snowmobile use on the refuge will be monitored and effects evaluated. Monitoring will be done via observations of trail use by refuge staff and the partner snowmobile club. Federal and State law enforcement patrols will help ensure that people comply with regulations to minimize biological and recreational conflicts. Condition of the trail itself will be evaluated at the end of each season and periodically during the season to ensure that unacceptable resource damage is not occurring.

(9) *If it is determined that ORV use is causing considerable adverse effects on soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails, those areas must be closed until adverse effects are eliminated or preventive measures have been implemented to prevent recurrence.*

As stated in Number 8 above, monitoring use of the trail will be an ongoing process. Because there is only one trail on the Dead Branch Division the primary resource concerns are impacts to soil, surface water, and resident winter wildlife. Refuge staff will monitor trail conditions to ensure that there is sufficient snow pack to support snowmobile use. The trail does not traverse any habitats key to wintering wildlife such as deer thermal cover; however, the trail will have limited effect on species that spend the winter under the snow surface in the utility corridor.

Should unacceptable resource impacts occur, appropriate action will be taken to alleviate problems. Actions may include more restrictive limitations on engine exhaust emissions or noise levels, limiting the number of snowmobiles on the division, and trail relocation or closure. These or other actions may be necessary in the future to ensure that snowmobile use does not materially interfere with or detract from refuge purposes or the mission of the Refuge System, as previously described. Compatibility could be reconsidered before the term of this compatibility determination should the conditions change significantly, or there is new information regarding the effects of snowmobiling that warrants an updated evaluation.

(10) *Snowmobile use is only permitted during refuge open hours. A special use permit is required for use outside of one-half hour before sunrise and one-half hour after sunset.*

(11) *We will allow snowmobiling following MassWildlife snowmobiling guidelines, where otherwise compatible and consistent with applicable Service laws, policy, and guidelines. We would also continue to meet each year with the snowmobile clubs permitted for each respective trail to review special use permit stipulations and conditions.*

**JUSTIFICATION:**

This use has been determined to be compatible provided the stipulations necessary to ensure compatibility are implemented, and the use does not exceed thresholds necessary for visitor safety and resource protection. This use is not expected to materially interfere with or detract from the mission of the Refuge System nor diminish the purposes for which the refuge was established, will not pose significant adverse effects on refuge resources, will not interfere with public use of the refuge, nor cause an undue administrative burden.

**SIGNATURE:**

Refuge Manager: Andrew C. French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Scott B. Kahan 1/18/17  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Snowmobiling on Designated Snowmobile Trails on the Nulhegan Basin Division

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public’s understanding and appreciation of the refuge’s natural or cultural resources, or is the use beneficial to the refuge’s natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use [“no” to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe [“no” to (b), (c), or (d)] may not be found appropriate. If the answer is “no” to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor’s concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate**  **Appropriate**

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Kevin W. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

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**Use:** Snowmobiling on Designated Snowmobile Trails on the Nulhegan Basin Division

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### **NARRATIVE:**

Vermont contains an extensive Statewide snowmobile trail system (SSTS) which is administered by the Vermont Association of Snow Travelers. Several miles of this trail network occur on the Nulhegan Basin Division and the McConnell Pond tract, which is proposed for acquisition under the preferred alternative of the Silvio O. Conte National Fish and Wildlife Refuge's (Conte Refuge) Comprehensive Conservation Plan (CCP). Snowmobile recreation is a critical part of the local economy during winter months in this portion of northeastern Vermont. The refuge is often covered with snow from November to April. The snowmobile trail provides a means of controlled access to the refuge in the winter months, and can provide an opportunity for visitors to engage in wildlife-dependent recreation, such as wildlife observation and hunting. This use may contribute to public understanding of, and appreciation for, the refuge's natural resources by providing opportunities for participants to experience the refuge, see refuge habitats, and support wildlife-dependent recreation during winter when access to the majority of the refuge is otherwise limited.

The existing snowmobile trail network was established well before the division was created in 1999. The overwhelming majority of the network lies along gravel roads that are open to passenger vehicle travel during the non-winter months, while the remaining length follows "grass" roads, which were originally used by commercial trucks to haul logs during winter. Due to the season of use, potential impacts are minimized because the ground is frozen and fewer species and fewer numbers of wildlife are present. This is an historic use of the division, and is consistent with the environmental assessment prepared for the division's establishment (USFWS 1999). This use has been allowed on the refuge since the refuge was established with no significant adverse effects observed in terms of public safety (one reportable accident in tens of thousands of visits). We do not anticipate any major conflicts between snowmobilers and other users, because although pedestrians (cross-country skiers/snowshoers) will be allowed on the snowmobile trail network, such use is expected to be light as there are additional pedestrian-specific trails available during the winter.

For these reasons, we have determined that continuing to allow this use is consistent with the U.S. Fish and Wildlife Service's policy on the appropriateness of refuge uses (603 FW 1).

This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

### **REFERENCE:**

U.S. Fish and Wildlife Service (USFWS). 1999. Final Environmental Assessment: U.S. Fish and Wildlife Service Participation in a Partnership to Protect "the Champion Lands" in Essex County, Vermont—Options for Protecting the Nulhegan Basin Special Focus Area. 78pp.



## **COMPATIBILITY DETERMINATION**

### **USE:**

Snowmobiling on Designated Snowmobile Trails on the Nulhegan Basin Division

### **REFUGE NAME:**

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### **DATE ESTABLISHED:**

October 3, 1997

### **ESTABLISHING AND ACQUISITION AUTHORITY(IES):**

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### **REFUGE PURPOSE(S):**

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### **NATIONAL WILDLIFE REFUGE SYSTEM MISSION:**

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.

### **DESCRIPTION OF USE:**

#### **(a) What is the use? Is the use a priority public use?**

The use is public snowmobile access on and through the Nulhegan Basin Division (division) of the Silvio O. Conte National Fish and Wildlife Refuge (refuge), on existing Vermont Statewide Snowmobile Trail System (SSTS) trails. It is not a priority public use of the National Wildlife Refuge System (Refuge System), under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997. This compatibility determination pertains only to

non-commercial snowmobile access and use on the division by the public; commercial snowmobile tours are a different use and would need to be considered separately.

**(b) Where would the use be conducted?**

Snowmobile use is currently permitted on the division as part of the Vermont SSTS. This use predated U.S. Fish and Wildlife Service (Service) acquisition of the division in 1999 and was approved in the environmental assessment (USFWS 1999) establishing the division and in a corresponding compatibility determination. The 33-mile trail network on existing refuge lands has remained constant in location and extent since the land was acquired. The SSTS on the division provides multiple connective links that enable snowmobile access to surrounding public and private lands.

Under our Service-preferred alternative C, the division will be expanded via acquisition of the McConnell Pond tract, among other parcels. Under this scenario, we propose a network of trails totaling approximately 40 miles (map D.5). The overwhelming majority (more than 98 percent) of the snowmobile trails are located on existing gravel roads. In addition, a new trail segment of approximately 1.4 miles is proposed to link the division's visitor contact station with the main trail network. This will occur primarily on private land, with less than 600 feet of new trail on refuge land. The refuge segment will be on an upland site immediately south of Vermont Route 105. An approximately 1.1-mile reduction among the existing trail network is proposed to offset this addition. This would include a narrow wooded trail segment occurring on native ground and reduction of one-half of a small loop trail.

**(c) When would the use be conducted?**

Use of the SSTS on the division is permitted from December 15 to April 15, dependent upon acceptable levels of snow cover. Snowmobile access and trail grooming are permitted during daytime and nighttime hours. When snowmelt exposes road surfaces, entrance gates on division roads are closed and locked for the duration of the spring mud season and further snowmobile access is prohibited. This is similar to what occurs on neighboring lands that allow snowmobiles. General trail maintenance activities such as brush cutting and the removal of downed trees also may be performed occasionally during the late summer and fall.

**(d) How would the use be conducted?**

The SSTS and its use are administered by the Vermont Association of Snow Travelers, Inc. (VAST). State law requires compliance with Title 23 ("Snowmobile Laws") of the Vermont Statutes, which includes provisions for annual registration and insurance, and requirements for lawful operation and use of snowmobiles on private and public lands. Throughout the SSTS, local snowmobile clubs are responsible for maintaining trails within the clubs' designated areas of operation. Purchase of an annual local club membership and Trails Maintenance Assessment permit (TMA) are required by the State for use of the SSTS. Club membership receipts fund equipment and trail maintenance in the club's area of operation, and revenues from TMA purchases allow VAST to administer the SSTS, and are disbursed to local club trail maintenance projects and equipment needs. Lastly, revenue generated from snowmobile registrations is distributed to VAST and public safety agencies (Vermont State Police, Vermont Fish and Wildlife Department (VFWD), County Sheriff's Departments) for law enforcement efforts within the SSTS. Purchase of a TMA grants the holder permission to use the SSTS (including the portion located on the division) by virtue of the local clubs having secured prior permission from landowners for trail placement on their lands.

Snowmobile access and use will be conducted according to applicable provisions of 50 CFR 27.31 ("General Provisions Regarding Vehicles"), Title 23 of the Vermont Statutes, and Executive Orders 11644 (*Use of Off-Road Vehicles on the Public Lands*, February 8, 1972) and 11989 (*Off-Road Vehicles on Public Lands*, May 24, 1977) - (see discussion of compliance with Executive Orders under the "Stipulations to Ensure Compatibility" section, below). Use and maintenance of the SSTS on the refuge is administered through an annual Special Use Permit (SUP) collectively issued to VAST and three local snowmobile clubs: Brighton Snowmobile Club, Northeast Kingdom Snowblasters, and Canaan Border Riders, Inc. The Service requires VAST to carry \$2 million of general liability insurance with the United States of America named as an "Additional Insured." Local clubs and VAST are collectively responsible for accomplishing trail maintenance and infrastructure repair. The refuge requires local clubs to place trail junction, trail number, safety, and speed limit signs—at locations designated by the refuge manager—prior to December 15, and maintain them through the period of snowmobile use. Signs are collected prior to refuge roads opening in the spring. Local clubs smooth trail surfaces with tracked groomers equipped with 12-foot, straight, front plow blades and drags 9 feet in width

and 12 feet in length. The approximate weight of a groomer with this equipment is 6 tons. Trails are typically groomed to a width of 10 to 16 feet depending on the underlying road width and snow conditions. Grooming typically occurs on the division 4 to 6 days per week depending on the weather, snowfall, and trail conditions; a given trail is generally groomed once each week. Grooming generally occurs at night. In late summer or fall, clubs maintain trails, as necessary, by cutting back woody brush that restricts trail width, and by removing trees that may have fallen across trails. Under the SUP, use of all-terrain vehicles (ATVs) by club members is authorized for trail maintenance and to install signs only when and where travel by pickup truck is not feasible (e.g., during mud season). The SUP does not provide for new trail construction (the trail proposed to access the visitor contact station is evaluated in the companion Comprehensive Conservation Plan/Environmental Impact Statement (CCP/EIS)).

The refuge manager and representatives from Vermont Agency of Natural Resources, Plum Creek Timber Company, VAST, and local snowmobile clubs meet annually to discuss use of the SSTS-designated trail network on their lands. Locations of approved trails are depicted on Essex County and Vermont snowmobile trail maps. Designated SSTS routes on the refuge have remained constant since the lands were acquired. Modifications of SSTS routes on the refuge must be coordinated prior to the upcoming season between the refuge manager and officials from VAST and local clubs, or as public safety, environmental, or management circumstances dictate during the snowmobiling season.

The maximum speed limit for snowmobiles on the refuge is 35 miles per hour. This is consistent with speed limits on adjacent ownerships and on State-owned lands elsewhere in Vermont. A “reasonable and prudent” snowmobile operation (Vermont) statute is in effect—such operation also is addressed in 50 CFR 27.31. Off-trail travel is not permitted. There are no time-of-day restrictions; however, use occurs primarily during daylight hours, and the majority of travel occurs between approximately 12 p.m. and 6 p.m. according to analysis of traffic counter data and refuge staff observations. Snowmobilers typically travel in groups of two or more snowmobiles.

Snowmobiles may also be used to access the approximately 30 privately owned recreational cabins that exist within current and proposed refuge lands. Most owners do not visit their cabin during the winter, although a handful of cabin owners regularly do so. While a majority of these cabins are located adjacent to the SSTS, several are not. A refuge SUP is required to access cabins not immediately on the SSTS. The SUP requires access via the most direct route, approved in advance, from the nearest SSTS or public highway. It is expected that fewer than five SUPs will be issued each year.

**(e) Why is this use being proposed?**

All of the existing designated snowmobile trails were established decades prior to Service acquisition. The previous landowners allowed public snowmobile use of these trails and snowmobile recreation is a critical part of the local economy during winter months. The division receives an average of 85 to more than 100 inches of snow annually, and the ground can be covered with snow from November to April. Snowmobile trails provide a means of controlled access to the refuge during winter months, and can provide an opportunity for visitors to engage in wildlife-dependent recreation, such as wildlife observation and hunting. The existing trails also provide winter access to a broader landscape of conserved lands including holdings by Plum Creek Timber Company, and the State of Vermont.

At the time the division was acquired, local citizens, adjoining land owners, and State government officials were concerned about the Service’s intentions regarding the future of snowmobile access—and many continue to harbor concerns. As a condition of support for Service acquisition of lands in the Nulhegan Basin, citizens and partners wanted assurances of which uses would be allowed, due in part to the great economic importance of snowmobiling to the Northeast Kingdom, and the associated role of the SSTS on these former industrial timber lands.

The Service signaled its intention to continue snowmobile access, if compatible, in the document “A Conservation Partnership for the Nulhegan Basin and Paul Stream Area - Public Ownership by the Vermont Agency of Natural Resources and the United States Fish and Wildlife Service - January 28, 1999” (see Appendix 3 of the Nulhegan Basin Division Environmental Assessment, USFWS 1999). Language in the document also explicitly stated the Service’s commitment “...to provide access to wildlife-dependent and other compatible recreation purposes.” The Service’s position in this conservation partnership was explicitly based on

the fact that snowmobile access and use on the division must be determined to be a compatible use (603 FW 3), and if indeed determined as compatible, the use must be managed to ensure continued compatibility.

Snowmobiling is a popular winter activity in Vermont and retaining access to the division would allow introduction of the division, the Refuge System, and the Service to people that may not traditionally recreate on refuges. Snowmobile access provides the visiting public with an efficient means of winter transport onto and through the division, the opportunity to engage in wildlife-dependent recreation activities, and extends the Service's reach to those people who come from throughout the New England to snowmobile in northeastern Vermont. Refuge staff have observed visitors on snowmobiles that were engaged in wildlife observation (sight and sign), photography (wildlife and scenery), snowshoe hare hunting, trapping, interpretation (habitat management signage, experiencing viewsheds of conserved habitats and basin topography from scenic vistas). In addition, visitors were observed to have traveled to certain locations on the refuge via snowmobile and then continued their travel on snowshoes or cross-country skis. We also provide kiosks with refuge information and interpretive materials at the three main entrances used by snowmobilers to help orient visitors to the Refuge System and refuge and provide information on refuge wildlife and habitats. Also, under the Service-preferred alternative, we propose creating a connector snowmobile trail to the division's headquarters office and visitor contact facility, which includes interpretive materials and other information about refuge resources.

### **AVAILABILITY OF RESOURCES:**

The resources necessary to provide and administer this use are available within current and anticipated refuge budgets. Staff time associated with administration of this use includes: issuing annual permits to VAST and local snowmobile clubs, general oversight of trail maintenance activities, monitoring compliance with permit conditions, enforcement of trail regulations, monitoring use patterns, monitoring potential impacts of the use on refuge resources and visitors, and providing information to the public about the use. Currently the program is administered by the wildlife refuge manager, with assistance from the wildlife biologist and federal wildlife officer.

Annualized costs associated with the administration of snowmobile access on the refuge are estimated below:

<i>Issue and administer SUPs/Coordinate with VAST and local clubs</i> (Wildlife Refuge Manager)	\$880
<i>Law enforcement - patrol/visitor-resource protection/public use</i> <i>monitoring/enforcement/outreach</i> (Federal Wildlife Officer)	\$10,800
<i>Resource impacts/monitoring/evaluation</i> (Wildlife Biologist)	\$2,500
<i>Snowmobile gas/maintenance</i>	\$2,500
<b>Total</b>	<b>\$16,680</b>

The estimated costs listed above are predominantly salary costs. Monitoring visitation and the impacts of public uses on resources, and providing law enforcement are required for properly administering public use programs; therefore, these operations are accounted for in budget and staffing. In addition to Service officers, law enforcement coverage on the division during critical periods is often provided, at no cost to the Service, by officers from our partner agencies: VFWD, Vermont State Police, and Essex County Sheriff's Department.

No special facilities or resources are needed to administer this use. Maintenance of the SSTS on the division is conducted as needed by the snowmobile clubs; the refuge incurs no expense from these activities. Any road maintenance activities financed by the refuge during the summer or fall are performed to properly maintain roads for automobile travel, and with the exception of bridge or large culvert work, have, at most, an indirect benefit for snowmobile travel. Therefore, costs for road maintenance are not relevant for analyzing costs incurred due to snowmobile use of the division.



## **ANTICIPATED IMPACTS OF THE USE:**

Continuing to allow snowmobile access to the division will allow the public to visit areas that are otherwise difficult to access during the winter months. Potential negative impacts of snowmobile use include habitat damage, pollution, and disturbance to wildlife. Informational kiosks and interpretive panels will inform visitors of the division and refuge's role in wildlife conservation within the Connecticut River watershed and northern New England.

Monitoring efforts have included a multi-year visitor use study, a wildlife impact study, an investigation of potential snowmobile-generated pollution, annual traffic monitoring, and incidental monitoring by staff. Visitor use of the division has been measured by Dr. John Davis of University at Albany, State University of New York (SUNY); potential impacts on wildlife from snowmobiling were studied by the Northwoods Stewardship Center; the division was included in a Statewide pollution study by VAST, and refuge staff has monitored snowmobile use annually since 2001. Traffic counter data and modeling estimate upwards of 14,000 snowmobile visits per season (J. Davis, unpublished report). This level of use has been relatively consistent over the years. However, snow conditions at the division compared to conditions in southern New England, season length, and perhaps fuel costs can all influence the amount of snowmobiling activity. Weekends account for roughly half the use, with 37 percent of visits occurring on Saturdays alone.

The SUNY study distributed visitor survey cards during this multi-year visitor use study. Survey response was low; however, data for 2001 and 2002 described the activities of 109 respondents. In addition to snowmobiling, 42 of 109 respondents (approximately 37 percent) listed wildlife observation and photography as reasons for their visit.

The potential impacts are discussed in more detail below.

**Soil impacts:** The snowmobiling season begins no earlier than December 16—and officially commences only when sufficient snow cover is present to allow for the grooming of trails and safe operation of snowmobiles. During the time that snowmobiles and trail groomers operate, the trails are covered with several inches to a foot or more of snow. Consequently, snowmobiles and groomers are not anticipated to have negative impacts on soils or to result in soil erosion. Trail maintenance occurs during the summer and fall. This is an occasional (i.e., less than annual) occurrence and includes mowing, culvert replacement, and bridge re-decking. Because more than 98 percent of the trail network overlays gravel roads, the majority of these maintenance activities likewise occur on or along roads. Consequently, any impacts to soils would be minimal and likely only involve previously disturbed soils, such as replacing a culvert within an existing road prism.

**Water quality impacts:** The impacts of snowmobile exhaust on aquatic systems have not been well studied, but fish can acquire and accumulate hydrocarbons (Olliff and Kaeding 1999). Adams (1975) found hydrocarbon levels and lead to be at high levels the week after ice out in a Maine pond where snowmobiles were driven over ice during the previous winter. Lead no longer is an additive in gasoline, and therefore, not a concern. Repeated packing of snow during grooming can accumulate pollutants on developed trails which are then released during spring runoff (Olliff and Kaeding 1999). The effects of snowmobile exhaust on aquatic invertebrates have received little attention.

The concentration of hydrocarbons in snow is likely to be particularly high on trails where regular grooming constantly packs exposed snow (Olliff et al. 1999). Spring snowmelt may release those hydrocarbons into streams and other bodies of water (Olliff et al. 1999). A Statewide 2010 study commissioned by VAST (VHB Pioneer 2010) evaluated snowpack chemistry to detail the presence or absence of impacts from snowmobile traffic on the chemical composition of snowpack, soil, and runoff in the proximity of heavily traveled snowmobile trails. Two of the sample sites were on refuge trails. Snowmelt and runoff chemistry monitoring indicated no detectable levels of volatile organic compounds or total petroleum hydrocarbons in surface waters located immediately down-gradient of the snowmobile trails. Furthermore, snowpack chemistry monitoring indicated no detectable levels of volatile organic compounds or total petroleum hydrocarbons in background or on-trail snow sampling stations. Results showed no change in water chemistry for any of the sites sampled, including those on the refuge. Although this was a wide-ranging study, it only covered a single season. Therefore, additional replication would be useful to further assess the risk of hydrocarbon to refuge waters. However, based on the available data with a representative sampling of snowmobile use on the refuge,

improvements in snowmobile technology to favor 4-stroke engines, and the substantial water volumes involved, the pollutant impacts to waters are expected to be minimal.

**Air quality impacts:** Within the last 10 years manufacturers, responding in part to calls for quieter and cleaner burning snowmobiles, have brought direct injection, two-stroke and four-stroke engines to market. Two-stroke engines are commonly preferred for their better power to weight ratio ([http://www.webs1.uidaho.edu/niatt/research/Project\\_Descriptions/KLK751.htm](http://www.webs1.uidaho.edu/niatt/research/Project_Descriptions/KLK751.htm); accessed May 2013), although advancements in four-stroke technology has improved their performance.

Two-stroke carbureted snowmobile engines emit pollutants, particularly hydrocarbons and particulate matter, through exhaust systems from an incomplete combustion of fuel and oil (USDI, NPS 2000, GAO 2000). Four-stroke engines are cleaner, but still produce similar levels of carbon monoxide and oxides of nitrogen (University of Wyoming 2000). In 2002, the market introduced direct injection two-stroke snowmobiles that emit fewer pollutants than the carbureted versions. In fact, these engines can cut hydrocarbon emissions by about 70 percent (USDI, NPS 2000). According to information cited by the U.S. General Accounting Office (2000), the National Park Service concluded, primarily through analyses of studies in Yellowstone and Grand Teton National Parks that snowmobiles caused increased levels of air pollution. At that time, traditional two-stroke engines were the only versions readily available. On an average day in Yellowstone National Park during the 1990s over 700 snowmobiles entered the park (USDI, NPS 2000) with peak day use exceeding 2,000. The park averaged 66,619 snowmobile visits annually from 1992 to 1999. Up to one-third of the fuel can pass through the snowmobile's exhaust, unburned (University of Wyoming 2000). Two-stroke snowmobiles reportedly produced 68 to 90 percent of the hydrocarbons and 35 to 69 percent of carbon monoxide emissions at those parks during the winter (USDI, NPS 2000). In response to concerns including air pollution, Yellowstone National Park is phasing in limits on the number and type of snowmobiles that will be allowed to enter the park in the future (<http://www.nps.gov/yell/planyourvisit/winteruse.htm>; accessed May 2013)

A study cited in the Final CCP for the Little Pend Orielle National Wildlife Refuge (USFWS 2000) in northeastern Washington stated that average snowmobile emission per hour is 216 grams of hydrocarbons and nitrous oxide and 564 grams of carbon monoxide per horsepower. Reportedly, a 54-horsepower two-stroke, carbureted snowmobile engine was estimated to emit approximately 360 times as much pollution per hour as an automobile. It should be noted that this information is based on the higher polluting, traditional two-stroke engines. Other studies cited in the Little Pend Orielle CCP claimed that such air pollutants can result in foliar injury (damage to plant leaves), reduced productivity, tree mortality, decreased growth, altered plant populations, modifications in species diversity, increased susceptibility to pests and diseases, and pollutant depositions that melt into streams during spring snow melt. Neither the exposure levels nor duration necessary to cause these effects were stated. These impacts were derived from a literature source and the CCP does not say whether these impacts were evident on the refuge.

With the exception of the water quality study mentioned previously, there has been no additional evaluation of snowmobile emissions at the division, such as those involving air quality. This would include the effects of snowmobile exhaust emissions on habitat or wildlife, but the types of vegetative impacts described in the Little Pend Orielle Refuge CCP are not apparent at the division. Studies at Yellowstone National Park found that outside of the high concentration areas around West Yellowstone and Old Faithful, snowmobiles were not substantially affecting atmospheric deposition of the principal pollutants (Ingersoll 1998). This author reported diminished levels of carbon monoxide, a primary emission compound from two-stroke snowmobiles, at monitoring stations 20 and 100 meters from park entry points. Adverse effects to air quality are not anticipated from this use for several reasons: impacts to vegetation as noted elsewhere have not been observed, the amount of snowmobile use is much less than that reported from some of the other locales, and the fraction of four-stroke snowmobiles is expected to increase into the future.

**Habitat impacts:** Maintaining snowmobile access on 39.2 miles of existing gravel roads and 0.8 miles of “grass” roads (grass roads are typically densely covered with low grasses and forbs; they were used under previous ownership to haul logs during winter) within the division (and adjacent McConnell Pond tract if purchased by the refuge in the future) will not impact wildlife habitat directly as gravel roads generally do not represent quality wildlife habitat. The grass roads may be used by subnivean species on occasion; however, they constitute an extremely small portion of the trail network when compared to the larger division land base. Potential surface damage to roads is considered inconsequential because snowmobile travel occurs on snowpack ranging from several inches to several feet in depth. All stream crossings occur on bridges placed for the purposes of

vehicular travel. When snowmelt exposes road surfaces, trails are closed and refuge roads are gated and locked for the duration of mud season. Trail grooming occurs on a snow-covered surface; under normal circumstances, groomers are not making direct contact with the ground.

Annual road maintenance in support of passenger vehicle travel on the division—cleaning ditches, mowing roadside vegetation, and improving drainage—represents the extent of trail maintenance associated with snowmobile travel. These activities are conducted in late summer and early fall to avoid impacts to nesting birds. No federally listed plant species are known to occur on the division. State-listed (e.g., auricled twayblade) or rare plants are not impacted by the use (actual snowmobile travel or road maintenance) because these plants do not occur on roads or roadsides. Snowmobile use is limited to existing gravel and grass surfaced roads. Based on law enforcement patrols, little unauthorized off-trail use occurs, with most unauthorized use occurring on roads that may be open to the public during summer, but are closed to snowmobiles during winter. The continued use of snowmobiles is not expected to have noticeable adverse impacts to refuge habitats outside of the footprint of the existing road network.

**Wildlife impacts:** As proposed, the area on the division encompassed by the SSTS totals approximately 67 acres, or about 0.2 percent of the total area. Snowmobile trails traverse the spruce-fir, northern hardwood, and mixed conifer/hardwood habitats that are typical on the division. Wildlife species occurring in these habitats include: various migratory birds (many of which will have migrated to southern wintering areas), resident birds (including spruce and ruffed grouse, jays, ravens, woodpeckers), snowshoe hare, moose, white-tailed deer, small mammal species, and various furbearers. Black bears, reptiles and amphibians, beavers, and several fish species, including brook trout also occur in habitats traversed by SSTS trails, but these species normally are hibernating or under ice when snowmobiling occurs. For those resident and over-wintering bird species, we do not anticipate habitat impacts related to snowmobiling, nor do we expect a significant change in the use of habitats related to snowmobiling because this is a pre-existing use, limited to a well-defined trail network (off-trail riding is not allowed) and a local study was inconclusive (Benoit et al. 2008).

Winter is a particularly stressful time for many species of resident wildlife, because of the reduced availability and quality of food, and the higher energetic costs of snow travel and thermoregulation. Late winter is a particularly vulnerable time for many species (especially ungulates), because snow depths are often greatest, the animals are in their poorest condition, and food resources have been exhausted. A portion of the largest historic deer wintering area in the State occurs in the southwestern area of the division and extends into the McConnell Pond tract. Snowmobile trails are adjacent to or within the vicinity of this wintering habitat, and may impact wintering deer, although the literature is mixed as described below.

Snowmobiles are capable of covering great distances and thus have the potential for disturbing wildlife and compacting snow over a large area if they are not confined to designated trails (Hammitt and Cole 1998). Some potential negative impacts of snowmobiling (and other forms of human disturbance) on wildlife include:

- *Increased energy expenditure:* Disturbance may result in increased heart rate, activity, or actual flight, all of which have an energetic cost. During severe winters or for animals in poor or marginal condition, the additional stress of disturbance may result in exhaustion of an individual's food reserves and lowered resistance to disease or predation, therefore adversely affecting survival or reproduction. Herbivores, especially ungulates, operate at an energy deficit, depending on stored body reserves during winter because high quality food is not readily available (Picton 1999). Additional stress caused by recreationists flushing them from winter habitat can increase susceptibility to disease and predation, lead to higher mortality rates, and reduce productivity.
- *Displacement to suboptimal habitat:* Animals may be forced into habitats where foraging or cover is of lower quality. This may increase energetic costs, increase vulnerability to predation, or increase crowding and disease transmission. It may also alter the distribution of animals on the landscape.
- *Alteration of behavior:* Disturbed animals may change their foraging times to periods when energy losses or exposure to predators is higher.
- *Improved predator access:* The packed snow associated with a groomed snowmobile trail network can allow easier access for predators, such as coyote and bobcat (Buskirk et al. 1999). Such enhanced access could have consequences for wintering deer. Additionally, this can decrease the competitive advantages of predator species adapted to deep snow, such as lynx (Buskirk et al. 1999).

- *Direct mortality from snowmobile-wildlife collisions:* Reports of collisions on the refuge are infrequent. A moose was struck and later euthanized during the 2011-12 season (J. Dukette, VFWD, pers. comm.), although this is the only recognized instance of a collision in the past six years.

Some potential positive impacts of snowmobiling and other forms of human disturbance on wildlife follow:

- *Reduced energy expenditure:* Snow compaction related to the establishment of snowmobile trails may reduce energy expenditure in deep snow for animals that follow snowmobile trails.
- *Improved access to resources:* Snow compaction related to the establishment of snowmobile trails may expand access to foraging areas for animals using trails.

Although a moderately extensive body of literature evaluates the impacts of snowmobile activity on wildlife, particularly ungulates, the site-specific nature of much of the research and the complex interactions among the factors affecting wildlife make interpreting results and extrapolating them for the division difficult. The differences in methodology among studies make comparisons difficult and have compounded the problem. As a result, different studies have found apparently contradictory results that seem to be applicable only locally. This includes a 2-year study conducted on the division by Benoit et al. (2008) involving a comparison of animal track activity adjacent to trails open to snowmobiling and trails closed to snowmobiling. The data were conflicting, with the overall abundance of tracks and richness of species variable between trail types, hence the results proved inconclusive.

A few of the variables that may affect the type and degree of wildlife response to snowmobiles include the:

- Severity of winter snow conditions.
- Type of vegetation or habitat.
- Topography.
- Time of day and month of year.
- Level of habituation to disturbance.
- Animal age and condition.
- Species.
- Animal density and group size.
- Animal activity type (standing versus bedded down).
- Intensity of hunting.
- Intensity of snowmobile activity.
- Duration of disturbance.
- Behavior of snowmobile users.

Mammals may show less of an overt response to human disturbance when winter conditions are particularly severe and energy conservation is at its most critical (Knight and Cole 1995). Impacts may be at the individual or population scale and may be either short- or long-term.

Despite the apparent contradictions in the literature, many studies seem to indicate that snowmobiling may affect wildlife under certain conditions. Although population level impacts may exist, only impacts at the individual and local level have been demonstrated. Restricting travel to designated trails and avoiding important habitat areas can mitigate many of the negative effects.

### **Canada Lynx:**

The division has recently been documented as supporting reproduction of Canada lynx, a federally threatened species. Landscapes that support persistent populations of breeding Canada lynx are located within boreal forests that contain a mosaic of differing successional forest stages, along with the following characteristics:

- Abundant snowshoe hares and their preferred habitat, which include dense understories of young trees. Snowshoe hares are the primary food source for Canada lynx and hare density is considered the most important factor in explaining lynx distribution. It is generally believed that at least 0.2 hares per acre are required to support breeding populations of Canada lynx (Ruggiero et al. 2000);



- Winter snow conditions that are deep and fluffy for extended periods of time, because these conditions are thought to favor Canada lynx over their principal competitor, the bobcat;
- Sites for denning that have abundant coarse woody debris, such as downed trees and root wads; and
- Matrix habitat that facilitates Canada lynx travel between areas of high snowshoe hare abundance within established home ranges.

We are not aware of studies addressing direct impacts of snowmobile use on Canada lynx; however, studies of other predators and their use of snowmobile trails demonstrate potentially increased competition for prey. Studies of other predators show an increase in use of trails and competition for prey in lynx winter habitat in Canada, Alaska, and western U.S., although there is no evidence that this competition from coyote or bobcat negatively affects lynx populations in the core of their range. The Service stated in its decision to list the Canada lynx as a threatened species under the ESA (Federal Register Vol. 65(58): 16051-16086), that “packed snow trails facilitate the movement of coyotes into formerly inaccessible deep snow habitats occupied by lynx; however, we have no evidence that competition with coyotes, mountain lions or bobcats is negatively affecting lynx at a population-level scale.” The Service based this statement on numerous studies conducted in the western U.S., Alaska, and Canada, which indicate that packed snow associated with ski, snowmobile trails, and roads makes travel easier for potential lynx competitors, such as coyote, into the deep snow habitats of the lynx. Somewhat contrary, Kolbe et al. (2007) noted that while coyotes remained in lynx habitat throughout the winter, their use of compacted snowmobile trails was less than expected.

Northeastern Vermont is at the southern edge of this species range, and the importance of Vermont for Canada lynx has not been evaluated by the Service. The relatively greater amount of habitat and human disturbances within the landscape surrounding the division and adjacent McConnell Pond tract, including the increased availability of packed snow trails, is different than that in the remote areas of Canada. Interagency monitoring and research on competition for prey, and snowmobile-related disturbance impacts on lynx will be necessary to identify the need for conservation measures to ensure their persistence in Vermont. Such measures may result in trail closures to eliminate packed snow conditions that provide access to other predators into winter lynx habitat.

### **Ungulates (White-tailed deer; Moose):**

White-tailed deer expend more energy in winter than at other times of the year. To compensate, deer usually conserve energy by restricting their movements, particularly in late winter, when they lack fat reserves and snow is deeper, rather than increasing their food intake by foraging more widely (Moen 1976). Energy conservation measures include walking slowly, on level ground. Thus, they are particularly vulnerable to disturbances that counter that energy conservation strategy.

Oliff et al. (1999) found that most ungulates react more strongly (e.g., are more likely to flee, travel a greater distance) to a person on foot than a person on a snowmobile. Furthermore, stopping or getting off a vehicle creates more disturbance than a person on a continuously moving snowmobile. A few studies found that snowmobiles invoked a flight response or displaced deer from an area. Oliff et al (1999) observed flight response at distances no greater than 650 feet, while Freddy et al. (1986) observed reactions at distances less than 440 feet. Oliff et al. (1999) determined that their reaction was less intense when a visual barrier (i.e., vegetation and/or topography) was present. Eckstein et al. (1979) found deer were displaced from an area within 200 feet of snowmobile trails. Richens and Lavigne (1978) found deer were more likely to flee from snowmobiles traveling at high speeds than at speeds less than 10 miles per hour. They also propose that flight response to snowmobiles varied, depending on severity of winter, snow depth, type of cover, and time of day. Deer were more likely to flee from snowmobiles in early winter than in late winter possibly due to poor condition of deer toward the end of winter (Richens and Lavigne 1978). Deer are also more likely to be disturbed during early morning and evening when they are most active (Oliff et al. 1999).

A few studies showed that deer tend to use snowmobile trails as travel corridors between foraging areas and winter cover (within wintering areas) which may result in lower energy costs. Severinghaus and Tullar (1975) suggest that deer are not necessarily using trails to travel between productive forage areas, but instead concentrate foraging which contributes to over-browsing. They recommended keeping snowmobile trails at least 0.5 miles from deer wintering areas. Eckstein et al. (1979) also recommended that snowmobile trails avoid

deer wintering areas. They suggest that the effects of snowmobiles forcing deer off trails into deep snow would counterbalance any energy savings from compacted trail use. Huff and Savage (1972) observed white-tailed deer in Minnesota shifting the location used for winter cover depending on the level of snowmobile use. They found that deer utilized more desirable conifer (i.e., jack pine) areas with dense canopy cover during the middle of the week when snowmobile traffic was light, but shifted to a more open canopy aspen-birch stand during weekend heavy-use periods. They reported that radiant heat loss was higher in the aspen-birch stand than in the jack pine. On the other hand, a study conducted in Maine, suggests that snowmobile trails could be laid out in deer wintering areas in a way that could benefit deer, by improving their mobility, reducing energy costs, and providing access to better foraging areas (though snowmobile traffic was light in the study area) (Richens and Lavigne 1978).

Although moose are considerably better adapted to deep snow and winter conditions than deer, severe winters can still stress them if food supplies are exhausted or if they are in poor condition. Like deer, moose tend to reduce their activity levels in winter as an energy conservation measure, and disturbances that cause them to increase their activity come at an energetic cost. Collescott and Gillingham (1998) found that moose that bedded down within approximately 1,000 feet of an active snowmobile trail, or fed within 500 feet of snowmobile traffic, were likely to change their behavior in response to snowmobile disturbance. Moose within 1,000 feet of snowmobile traffic were sometimes temporarily displaced into less favorable foraging habitat. However, they did not find a significant impact on moose activity patterns within their study area associated with snowmobile traffic.

The studies above indicate that ungulates change their behavior in areas with active snowmobile trails. Ungulates are already operating at an energy deficit in the winter due to lack of high quality food (Picton 1999), and additional stress or disturbance can increase susceptibility to disease and predation, lead to higher mortality rates, and reduce productivity. Flight response is dependent on level of snowmobile use, speed, group size, and vegetative buffer between the trail and habitat being used. Within wintering areas, deer will use trails to travel between forage areas and thermal cover, although there is debate whether this saves deer energy or decreases their fitness level. Research conducted on predators, such as coyotes and bobcat, has shown that the packed snow associated with a groomed snowmobile trail network can allow easier travel (Buskirk et al. 1999), and potentially easier access to deer wintering areas. More than one study recommends snowmobile trails avoid deer wintering areas, though greater local investigations will be necessary to determine if trails are impacting wintering deer in the Nulhegan Basin. However, based on the long-term (i.e., 20 plus years) nature of the use and the absence of new forest openings, potential disturbance to wintering deer on the division from noise or visual stimulation from snowmobiles is likely not widespread. According to VFWD, the existing trail network generally avoids the core wintering habitat (C. Alexander, pers. comm.).

### **Black Bears:**

Black bears will abandon den sites if humans on foot disturb them sufficiently, and may abandon cubs (Goodrich and Berger 1994). Bears that abandon or change dens may remain active longer and experience more weight loss than undisturbed animals. Bears are particularly vulnerable to disturbance just before denning (generally November through December), and just after they emerge from dens in the spring (March through April) (Oliff et al. 1999), periods generally outside of the snowmobile season. Because of this, we do not expect greater than negligible impacts on black bears from snowmobiling on the division.

### **Other Carnivores (fisher, marten, weasels, red fox, coyote):**

Little research has been done on disturbance effects on any of these species. However, fishers do not appear to alter their activity significantly in response to moderate levels of human disturbance (Oliff et al. 1999). Weasels and marten frequently tunnel under the snow when foraging. Snow compaction caused by snowmobile trails may affect their foraging ability locally, as well as negatively impact their small mammal prey.

Neumann and Merriam (1972) found that red foxes exhibited greater levels of activity near snowmobile trails and were using trails as travel corridors. Coyotes increase their use of snowmobile trails during severe winters as well (Crete and Lariviere 2003). In contrast to Buskirk et al. (1999), Kolbe et al. (2007) found that compacted snowmobile trails did not significantly influence the movements and foraging success of coyotes during the winter. We do not expect measurable impacts to these species given that snowmobiling occurs only on designated trails, most of which overlay a road network, and occupying only a fraction of the division's acreage.

### **Other Mammals (Snowshoe Hare, Small Mammals):**

Neumann and Merriam (1972) found that hare activity was reduced within 250 feet of snowmobile trails. They also found that a single passage of a snowmobile could significantly alter the insulating properties and temperature gradient of snow to a depth of two feet. Those changes in temperature regime were potentially great enough to increase energy costs to small mammals burrowing under the snow.

Jarvinen and Schmid (1971) found a significant increase in mortality of small mammals in an area where snow had been compacted experimentally by snowmobiles. Small mammals did not appear to migrate off-site in response to snowmobile activity. They suggested that causes of mortality might have been related to the reduced insulating capacity and increased thermal conductivity of the compacted snow which may have increased thermal stress on animals. Snow compaction may also have limited movement of animals and reduced the permeability of the snow to a point that inhibited gas exchange and increased levels of carbon dioxide above normal. On the division, such compaction is limited to the trail network, which generally corresponds to the road network. In contrast, if extensive off-trail snowmobile activity was allowed, resulting in compaction of large areas of snow, the impacts on small mammal populations may be significant (Olliff et al. 1999).

### **Summary of Impacts to Wildlife:**

Anticipated impacts of snowmobile activity on refuge wildlife include displacement of wildlife immediately adjacent to trails and some potential for contamination of streams with sediment or exhaust. Snowmobiling is an ongoing use of the refuge and has been occurring at relatively consistent rates over the past 20 or more years. We would assess these trails and may reroute or close some of them if notable resource impacts seem likely. The use of well-constructed and maintained culverts and bridges over stream crossings helps to minimize the contamination of streams and impacts to aquatic life. Much of the disturbances to wildlife noted in literature are from snowmobiles that are not on designated trails and are traveling across open range habitats in unpredictable ways. Restricting snowmobile traffic to designated road corridors helps to increase predictability and wildlife habituation. The existing trails have been in place for decades and predate the establishment of the refuge. The snowmobile use at the division is currently at manageable levels based on monitoring studies, which supports our assessment that adverse impacts associated with this activity are expected to remain low.

**Impacts to visitors:** Winter use of the division is overwhelmingly by snowmobilers. Compared to the greater than 10,000 snowmobile visits, approximately 300 people (mostly school groups) access the visitor contact station, and the Nulhegan River and North Branch Trails receive an estimated fewer than 250 wintertime visits. Due to the placement of the SSTS and this other visitor use infrastructure, the distances between them, and topography, none of these other visitors along the division's southern boundary is affected by the sights, sounds, or smells of snowmobiles. Public scoping meetings conducted during development of the CCP recorded feedback from a segment of users interested in greater access to the division during winter months. In addition, VFWD suggested consideration of opening the VAST trails to skiers/snowshoers, as is the case on neighboring public lands. Due to the lack of observed conflicts between user groups on neighboring lands and in an attempt to offer consistent public uses across ownerships, we propose opening snowmobile trails to pedestrian uses in the corresponding CCP. Given their limited accessibility to plowed roads and layout, pedestrian use is expected to be light, although this would place the two user groups in closer proximity, thereby potentially increased opportunities for conflict.

Snowmobile noise is often considered a significant impact. A National Park Service study conducted in Yellowstone reported that a visitor on one of two heavily traveled trails, one of which is a major route to Old Faithful, would hear a snowmobile more than 50 percent of the time (US GAO 2000). Vermont regulations prohibit the operation of snowmobiles with noise levels in excess of 73 decibels on the A scale at 50 feet in a normal operating environment. Noise levels of snowmobiles on the division have been recorded in three separate investigations (Benoit et al. 2008). Decibel levels were found to increase with increasing speeds, ranging from 66 decibels at 15 miles per hour to 77 decibels at 45 miles per hour when measured 50 feet from a trail. Because of its basin formation, snowmobile sounds are often readily apparent within the trail network, although the sound does not reach the pedestrian trails or visitor contact station, all located along the southern boundary (USFWS pers. obs.).

**Summary of anticipated impacts:** Although the information available about the effects of snowmobiling on designated trails is somewhat mixed, at its current and anticipated levels and patterns of use as proposed, we do not expect it to constitute significant short-term or long-term impacts separately or cumulatively. We would evaluate all trails annually to ensure there are not site-specific impacts. We would reroute or close any trails if we determine that they have a significant, negative impact on wildlife or habitat.

Snowmobile trails are primarily located on existing roads. The location of the trails has effectively mitigated impacts of snowmobiling relating to soil and vegetation on those surfaces. The bridges and culverts crossing the water courses are designed to support trucks and other heavy equipment. Therefore, additional impacts from snowmobiling are unlikely. Snowmobile trails throughout the area have been established for many years and pre-date refuge ownership. Because the potentially affected wildlife is accustomed to this use and with the implementation of strategic trail segment closures, we consider disturbance-related impacts on wildlife to be minimal. More stringent emission regulations by the U.S. Environmental Protection Agency, along with the increase in the number of four-stroke and new cleaner two-stroke engines in modern snowmobiles has and will continue to reduce the potential impacts on the environment described in the literature review. The continued presence of refuge and partner agency law enforcement will ensure adherence to the stipulations that support the compatibility of this use. Therefore, snowmobiling on the division does not pose a risk to the goals outlined in our CCP. Continued monitoring of the use will identify any actions needed to respond to new information and correct problems that may arise in the future.

Snowmobile trails on the division provide an important link in the state-wide trail system, enhance opportunities for the public to experience the winter landscape, and facilitate priority public uses. This use as proposed is viewed as an effective, justifiable, and compatible method of winter access to the 26,605-acre division and the proposed 5,485-acre addition.

#### **PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

#### **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

#### **STIPTULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

- In order to compensate for the proposed 1.4 miles of new trail construction, approximately 1.1 miles of non-essential, redundant trail will be closed:
  - \* Approximately 1.1 miles of secondary trail C102/114 between EX22 and EX32 (one-half of a small loop) on the McConnell Pond tract (if acquired by the Service).
  - \* Such closures will only be implemented if and when the proposed new trail is completed and open to the public.
- The administration of snowmobile access and use on the refuge will comply with *50 CFR 27*, Title 23 of the Vermont Statutes.
- The administration of snowmobile access and use on the refuge will comply with Executive Orders 11644 (*Use of Off-Road Vehicles on the Public Lands*, February 8, 1972) and 11989 (*Off-Road Vehicles on Public Lands*, May 24, 1977), as summarized below:



- \* Specific areas and trails shall be designated where snowmobile use is either permitted or prohibited— Public snowmobile travel is restricted to designated corridors within the SSTS that are depicted on statewide and Essex County VAST trail maps available to the public, in the division Visitor Services Plan, and clearly marked with trail signs on the refuge. Roads, trails or other areas that are closed to snowmobile travel, but could reasonably be mistaken for areas open for travel, are clearly marked with closure signs. Guidelines governing use are available in the refuge *Visitor Services Plan* and will be incorporated into future refuge brochures, and refuge staff are available to the public in the office and on the refuge to answer questions and provide information about the use. Vermont regulations are available to the public in the *Vermont Snowmobile Operators Manual*.
- \* Designated areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands— The corridors open for public snowmobile travel are located primarily (greater than 98 percent) on existing gravel roads; the remainder are located on existing winter roads. Damage to soils and vegetation is minimized due to snow cover while use is occurring; damage to waters are minimized by trail location and stream crossings on bridges; damage to other resources (including cultural) is minimized due to trail location, snow cover, and management of the use.
- \* Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats— Such harassment is minimized because: (a) migratory birds (a Federal trust resource) are largely absent from the division during the winter; (b) many resident species are dormant or sequestered under ice or snow; (c) trails (encompassing a total of approximately 67 acres) do not traverse any significant concentrations of wildlife; (d) no functional winter deer shelter currently exists adjacent to approximately 6.8 miles of trails that occur within, or 2.7 miles of trails that occur on the border, of the Nulhegan Deer Wintering Area, and e) wildlife are presumed to have acclimated to motor vehicle travel on gravel roads underlying the SSTS for the past 50 years and to the spatial, temporal, behavioral predictability of snowmobile use as managed on the SSTS.
- \* Trails shall not adversely affect the natural, aesthetic, or scenic values of the lands— Such values are not significantly affected because: (a) snowmobile trails encompass only 67 acres of an approximately 32,000-acre division in linear openings already in existence as road corridors, ( b) due to topography, forest cover, and relatively narrow width, trails are not visible, or are indistinguishable, within most viewsheds of the division; (c) these lands have a 200-year history of human uses and the appearance of these trails is not inconsistent with the rugged character of the land and its cultural heritage, (d) surface impacts are not occurring that would affect scenic values in the non-snow season, e) summer/fall trail maintenance activities do not significantly or permanently damage vegetation, and on the greater than 98 percent of the trail system that occurs on vehicular roads, is necessary for public safety and proper maintenance, f) trail signs are temporary and generally non-obtrusive, and any litter resulting from the use is removed by the snowmobile clubs.
- \* Operating conditions shall be directed at protecting resource values, preserving public health, safety, and welfare, and minimizing use conflicts — (a) resource values are protected because dates are established within which snowmobile use can occur; site conditions must be suitable for operation of snowmobiles and groomers without causing damage and if conditions become unsuitable, trails are closed and use is discontinued and (b) public safety, health, and welfare are preserved and use conflicts are minimized due to: enforcement of applicable provisions of 50 CFR 27.31, Vermont Title 23, and Refuge requirements including designated trail system, imposition of speed limits, placement of safety and informational signs, noise level limits, vehicles must be in safe operating condition, reasonable and prudent operation is required, trail closures will occur based on unsafe conditions — in fact, with more than 10,000 visits per year, the first snowmobile-related injury was reported in 2012.
- \* Areas and trails where snowmobile use is permitted are well-marked and information about location and conditions for use are made available to the public— Public snowmobile travel is restricted to designated corridors within the SSTS that are depicted on statewide and Essex County VAST trail maps available to the public, in the division’s visitor services plan, and clearly marked with trail signs on the division. Entrances to the division occurring on the SSTS are clearly marked with refuge boundary signs. Regulations governing use are available in the visitor services plan and will

be incorporated into future refuge brochures and other informational displays, and refuge staff are available to the public in the office and on the trails to answer questions and provide information about the use, Vermont regulations are available to the public in the Snowmobile Operators Manual. SUPs issued to VAST and local snowmobile clubs contain specific special conditions that govern their operation and use of the SSTS on the Refuge. Any SUP issued for access to private camps that are located on the division that are not situated on the SSTS define a specified route of travel minimizing off-trail travel and are for direct ingress/egress only.

- \* Provisions are made for law enforcement— Federal wildlife officers enforce applicable laws and regulations, provide visitor and resource protection, perform public outreach, monitor activity patterns, collect information on the use, and provide appropriate feedback to refuge management staff concerning snowmobile and other public uses. Additional assistance is provided by State and County enforcement officers.
- \* Effects of snowmobile use must be monitored— Snowmobile use and its effects are monitored through direct observations by refuge staff of trail use and user activity patterns and conduct, law enforcement patrols including speed monitoring and enforcement using radar detection devices, direct counts of snowmobiles, use of infrared traffic counters, observations of wildlife occurrence, behavior, and habitat use in the vicinity of the SSTS, monitoring of trail conditions and site impacts, detection of off-trail travel, and through awareness and evaluation of potential conflicts with other uses, refuge purposes, or management goals. A study of visitor use, including snowmobiling, by Southern Vermont College produced a visitor use summary, Northwoods Stewardship Center prepared an investigation of wildlife impacts, and VAST completed a study of the contribution of pollutants from snowmobiles.
- \* If it is determined that snowmobile use is causing considerable adverse effects on soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails, those areas must be closed until adverse effects are eliminated or preventative measures have been implemented to prevent recurrence— Special consideration must be given to managing this use to ensure that impacts of the use, user numbers, and user activity patterns remain within acceptable thresholds for resource protection and visitor safety (i.e., the use does not materially interfere with or detract from refuge purposes or the accomplishment of the Refuge System mission), as evidenced by evaluation of resource status through monitoring and results of studies. Should circumstances indicate that these thresholds are or will be exceeded, appropriate action, including, but not limited to, implementing snowmobile exhaust emission or engine noise limitations, requiring specialized equipment (e.g., four-stroke engines), modifying snowmobile use patterns, limiting snowmobile users and visits, and/or trail relocation or closure must be considered to ensure compatibility. Compatibility could be reconsidered when conditions under which this use is permitted change significantly, or if there is significant new information regarding the effects of the use.
- Providing for a safe use through proper administration and regulation, public education, and law enforcement will be essential. Refuge staff will continue to work with VAST and the local snowmobile clubs to develop the best system of signage for safety and regulatory information, minimizing the effects of trail maintenance activities, and reducing conflicts with other uses. Potential conflicts of snowmobile use with public safety, trust resources, wintering deer habitat, and other refuge resources, and management or public use programs will be appropriately mitigated in consultation with VAST, VANR, and the public.

### **Special Conditions for Special Use Permit Issued to VAST and Local Snowmobile Clubs:**

Special conditions for the SUP (below) are designed to help ensure the compatibility of this use, reduce negative impacts to Refuge resources, provide for visitor safety, and minimize conflicts with refuge management and other uses of the Refuge.

- (1) The Vermont Association of Snowmobile Travelers (VAST) and associated local clubs (Brighton Snowmobile Club, Northeast Kingdom Snow Blasters, and Canaan Border Riders), and their officers, agents, and assigns (hereinafter collectively referred to as “Permitee”), are authorized to use, provide for use, and maintain only those trails on the Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge) designated as part of the Statewide Snowmobile Trail System (SSTS) and depicted on the attached map. Snowmobile use is limited to the period from December 15 to April 15 and contingent on suitable snow conditions. Use of snowmobiles outside of the identified trails and time period is strictly prohibited. The Permitee shall notify all of its members of this condition. Permitee shall actively promote and encourage among users of the SSTS, compliance with all applicable laws, regulations, and policies governing snowmobiles and their use.
- (2) In consideration of being permitted to engage in the activity authorized under this Special Use Permit at the Nulhegan Basin Division of the Conte Refuge, Permitee, for themselves and their personal representatives, heirs, and next of kin, hereby releases, waives, and forever discharges the United States of America, its agents and employees, all for the purposes herein referred to as, Releasees, from any and every claim, demand, action or right of action, of whatsoever kind or nature, either in law or in equity, arising from or by reason of any bodily injury or personal injuries known or unknown, death and/or property damage resulting or to result from any injury, which may occur while engaged in the permitted activity, and covenants not to sue the Releasees, for any loss or damages, and any claim or damage therefore, on account of injury to the person or property or resulting in death of the Permitee, whether caused by the negligence of Releasees or otherwise. Permitee agrees to indemnify, defend, save and hold harmless the Releasees and each of them from any loss, liability, damage or cost Releasees may incur due to the presence of Permitee in or upon the said property of the United States. Releasor agrees that this release and waiver is intended to be as broad and inclusive as permitted by the laws of the State of Vermont and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full legal force and effect. Permitee and its employees, designees, or associates shall indemnify against, and hold the United States of America, its agents and employees harmless from any and all claims, actions, suits, proceedings, costs, expenses, damages, and liabilities arising out of, connected with, or resulting from, the use by the Permitee and its employees, designees, or associates, or the privileges described, provided by this Special Use Permit.
- (3) Permitee shall maintain said trails in safe, good, and useable condition and shall be responsible for placing and maintaining necessary signs, including speed limit and other safety-related signs as necessary to ensure adequate communication of safety information, trail conditions and features, speed limits, and trail restrictions to trail users.
- (4) Maximum speed for snowmobiles will be 35 miles per hour. Speed limit signs on the refuge will be placed at all SSTS entrance points, at all trail junctions, and along all trails at approximately 0.5-mile intervals, visible from both directions of travel. Speed limit signs will be posted on their own stake/post; not share a post with any other signs. Two speed limit signs may be attached back-to-back on a single post, then posted on alternating right/left sides of the trail to meet the 0.5-mile and visible from both directions requirement as stated above. Additional signs such as “Road closed to snowmobiles,” “Stay on Trail,” etc., will be posted according to the map provided by the refuge, or upon verbal request by the refuge manager, or his designee.
- (5) Signs may not be placed before **November 1** and must be removed before the **Memorial Day** weekend.
- (6) Trails will be “opened” only after consultation with the Refuge Manager or his designee, following the placement of the required signage, and taking into account the snow conditions across the refuge, trail conditions on adjoining lands, and other refuge needs. The Permitee will not advertise refuge trails as “open” on their website or phone message line unless and until they are opened following joint consultation with the refuge manager.
- (7) Failure to remove regulatory and directional signs by the Friday preceding Memorial Day will result in the Permitee being charged for the refuge’s cost in so doing.

- (8) Permittee agrees to patrol all of the refuge trails throughout the season of snowmobile use and at least once after snowmelt, and to pick up all trash and debris from trails and road shoulders and properly dispose of it off-refuge at an approved facility. The final collection and disposal of such litter shall occur prior to the Memorial Day Weekend.
- (9) This Special Use Permit does not authorize the construction of new trails. Approved trails may be maintained by the Permittee, which includes signing trails, grooming snow-covered trails, replacing/repairing road culverts, replacing bridges, and the cutting and removal of trees, brush, and other obstacles from trails to a width of 15 feet. All trail maintenance activities must be coordinated with, and approved by, the Refuge Manager. All trees and brush leaning into the trail may be cut. Modification to the location of existing trails is not permitted without prior written approval of the Refuge Manager. Brush cutting, tree removal, and mowing activities will be performed only after August 1 unless otherwise approved by the Refuge Manager. Permittee may cut and remove standing trees for bridge construction where needed, but only with prior approval by Refuge Manager. Permittee agrees to pay standard prevailing rate for value of any merchantable timber removed.
- (10) Permittee agrees to use pick-up trucks for trail maintenance whenever possible. The use of all terrain vehicles (ATV) for trail maintenance will be allowed only under the conditions of the Special Use Permit and only when and where the use of trucks is not feasible. Permittee will use every feasible precaution against causing surface damage to refuge roads, lands, and waters. Permittee will report any damages as soon as possible and will affect any needed repairs at the discretion of the refuge manager. Permittee shall assist the U.S. Fish and Wildlife Service to control illegal use of ATVs by informing ATV users they encounter that ATV use on the refuge is not allowed. Permittee shall not litter, or start or use open fires while engaged in the activities connected with this permit.
- (11) Use of said property by Permittee shall be limited to noncommercial and nonprofessional recreational purposes and is further limited to such uses as are not in conflict with any applicable local ordinances or State laws including zoning ordinances and regulations. It shall be the sole responsibility of Permittee to obtain all necessary permits from any governmental authority or any instrumentality, agency or commission thereof to maintain or repair any trails and associated structures on the permitted property. Copies of any applications for such permits and approved permits shall be sent to the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service reserves the right to terminate this Special Use Permit in the event Permittee fails to obtain requisite permits or in the event Permittee maintains, modifies, or repairs trails that do not conform to the conditions contained on such permits. In addition, Permittee will at all times during the term of this permit or any extension thereof, observe and conform to all laws, ordinances, rules, and regulations now or hereafter made by any governmental authority for the time being applicable to said property and trails thereon or use thereof.
- (12) The Refuge Manager reserves the right to close any or all trails or sections of trails when use of said trails by snowmobiles is determined to be not compatible or otherwise inconsistent or in conflict with the needs of the refuge or the National Wildlife Refuge System including, but not limited to, wildlife, habitat, and public use management by the U.S. Fish and Wildlife Service, its successors, assigns, administrators, licensees, and contractors; or because of inadequate snow, environmental damage, vandalism, or public safety considerations. The U.S. Fish and Wildlife Service will notify and discuss any problems with Permittee, and will consider establishment of alternative trails prior to closure of any trails.
- (13) VAST shall provide annually, prior to opening day for the trail system, the Refuge Manager with a Certificate of Insurance evidencing that it has obtained and will maintain during the term of the Special Use Permit, Comprehensive General Liability insurance against claims occasioned by the actions or omissions of the Permittee, its members, agents and employees in carrying out the activities and operations authorized hereunder. Such insurance shall be in an amount commensurate with the degree of risk and the scope and size of such activities authorized hereunder, but in any event, the limits of liability shall not be less than \$2,000,000.00 per occurrence. All liability policies shall name the United States of America as a named insured and shall provide that the insurance company shall have no recourse against the Government for payment of any deductible, premium, or assessment.



- (14) Permittee will have in their possession a copy of this Special Use Permit and List of Special Conditions while engaged in the activities described therein and will present it to Refuge officials or law enforcement agents of United States or Vermont upon their request.
- (15) Permittee will inform membership and users of the SSTS whenever/however feasible or practical to partake of interpretive information at the refuge kiosks while on refuge land.
- (16) Permittee will designate one person from their club to be the point of contact (POC) for the Refuge Manager for all correspondence. Said person will provide their contact information to the refuge. The POC will maintain frequent communication as needed, but specifically, at the beginning and end of the snowmobile season in order to coordinate an unproblematic opening and closing of the trails.
- (17) The U.S. Fish and Wildlife Service reserves the right to replace or rescind this permit at any time.

### **JUSTIFICATION:**

This use has been determined to be compatible provided the provisions of 50 CFR 27.31, Title 23 of the Vermont statutes, Executive Orders 11644 and 11989, the recommendations of the GAO report, and Special Use Permit Conditions are implemented. This use is not expected to materially interfere with or detract from the mission of the Refuge System nor the purposes for which the Refuge was established. It does not materially interfere with or detract from the refuge purposes as follows:

- *To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish and wildlife. To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.*

Snowmobiling at the Nulhegan Basin Division will not detract from these two purposes because most animals, especially most of the Service's migratory bird trust resource, are absent from the division in the winter and many resident wildlife species hibernate or remain under the deep snow cover; plants and ecosystems are protected from impacts by snow cover and the location of trails overtop roads; no significant negative impacts directly attributable to snowmobiling have been observed or documented on the division.

- *To protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 as amended (16 U.S. 1531 et seq.).*

Canada lynx are the only federally listed species known to occur on the division. Based on the fact that lynx began occupying the division in the presence of snowmobiling, it is not likely that this use will cause undue disturbance to lynx. Although collisions with lynx are possible, it is not believed this is likely with enforcement of a 35 mile per hour speed limit and the fact that a negligible number of snowmobile-wildlife collisions have been reported or observed since Service acquisition of the division.

- *To restore and maintain the chemical, physical and biological integrity of wetland and other waters within the refuge.*

Snowmobile crossings of water bodies are on bridges designed for passenger vehicle traffic; no significant negative impacts to waterways directly attributable to snowmobiling have been observed or documented in studies performed on the refuge.

- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.

Service trust species of migratory birds are largely absent from the refuge in the winter; of those that occur, no significant negative impacts directly attributable to snowmobiling have been observed or documented on the refuge.

- To provide opportunities for...fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

Snowmobile access provides an enhanced opportunity for the public to access the refuge to enjoy and experience the winter landscape and scenery and engage in wildlife-oriented recreation, including priority public uses, in support of this purpose.

This use will not pose significant short-term or long-term or cumulative adverse effects on trust species or other refuge resources, will not substantially interfere with public use of the refuge, nor cause an undue administrative burden. Our determination is based on existing, available information, including our own observations. Should we learn that there are adverse impacts we did not anticipate, either from monitoring the use or from other reliable sources, we will modify the use and the stipulations to avoid or minimize potential adverse impacts as swiftly as possible.

**SIGNATURE:**

Refuge Manager: Andrew C. French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**

Regional Chief: Sean B. Kahan 1/18/17  
(Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:**

1/18/2027

**LITERATURE CITED:**

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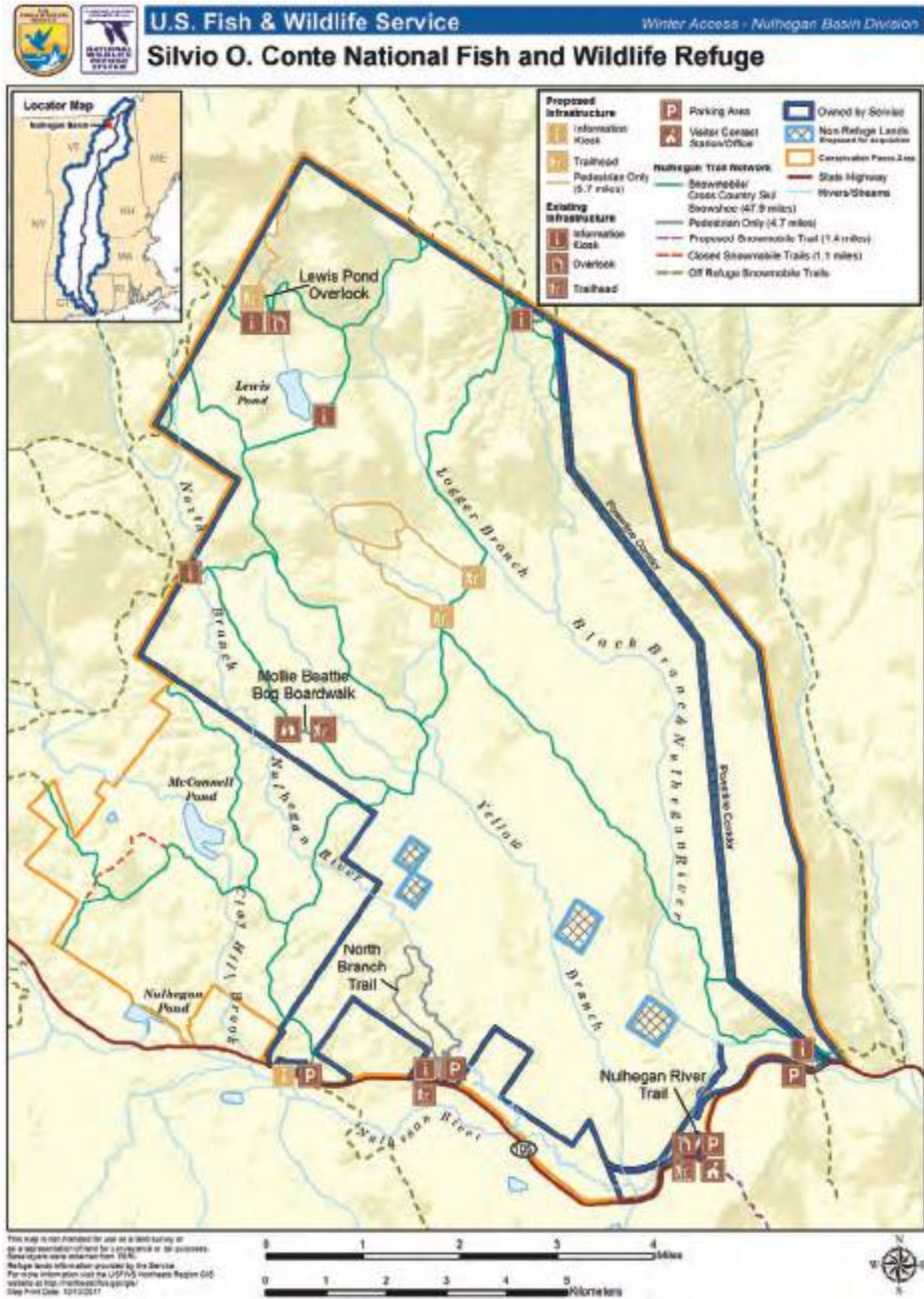
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Map D.5. Winter Access at the Nulhegan Basin Division.





**FINDING OF APPROPRIATENESS OF A REFUGE USE**

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Snowmobiling on Designated Snowmobile Trails on the Pondicherry Division

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?	✓	
(b) Does the use comply with applicable laws and regulations (Federal, State, Tribal, and local)?	✓	
(c) Is the use consistent with applicable Executive orders and Department and Service policies?	✓	
(d) Is the use consistent with public safety?	✓	
(e) Is the use consistent with goals and objectives in an approved management plan or other document?	✓	
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	✓	
(g) Is the use manageable within available budget and staff?	✓	
(h) Will this be manageable in the future within existing resources?	✓	
(i) Does the use contribute to the public’s understanding and appreciation of the refuge’s natural or cultural resources, or is the use beneficial to the refuge’s natural or cultural resources?	✓	
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?	✓	

Where we do not have jurisdiction over the use [“no” to (a)], there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe [“no” to (b), (c), or (d)] may not be found appropriate. If the answer is “no” to any of the other questions above, we will generally not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes  No .

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor’s concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

**Not Appropriate** \_\_\_\_\_ **Appropriate**

Refuge Manager: Andrew C. French Date: 1-18-17

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence:

Refuge Supervisor: Kristina M. Taylor Date: 1-18-17

**A compatibility determination is required before the use may be allowed.**

## JUSTIFICATION FOR A FINDING OF APPROPRIATENESS OF A REFUGE USE

**Refuge Name:** Silvio O. Conte National Fish and Wildlife Refuge

**Use:** Snowmobiling on Designated Snowmobile Trails on the Pondicherry Division

### **NARRATIVE:**

The State of New Hampshire has over 6,000 miles of snowmobile trails, which are part of a more expansive regional trail network that includes parts of Vermont, Maine, and adjacent Canadian Provinces. The 3.7 miles of snowmobile trails on the Pondicherry Division are part of the State’s “Snowmobile Trail Number 5.” Also, a 3-mile section of the State Snowmobile Trail 102 crosses the refuge, but is owned and managed by the State. Snowmobile recreation is a popular winter activity in northern New Hampshire and it provides access to the refuge and can provide an opportunity for visitors to engage in wildlife-dependent recreation, particularly wildlife observation and photography. Specifically, snowmobilers often stop to view and photograph Cherry Pond and Moorhen Marsh that has a spectacular background of the Presidential Range.

The use is consistent with the refuge’s goals and objectives to conserve the refuge’s natural resources, because, due to the season of use, potential impacts to these resources are minimized because the ground is frozen and covered with snow and fewer species and fewer numbers of wildlife are present. Key winter habitat for most resident wildlife such as big game and gallinaceous birds (e.g., species of grouse) would be minimally affected by snowmobile presence on the Powerline Trail. Winter thermal cover for many species at the Pondicherry Division is composed of mature evergreen conifers, especially spruce and hemlock. Because this trail is completely within the managed power line corridor on the division, little impact to resident winter wildlife is anticipated.

This use may also contribute to public understanding of, and appreciation for, the refuge’s natural resources by providing opportunities for participants to experience the refuge, see refuge habitats, and support wildlife-dependent recreation during winter when access to the majority of the refuge is otherwise limited.

We do not anticipate that the use will conflict with other refuge users. Although snowmobiles can have loud engines, the State of New Hampshire requires that snowmobiles comply with Snowmobile Safety and Certification Committee Standards, which include a maximum decibel-level for engines. Also, the level of pedestrian use on the refuge is relatively limited during the winter. However, the number of hikers, cross-country skiers, and snowshoers has recently been increasing on the refuge. The Mud Pond Trail parking lot, approximately one and a half miles from the snowmobile trail is the only parking area that remains open on the Division during winter and accounts for much of the increase in visitation. From here visitors can access the Americans with Disabilities Act (ADA)-compliant trail or explore the old logging road network on skis or snowshoes. The section of snowmobile trail on the division is only a developed trail during winter; outside this season few people, other than hunters, use this utility corridor. Most skiers and snowshoers continue to use the 3-mile State-owned Presidential Recreation Trail to access the popular Cherry Pond area, because there is parking at the State trailhead and this rail-trail is the only groomed, direct access to this area. Noise from snowmobiles can be an annoyance to other visitors, but there are options to avoid the snowmobile trails and the two user groups have coexisted in this area long before the division was established.

For these reasons, we have determined that continuing to allow this use is consistent with the U.S. Fish and Wildlife Service’s policy on the appropriateness of refuge uses (603 FW 1). This finding of appropriateness and the compatibility determination for this use was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge’s draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS. This finding was distributed for another 30-day review with release of the final CCP/EIS.

## **COMPATIBILITY DETERMINATION**

### **USE:**

Snowmobiling on Designated Snowmobile Trails on the Pondicherry Division

### **REFUGE NAME:**

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### **DATE ESTABLISHED:**

October 3, 1997

### **ESTABLISHING AUTHORITY**

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### **PURPOSE(S) FOR WHICH ESTABLISHED:**

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### **THE NATIONAL WILDLIFE REFUGE SYSTEM MISSION:**

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.

### **DESCRIPTION OF USE:**

#### **(a) What is the use? Is the use a priority public use?**

Public snowmobile access on established (as of 2013) State of New Hampshire snowmobile trails. This is not a priority public use of the National Wildlife Refuge System (Refuge System), under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997. This compatibility determination pertains only to non-commercial,

public snowmobile access on the Pondicherry Division; commercial snowmobile tours are a different use that would need to be considered separately.

**(b) Where would the use be conducted?**

New Hampshire has more than 6,000 miles of snowmobile trails which are part of a regional trail network that includes Vermont, Maine, and the adjacent Canadian provinces. Approximately 1,000 miles of trail are located in Coos County. The Pondicherry Division includes approximately 4.9 miles of New Hampshire Snowmobile Trail Number 5 on what is known as the Powerline Trail, located within a Public Service of New Hampshire (PSNH) power line corridor that enters the Division from the west and northwest in Whitefield, proceeds southeast to the Presidential Range Rail-Trail, then due east until it leaves the division near Jefferson Meadows (map D.6). The U.S. Fish and Wildlife Service (Service) owns this land in fee and PSNH has an easement on the utility corridor. At this time, only about 2.8 miles of the trail on the division is being actively used (see explanation below).

A 3-mile section of rail trail known as the Presidential Recreational Trail (State Snowmobile Trail 102)—owned by the State of New Hampshire and managed by the New Hampshire Bureau of Trails (Bureau of Trails)—lies within the Pondicherry Division boundary (map D.6). This is a non-motorized trail, except during the winter with snow cover when snowmobiles and all-terrain vehicles are permitted. Across the refuge, the railroad grade runs from the State parking lot on Airport Road north to Waumbek Junction, then east to Jefferson Meadows.

Historically, the snowmobile trail that crossed what is now the Pondicherry Division was located entirely within the utility corridor. The eastern half of this trail on the Division was relocated to the railbed east of Waumbek Junction after that railroad line was abandoned. Although the section east of the Presidential Recreational Trail is no longer active, the Bureau of Trails has requested that it remain an alternative to the currently used rail-trail route in the event of storm damage, flooding, forest management activities during the winter, or if that portion of the rail line is reactivated (Clinton Savage, Bureau of Trails, personal communication).

Assuming a 12-foot wide trail, approximately four acres or 0.06 percent of the division landbase is directly impacted by the active snowmobile trail. The snowmobile trail itself lies completely within the utility corridor which is maintained in an early forest succession/meadow habitat mix. Wildlife associated with these habitats during the snowmobile season includes a limited number of bird species because the migratory birds have moved to their wintering areas. Some species such as black-capped chickadees and downy woodpeckers that over winter on the Division, may spend some of their time in the power line corridor, but most winter residents are forest species. Black bears, reptiles, amphibians, bats, beavers, and fish may be found in the corridor, but typically these species are inactive or under ice during the snowmobile season. Species typically active during winter and potentially found in the power line corridor habitat include snowshoe hares, coyotes, and small rodents. No federally listed species are known to occur at the Pondicherry Division. Canada lynx tracks have been verified in the area and dwarf wedgemussels are in the Connecticut River which is approximately 8 river miles downstream from the division.

**(c) When would the use be conducted?**

Snowmobile use on the refuge would begin no earlier than December 1 and end no later than April 30. This minimizes conflicts with migratory and hibernating wildlife, and soil disturbance since snow cover is a prerequisite to opening the trail. Snowmobile access and trail grooming will be allowed during daytime and nighttime hours. Use outside of daytime hours (one-half hour before sunrise and one-half hour before sunset requires a special use permit (SUP). General trail maintenance activities such as brush cutting and down tree removal also may be performed occasionally during the late summer and fall.

**(d) How would the use be conducted?**

Snowmobilers at the Pondicherry Division must comply with New Hampshire Revised Statutes Annotated (RSA) 215:A, *Off-Highway Recreational Vehicles and Trails* which includes provisions for annual registration, manufacturing specifications, and rules for lawful operation on public and private lands. Individual snowmobile operators are required to obtain permission to use public and private lands, unless they are on an approved state trail, as is the case with the Powerline Trail.

In New Hampshire, snowmobiles must be registered annually with the New Hampshire Fish and Game Department (Fish and Game Department) unless they are exclusively used on the owner's land. Anyone not a member of a New Hampshire snowmobile club affiliated with the New Hampshire Snowmobile Association





must pay an additional thirty dollar fee to the State. The Bureau of Trails is responsible for administering funds used to maintain the state snowmobile trail system (New Hampshire RSA 215-A:3). Annually, funds derived from off-highway recreational vehicle (OHRV) registrations and non-refunded gasoline taxes are made available to local OHRV clubs by the Bureau of Trails through a competitive Grant-In-Aid Program. Local clubs use these funds for trail development, maintenance, construction, grooming, and safety improvements. A portion of the registration fees also support the Fish and Game Department programs in law enforcement, search and rescue, and safety education.

Snowmobile access and use on the Pondicherry Division also will comply with applicable federal regulations (50 CFR 27.31), and Executive Orders (11644 *Use of Off-Road vehicles on the Public Lands*, February 8, 1972; and, 11989 *Off-Road Vehicles on Public Lands*, May 24, 1977). An annual SUP will be issued to the Whitefield Sno-Kings for the purpose of authorizing snowmobile use, trail maintenance, and grooming on the Pondicherry Division. One stipulation of this permit is that the State of New Hampshire must carry \$2,000,000 of general liability insurance for the snowmobile club.

The Whitefield Sno-Kings will be responsible for funding and carrying out maintenance and infrastructure repair to maintain a safe snowmobile trail on the division. They will install signage (e.g. trail number and speed limit) authorized by the Refuge Manager before the trail opens in winter, maintain those signs throughout the snowmobile season, and remove them when the season ends. The local club also is responsible for grooming the Powerline Trail on the Division throughout the snowmobile season. Grooming will generally be done at night with the frequency dependent on snow and trail conditions. During the late summer or fall, with prior approval in writing by the Refuge Manager, the club may prepare the trail for the upcoming season by cutting back woody vegetation and removing trees that have fallen across the trail. Under the permit, club members may use all-terrain vehicles (ATVs) solely to access the trail for maintenance and sign activities during the late summer or fall; however, they must secure permission by notifying the Refuge Manager at least 48 hours in advance.

We will allow snowmobiling generally following Bureau of Trails snowmobiling guidelines, where otherwise compatible and consistent with applicable Service laws, policy and guidelines. The refuge manager will continue to meet with the snowmobile club and the Bureau of Trails at least annually to discuss and reach agreement on planned activities and to review special use permit stipulations and conditions. Because clubs must secure landowner permission for construction and maintenance grants, the annual meeting also will serve to identify any up-front requirements for work on the division (e.g. compliance with the National Environmental Policy Act).

There are two snowmobile trails with the division boundary that were in existence prior to Service ownership. One of these trails described as a north-south trail between Quebec Junction and Waumbek Junction is located on an old rail bed owned by the State of New Hampshire (map D.6). The other is State Snowmobile Trail 5 (Trail 5) which enters the Division from the West in Whitefield and from the East in Jefferson. A North-South alternative route of Trail 5 is on the division for about 0.7 miles on the West side. This is considered part of Trail 5 and is wholly within the utility corridor. This trail enters the division on the western boundary in Whitefield and runs east within the utility corridor until it exits near Jefferson Meadows. Historically, this trail was located within the powerline corridor and the previous owners allowed snowmobile use; however, when the railroad line east of Waumbek Junction was abandoned, the State opened it to snowmobiles during the winter and pedestrians, equestrians, and bicyclists during the non-snow months. Now snowmobilers use the state rail-trail from Waumbek Junction to the eastern Division boundary.

According to SUP conditions, the snowmobile trail will not open prior to December 1 and will close on or before April 30, each year. The actual length of the season will be dependent on having enough snow cover to protect underlying soils and vegetation.

The speed limit for the Powerline Trail will be 45 miles per hour (mph). This is consistent with the speed limit on Snowmobile Trail Number 5 adjacent to the Division. A lower speed limit for the short section of trail on the Division would be confusing and is not warranted for safety purposes because the terrain is flat with extended sight distances. Regardless of the speed limit, snowmobile operation must be reasonable and prudent as described in Federal regulations (50 CFR 27.31) and State statute (RSA 215-A:6).

Staff began monitoring snowmobile use at the Pondicherry Division during the winter of 2007 to 2008. A traffic counter was installed on the trail to evaluate the frequency of use on a daily basis. Snowmobile use has been tracked for several years on the Powerline Trail. Table D.1 shows use for the period 2007 to 2013. The wide range of annual use is related to snow conditions. The best snow years were winters 2008-2009 and 2007-2008. In contrast, there were only 91 snowmobile visits in 2011-2012 because of poor conditions.

**Table D.1. Snowmobile Counter Data from the Powerline Trail.**

Winter	Total Snowmobile Counts for the Powerline Trail
2007-2008	5,861
2008-2009	6,659
2009-2010	2,780
2010-2011	1,024
2011-2012	91

**(e) Why is this use being proposed?**

As previously stated, snowmobiles within the refuge boundary are either on a State-owned or a refuge-administered trail (map D.6). Trail 5 is a State trail that extends from the Canadian border to Massachusetts. It also links to a larger network that includes trails in Vermont, Maine, and Quebec. Locally, it serves as a connection between the town of Whitefield and trails to Berlin, Randolph, and the Mount Washington area. The active section of Trail 5 that crosses the division is west of the rail-trail (map D.6). This snowmobile trail has been used for at least 30 years (personal communication, Clint Savage, New Hampshire Bureau of Trails). No habitat management is necessary with this section or the alternate route north because both are in the utility right-of-way. The only requirement is that sufficient snow is present to protect soil and vegetation.

The alternate route north is about 6 miles long with 0.7 miles on the division all within the utility corridor. Using this trail instead of Trail 5 proper saves about 17 miles of travel and the associated fuel consumption. It is unknown how many people use this trail, but snowmobiles are counted if they travel east into the division.

Observations by staff and the Friends of Pondicherry indicate that visitation to the division drops off substantially during the winter. People continue to use the Mud Pond Trail until snow or ice makes access difficult. The other trails, Colonel Whipple Trail and Little Cherry Pond Trail are not maintained in winter and only are used by a few visitors on skis or snowshoes. There also is dispersed skiing and snowshoeing. Although the number participants are unknown, it is not thought to be substantial. The most frequently used access in winter is the snowmobile trails which are also open to skiers and snowshoers.

The Pondicherry Division was identified as a Special Focus Area (SFA) in the Silvio O. Conte National Fish and Wildlife Refuge Final Action Plan and Environmental Impact Statement (USFWS 1995). At the time it was understood to be key wetland habitat for numerous migratory birds. More complete census information from the local birding community and refuge monitoring have documented at least 238 bird species on the division with 129 of these confirmed as breeders. The high concentrations and diversity of birds during the spring through fall seasons makes the division one of the richest bird concentration areas in the State. The entire Pondicherry Basin, which includes the Division, was designated the first Important Bird Area (IBA) in the State, in recognition of the area’s importance to birds.

The vast majority of migratory birds found on the Division are breeders or migrants that move south to more temperate climates during the winter. Snowmobiling at the Pondicherry Division would be inconsequential to these species because there is no temporal overlap in use and habitat composition and structure would not be altered. Some species, such as chickadees, downy woodpeckers, and nuthatches, remain in the area yearlong. Most of these yearlong residents and birds that move to the area from farther north are forest dwellers that would be minimally impacted by the snowmobile trail in the utility corridor. There are some species such as snow buntings that are attracted to open habitats and occasionally are found in the area during winter. The utility corridor affected by snowmobile use represents only a portion of the meadow habitats on the division and in close proximity including the adjacent Mount Washington Regional Airport and agricultural lands.



Key winter habitat for most resident wildlife such as big game, gallinaceous birds (e.g. grouse) would be minimally affected by snowmobile presence on the Powerline Trail. Winter thermal cover for many species at the Pondicherry Division is composed of mature evergreen conifers, especially spruce and hemlock. Because this trail is completely within the managed power line corridor on the division, little impact to resident winter wildlife is anticipated.

There are benefits of allowing snowmobile use on the Powerline Trail across the division. From the State perspective closure of this trail would create a gap in a historically popular trail. The necessary rerouting would in all likelihood entail new road crossings and trail construction on private lands, if permission could be secured. It would also be considerably longer than the current, straight-line route. Moving this trail would result in alteration of habitats not currently impacted and be a significant expense to the State. The current trail location, in the utility corridor has minimal effect on habitat composition and structure, because the entire corridor is kept in a meadow/low shrub condition by PSNH for their transmission lines. Over the years, we have had an excellent working relationship with both the local snowmobile club and the State Bureau of Trails to refuge staff and it is to our advantage for this to continue.

Snowmobiling is a popular winter activity in New Hampshire and retaining this trail would allow introduction of the division, the Refuge System, and the Service to people that may not traditionally recreate on refuges. It also extends the Service's reach because people come from throughout the Northeast to snowmobile in northern New Hampshire.

One means of reaching snowmobilers is via an informational kiosk. We would work in cooperation with the other conservation partners (i.e. New Hampshire Bureau of Trails, New Hampshire Fish and Game Department, New Hampshire Audubon, and the Friends of Pondicherry) to construct an informational kiosk at the intersection of the Powerline Trail and Presidential Recreational Trail to facilitate outreach. This is a natural stopping location that will allow the Service and partners, to connect with a substantial number of riders through interpretive displays, brochures, fact sheets, and other pertinent information that will increase their understanding of the importance of this refuge and how it fits into the larger conservation efforts of the Service.

An unknown number of snowmobilers that enter the division engage in one or more priority public uses, particularly wildlife observation and photography. Moose, deer, and coyotes are active at the Pondicherry Division in winter and seeing them during a warm day would not be unusual. The southwest shore of Cherry Pond, near the State Rail-Trail, is a popular photo stop because the vista includes Cherry Pond in the foreground and a spectacular view of the Presidential Range in the White Mountains. Today, most snowmobilers probably do not even know they are on a national wildlife refuge, however, continued use of this existing trail through the division has the potential to cultivate support from a non-traditional public sector and give them an appreciation of the conservation importance of the Pondicherry Division.

### **AVAILABILITY OF RESOURCES:**

Sufficient refuge resources in terms of personnel and budget are available to administer snowmobiling on the refuge. The Pondicherry Division is approximately 3 hours from the Sunderland, Massachusetts headquarters, but New Hampshire Conservation Officers have the authority to enforce State regulations on national wildlife refuge lands and are the primary law enforcement agency for snowmobiling in the New Hampshire. This would be a continuation of how snowmobile laws and regulations were administered when the land was owned and managed by the previous owners. Conte Refuge shares a refuge law enforcement officer with the Umbagog National Wildlife Refuge and this officer spends part of his time in enforcement activities at the division. In addition, an active Friends Group keeps staff apprised of issues and opportunities based on their frequent visits to the Pondicherry Division. Conte Refuge staff will be responsible for onsite evaluations to resolve public use issues, monitor and evaluate impacts, maintain boundaries and signs, and meet with State officials, adjacent landowners and the interested public, when necessary. All costs for trail maintenance and repair are borne by the New Hampshire Bureau of Trails and carried out by the local snowmobile club under a refuge SUP.

Annualized costs associated with the administration of snowmobiling on the refuge are estimated below:



**Initial Costs**

<i>Document preparation/review/public comment</i>	\$2,000
<i>Supplies (kiosk construction, brochures, kiosk notices)</i>	\$3,500
<i>Traffic counter purchase</i>	\$2,000
<i>Law enforcement/responding to the public</i>	\$3,000
<b>Total Initial Costs</b>	<b>\$10,500</b>

**Annual Costs**

<i>Issue &amp; Administer Sup (GS-12 Refuge Manager)</i>	\$1,000
<i>Refuge Law Enforcement (GS-7 Park Ranger) Shared with the Nulhegan Basin Division and Lake Umbagog</i>	\$1,000
<i>Resource Impact Evaluation (GS-12 Refuge Manager)</i>	\$2,000
<i>Visitor Contacts (in addition to Law Enforcement) (GS-12 Refuge Manager)</i>	\$1,000
<i>Traffic Counter Maintenance/Data Collection/Analysis</i>	\$1,000
<i>Miscellaneous</i>	\$500
<b>Total Annual Costs</b>	<b>\$6,500</b>

The estimated costs listed above are primarily salary costs. Monitoring public use and providing law enforcement are required for properly administering public use programs; therefore, these operations are accounted for in budget and staffing projections. Additional law enforcement on the division is provided by Conservation Officers from the New Hampshire Fish and Game Department at no cost.

No special facilities or resources are needed to administer snowmobile use on the Pondicherry Division. There is no cost to the refuge for trail maintenance which is provided by the local snowmobile clubs with funds from the New Hampshire Trails Bureau. The Powerline Trail is not used during the rest of the year, so no additional maintenance considerations are necessary.

Based on a review of the budget allocated for recreational use management, we certify that annual funds are adequate to ensure compatibility and to administer and manage the recreational use described above.

**ANTICIPATED IMPACTS OF THE USE:**

Potential direct negative impacts resulting from snowmobile use on State Trail Number 5 and the northern alternative route include habitat loss and damage, pollution, and disturbance to wildlife and other refuge visitors. A positive effect of allowing this type of access will be winter access for a segment of the public that may not otherwise spend time on the refuge. By constructing an informational kiosk at a traditional stopping location, these visitors will be exposed to educational panels and materials that will inform them of the division’s role in wildlife conservation in the Connecticut River watershed and northern New England, the Refuge System, and the Service.

**Habitat Loss and Damage:**

The Powerline Corridor probably has been used since the 1970s, although the exact date of trail opening is unknown. This generally east-west oriented trail directly affects approximately 4 acres of land or about 0.06 percent of the refuge landbase. The entire trail is located in a 150-foot-wide utility corridor, which is maintained in a meadow/low shrub successional stage by PSNH. The direct loss of habitat is considered inconsequential because travel and trail grooming only commence when there is a sufficient snow pack. Trails are closed in the spring or during the season if patches of ground become exposed.

The most common impacts to vegetation attributable to snowmobiles are physical damage like bending and breaking when hit or run over (Stangl 1999). Additionally, plants are impacted during trail maintenance when

shrubs and sapling trees are trimmed back; however, similar impacts occur throughout the power line corridor where vegetative growth is retarded to protect the electrical lines. Trimming associated with the snowmobile trail is done by hand or with power brush cutters which sets back growth, but does not kill the plants. Brush cutting only occurs when woody plants encroach within the trail corridor or are tall enough to protrude above the snow surface. Plants in the snowmobile trail probably end winter dormancy later and are less productive than those that are unaffected (Stangl 1999). No federally or State-listed plants are known from the area encompassing the snowmobile trail. The amount of habitat directly affected by the snowmobile trail represents a small percentage of similar habitat in the powerline corridor on the division (8.0 percent), and of the division overall (0.06 percent).

### **Soils:**

Soil temperature fluctuations are moderated during winter by a covering of snow. When this layer is compacted, as is the case with a snowmobile trail, soil temperatures are generally lower and freezing is deeper which can be detrimental to both plants and soil microbes (Douglass et al. 1999, Stangl 1999). Impacts depend on snow depth, traffic intensity, and soil and plant susceptibility. Bog soils and shrubs are particularly susceptible to these types of impacts (Stangl 1999). Compacted snow melts rapidly and has lower water holding capacities (Douglass et al. 1999), which can increase erosion during spring melt, particularly on slopes. Probable soil impacts on the Powerline Trail include compaction and possibly localized erosion. However, there is no perceptible evidence of substantial soil or plant degradation and erosion is minimal on this generally flat trail.

### **Air Resources:**

Until recently, two-stroke snowmobiles with traditional carburetors were the only models available. Within the last few years manufacturers, responding in part to calls for quieter and cleaner burning snowmobiles, have brought direct injection, two-stroke and four stroke engines to market. Two-stroke engines are commonly preferred for their better power to weight ratio (Braven 2009), although advancements in four-stroke technology has improved their performance.

Two-stroke carbureted snowmobile engines emit pollutants, particularly hydrocarbons and particulate matter, through exhaust systems from an incomplete combustion of fuel and oil (NPS 2000, GAO 2000). Four-stroke engines are cleaner, but still produce similar levels of carbon monoxide and oxides of nitrogen (University of Wyoming 2000). A recent addition to the market has been direct injection two-stroke snowmobiles that emit fewer pollutants than the carbureted versions. In fact, these engines can cut hydrocarbon emissions by about 70 percent (NPS 2000).

According to information cited by the U.S. General Accounting Office (2000), the National Park Service concluded, primarily through analyses of studies in Yellowstone and Grand Teton national parks, snowmobiles caused increased levels of air pollution. At that time traditional two-stroke engines were the only versions readily available. On an average day in Yellowstone National Park during the 1990s over 700 snowmobiles entered the park (NPS 2000), with peak day with peak day use exceeding 2,000. The park averaged 66,619 snowmobile visits annual from 1992 to 1999. Up to one-third of the fuel can pass through the exhaust, unburned (University of Wyoming, Institute for Environment and Natural Resources 2000). Two-stroke snowmobiles reportedly produced 68 to 90 percent of the hydrocarbons and 35 to 69 percent of carbon monoxide emissions at those parks during the winter (NPS 2000). In response to concerns including air pollution, Yellowstone National Park is in the process of developing a long-term plan for winter operations, including snowmobiles (NPS 2013).

A study cited in the Final Comprehensive Conservation Plan and Environmental Impact Statement (CCP) for the Little Pend Orielle National Wildlife Refuge (Little Pend Orielle Refuge) in northeastern Washington stated that average snowmobile emission per hour is 216 grams of hydrocarbons and nitrous oxide and 564 grams of carbon monoxide per horsepower (USFWS 2000). Reportedly, a 54-horsepower two-stroke, carbureted snowmobile engine was estimated to emit approximately 360 times as much pollution per hour as an automobile. It should be noted that this information is based on the higher polluting, traditional two-stroke engines.

Other studies cited in the CCP claimed that such air pollutants can result in foliar injury, reduced productivity, tree mortality, decreased growth, altered plant populations, modifications in species diversity, increased susceptibility to pests and diseases, and pollutant depositions that melt into streams during spring snow melt.

Neither the exposure levels nor duration necessary to cause these effects were stated. These impacts were derived from a literature source and the CCP does not say whether these impacts were evident on the refuge.

The amount and impact, if any, of snowmobile emissions at the Pondicherry Division have not been studied. Neither have the effects of snowmobile exhaust emissions on habitat or wildlife, but the types of vegetative impacts described in the Little Pend Orielle Refuge CCP are not evident at Pondicherry. Annual snowmobile traffic at the division has varied from a high of 6,659 in 2008 to 2009 to a low of 91 in 2011 to 2012. These levels are substantially lower than those reported for Yellowstone, where, outside of the high concentration areas around West Yellowstone and Old Faithful, snowmobiles were not substantially affecting atmospheric deposition of the principal pollutants (Ingersoll 1998). This author reported diminished levels of carbon monoxide, a primary emission compound from two-stroke snowmobiles, at monitoring stations 20 and 100 meters from park entry points. The influence of snowmobiles on air quality is expected to diminish in the future because viable alternatives to higher polluting two-stroke snowmobiles are becoming more popular.

Pollutants are emitted by snowmobiles using the Powerline Trail. There is no evidence of chronic air pollution, similar to what was described for a high elevation site in Wyoming (Musselman and Korfmacher 2007). Undoubtedly, frequent winds dispersed pollutants more rapidly at their Wyoming study area, but dispersion also appears to be relatively quick at Pondicherry.

### **Aquatic Resources:**

The impacts of snowmobile exhaust on aquatic systems have not been well studied, but fish can acquire and accumulate hydrocarbons (Ruzycki and Lutch 1999). Adams (1975) found hydrocarbon levels and lead to be at high levels the week after ice out in a Maine pond where snowmobiles were driven over ice during the previous winter. Lead no longer is an additive in gasoline, and therefore, not a concern. Repeated packing of snow during grooming can accumulate pollutants on developed trails which are then released during spring runoff (Ruzycki and Lutch 1999). The effects of snowmobile exhaust on aquatic invertebrates have received little attention. Currently, the open section of the Powerline Trail only crosses a small drainage, Ayling Brook, north of the Mount Washington Regional Airport. This stream may support a fishery, but undoubtedly has an invertebrate population. Four streams cross the inactive trail east of Waumbek Junction. At least one of these, Slide Brook, has resident fish.

Water pollution from snowmobiles is certainly a concern, but the traffic at Pondicherry is considerably less than the study sites discussed in Olliff and Kaeding (1999). The industry movement toward less polluting snowmobiles will reduce threats to aquatic systems. Strategic monitoring may be warranted to evaluate snowmobile contributions to water pollution. The current water quality concern at the division is mercury levels which have been detected in bass from Cherry Pond, but this heavy metal is not a by-product of engine combustion.

### **Disturbance to Wildlife:**

Winter is a particularly stressful period for resident wildlife in northern latitudes due to severe weather, limited food resources, the energetic costs of moving through snow, and in some places, thermal cover limitations. Disturbance from any source during winter can tax energy reserves and be a contributing factor to winter mortality and affect reproduction. Several factors influence the impact of disturbance including timing, frequency, duration, and extent; physical condition of the individual animal; weather; habitat, particularly thermal cover, forage availability, quality, and spatial arrangement; and snow conditions. Late winter and early spring snow storms can be lethal, especially to pregnant females and those that are old, young, or in poor health.

Although individual animals certainly come into visual or auditory range of snowmobiles on the division and react by moving back into cover, there is no evidence to suggest that wildlife populations are being negatively affected. No specific evaluation of disturbance has been done at the Pondicherry Division, but a study of wildlife use in the vicinity of snowmobile trails at the Nulhegan Basin Division located in Essex County, Vermont, was recently completed (Benoit et. al. 2008). This work detected some differences in wildlife use near active snowmobile trails and unused trails, but the results were inconclusive because of confounding difference in snow accumulation between the two study years (2005 and 2008) and the habitat type adjacent to trails.

Some of the potentially negative effects of snowmobiling and other winter recreational activities on resident wildlife include:

1. Energetic costs of displacement by recreationists (Picton 1999). Herbivores, especially ungulates, operate at an energy deficit depending on stored body reserves during winter because high quality food is not readily available. Additional stress caused by recreationists flushing them from winter habitat can increase susceptibility to disease and predation, lead to higher mortality rates, and reduce productivity.
2. Displacement of animals into marginal or ineffective habitat (Clark and Wiseman 1999). High quality winter habitat is a key to survival for many herbivores, because of the close proximity of thermal protection and forage. Actions that cause animals to move to marginal habitats can lead to increased energy consumption during cold periods; increased travel distances for forage, decreased nutritional intake and reductions in thermal efficiency. Each of these can contribute to higher mortality rates.
3. Animals that are disturbed may alter their daily activity patterns leading to increased energy consumption and higher risk of predation (Clark and Wiseman 1999).
4. Direct mortality from collisions with snowmobiles.

Snowmobiling can have a limited, beneficial influence for some wildlife. Compacted snowmobile trails often serve as travel corridors because they are easier to walk on than adjacent deep snows. This was observed anecdotally in the study at the Nulhegan Basin Division (Benoit et. al. 2008). These trails may increase the probability of predator-prey confrontations. Snowmobile trails may allow some species to exploit new areas during winter. For instance, the compacted snow on trails appears to be necessary for coyotes to inhabit areas with deep snow (Bunnell et. al. 2006). This probably contributed to occupation of marginal habitats in the Northeast (Crete and Laiviere 2003) and a breakdown in spatial segregation of Canada lynx and coyotes during periods of deep snow (Bunnell et. al. 2006) where the two species overlap.

Most of the recent research of the effects of snowmobiling on wildlife and habitats has been conducted in the Greater Yellowstone Ecosystem (e.g., Olliff et al. 1999, Caslick 1997a, White et al. 2006). The conditions under which these studies were conducted including the number of snowmobiles per day (i.e. over 1,000 on a busy day) (Sacklin et al. 2000), affected habitats, and even species studied (e.g. bison and elk) may not have direct applicability to the Northeast and the Pondicherry Division. Older research was limited to studying two-stroke, traditional carburetion snowmobiles that used leaded fuel. These machines are much noisier than newer models and emit more pollutants, which at the time, included lead. Although that type of snowmobile is still the most common, newer direct-injection and four-stroke engines which are much less polluting are becoming more popular. So the application of the body of work on snowmobiling effects may not always be relevant to the situation at Pondicherry.

Most wildlife-related research has been limited to studying the effects of snowmobiling on individuals, then extrapolating potential impacts to populations. There has been little work done on the influence of snowmobile use on population dynamics. Although no direct research has been done on winter recreational effects, including snowmobiles, at Pondicherry, the New Hampshire Fish and Game Department completed its 10-year management plans for moose, white-tailed deer, bear, and turkey (New Hampshire Fish and Game Department 2005). Their monitoring and management indicates that big game populations in northern New Hampshire, where there is a widespread network of snowmobile trails, are stable or increasing.

Most of the Federal trust species for which the division was established (e.g. neotropical migratory birds, waterfowl, American woodcock) are on winter ranges well before the start of snowmobile season and do not return in the spring until after the trails close. The trail on Service-owned land does not intersect any habitats that would serve as winter concentration areas.

Snowmobile travel on and through the division is limited to the established snowmobile trails (i.e. Powerline Trail and the State-owned Presidential Recreational Trail), confining disturbances to a specific area. The timing, location, and occurrence of snowmobile use are fairly predictable which allows wildlife to habituate (Biel 1999, Freddy et al. 1986). At least one study found that heart rates increased whenever snowmobiles were present with no apparent habituation (Moen et al. 1982), although the implications to survival were not assessed. Trail maintenance with a groomer occurs at night when conditions warrant. Assuming the use of the powerline corridor for wildlife is compromised by snowmobile use, the total area impacted is approximately 89 acres (150 feet wide and 4.9 miles long), representing about 1 percent of the Pondicherry Division.



Wildlife that hibernate or go into a dormant state during the winter such as black bears, reptiles, amphibians are not directly impacted by snowmobile travel because use is limited to the trail in the utility corridor which affords little, if any, good winter hibernaculum habitat. Some small mammals (e.g. voles) remain active below the snow surface (i.e. subnivean habitat). The compacted snowmobile trail may be a barrier to their movement and can alter subnivean conditions such as lowering temperatures (Caslick 1997b). However, only a small portion of habitat at the division (0.1 percent) and in the utility corridor (8 percent) might be marginalized for these species. The snowmobile has a limited area of impact on small mammal populations that utilize the early succession/meadow habitats of the power line corridor.

### **Impacts to Visitors:**

Snowmobile engine noise increases with the amount of traffic and proximity of the listener. Yellowstone National Park officials believed that snowmobile use conflicted with the solitude of Park visitors, and the noise had an impact on the natural quiet of the park setting (GAO 2000). Snowmobile noise levels have not been documented at the Pondicherry Division; however, New Hampshire regulations require compliance with the Snowmobile Safety and Certification Committee standards. The standard for a snowmobile at full throttle is 78 decibels plus 2 decibels at 50 feet and 73 decibels plus 2 decibels for snowmobiles moving at 15 miles per hour. These levels approximately equate to that experienced along a busy street (<http://www.asha.org/public/hearing/disorders/noise.htm>). Snowmobile noise at Pondicherry is loudest near the intersection of the Powerline Trail and (Presidential Recreational Trail) where traffic from north/south and east/west meet. Although the sound is present to some degree on much of the refuge, attenuation reduces the levels so that if discernable, it becomes more of a background sound on the northern portions of the division. There are few, if any, areas of the Division completely devoid of motorized sounds because it is surrounded by public roads, including two State highways.

Currently, pedestrian visitors have limited developed access during winter. The only maintained trails within the division boundary are Presidential Recreational Trail and the Powerline Trail. People hiking, snowshoeing, or skiing have the option of using these groomed snowmobile trails, the Colonel Whipple and Little Cherry Pond hiking trails, the gravel portion of Mud Pond Trail, or the old logging road system. Many people choose the rail-trail because it the grade is flat and it is easy follow. However, skiing and snowshoeing on the existing hiking trails and old road system is becoming increasingly popular for people that want a more solitary experience. Having hikers and snowmobilers share a trail is not an ideal situation, but they have coexisted on this State trail for many years. These trails and the old logging road network help to spatially separate these two uses, giving people that seek more of a backcountry experience additional options at the Pondicherry Division.

### **Summary of Anticipated Impacts:**

In summary, many studies identify and discuss snowmobile impacts to wildlife, their habitats, and other outdoor recreational users. Clearly, snowmobiles can have an effect on wildlife when the two are in close proximity. The typical reaction of wildlife is to move into cover to avoid the disturbance. Snowmobile use on the Pondicherry Division will be restricted to the Powerline Trail, the Trail 5 cut-across near the western boundary, and the State-owned and managed Presidential Recreational Trail. Based on available literature and monitoring at the nearby Nulhegan Basin Division impacts to wildlife are primarily to individual animals that come in contact with the trail when snowmobiles are present. Reactions are subject to a variety of factors, but there is no evidence that snowmobile use on the Powerline Trail will not have a deleterious impact on wildlife populations at Pondicherry, nor the federal trust species for which the division was established (i.e. migratory birds). At this time, based on professional judgment and the available information including the limited extent of the affected area, wildlife species present during the winter, and impacted habitats, regulated snowmobile use on the Powerline Trail does not materially interfere with or detract from the purposes for which the refuge was established or the mission of the Refuge System.

Snowmobile use does provide the public with an opportunity to enjoy and experience the winter landscapes and engage in wildlife-oriented recreation, including priority public uses, in support of refuge purpose number 6. It also gives the refuge a chance to inform a non-traditional visitor about the Pondicherry Division, Conte Refuge, Refuge System, and the Service. From the perspective of a snowmobiler and the New Hampshire Bureau of Trails, the trail on refuge property is an important connection to the trail networks that lie beyond the refuge boundary.

## **PUBLIC REVIEW AND COMMENT:**

A finding of appropriateness and this compatibility determination were distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

## **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

## **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

The administration of snowmobile access and use on the refuge will comply with 50 CFR 27 and New Hampshire RSA 215-A. The administration and management of the use as described in Section “(d)” above, and consideration, evaluation, and assessment of the impacts of the use as described in the “Anticipated Impacts of the Use” above, document our compliance with Executive Orders 11644 (Use of Off-Road Vehicles on the Public Lands, February 8, 1972) and 11989 (Off-Road Vehicles on Public Lands, May 24, 1977) as summarized below. Although these executive orders apply to off-road vehicles in general, this compatibility determination pertains exclusively to snowmobiling.

- (1) Specific areas and trails shall be designated where off-road vehicle (ORV) use is either permitted or prohibited.*

Public snowmobile travel on the refuge will be restricted to the Powerline Trail, part of State Snowmobile Trail 5 and the north-south alternative route on the western edge of the division which will be depicted on local snowmobile maps and signed on the division. There also will be signs that require snowmobilers to stay on the groomed trail. A map with this snowmobile trail will be posted on the informational kiosks, provided to local retail outlets, and given to local personnel of the New Hampshire Bureau of Trails and Fish and Game Department for distribution.

- (2) Designated areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.*

The Powerline Trail and alternative route are located in a PSNH utility corridor easement. Snowmobile impacts to natural communities and native wildlife are limited because vegetation development and succession are periodically retarded to keep plants from growing up into the power lines. Damage to soils and vegetation is minimal because the ground is frozen and a snow cover must be present for the use to occur; damage to water is minimized because snowmobiles travel on a hard-packed snow cover, not across water; and, damage to other resources is limited by restricting snowmobile use to the established trails.

- (3) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.*

Wildlife harassment is minimized because: (a) trust species (i.e. migratory birds) are generally absent from Pondicherry during the winter; (b) many resident species are dormant (e.g. black bears), under ice (e.g. beavers, muskrats, fish), or snow (i.e. subnivean wildlife); (c) the Powerline Recreational Trail does not intersect areas or habitats with significant concentrations of wildlife, including deer winter yards; and, (d) most active wildlife species during the winter are presumed to have acclimated to snowmobiles traveling through the powerline corridor during the past 30 plus years. The restricted area available and predictability of use, in time and space, make it reasonable to assume that resident wildlife populations have adapted to this long-term use.

- (4) Trails shall not adversely affect the natural, aesthetic, or scenic values of the lands.*

Neither the Powerline Trail nor the alternative route will measurably affect the natural, aesthetic, or scenic values because: (a) The amount of land directly impacted by the active trail is about 4 acres or about 0.6 percent of the 6,405-acre division; (b) The trail lies completely within a 150-foot utility corridor easement where

vegetative succession is retarded to keep trees from interfering with the power lines. The visual appearance of the meadow-like corridor is markedly different than the surrounding forest. Thus the presence of the snowmobile trail in this unnatural setting does not detract from the natural, aesthetic, or scenic values of the refuge as a whole; (c) During the spring to fall seasons the trail is hard to discern in the meadow-like corridor. The snow pack required for snowmobiling protects the ground surface, and the mechanical treatment of vegetation on the trail itself does not permanently damage plants; (d) Trail signs are few in numbers and only up during the winter season; and, (e) Litter associated with snowmobiling is removed by the snowmobile clubs during and at the end of the season.

*(5) Operating conditions shall be directed at protecting resource values, preserving public health, safety, and welfare, and minimizing use conflicts.*

Resources values are protected because snowmobile operating dates require sufficient snow pack to protect soils and vegetation from being damage. Use is discontinued if conditions become unsuitable. Public safety, health, and welfare are preserved and use conflicts minimized through the applicable provisions of 50 CFR 27.31, New Hampshire RSA 215-A. Specifically, use is limited to the designated snowmobile trail, the State speed limit applies on this trail, noise level limits must comply with State regulations, vehicles must meet the Federal and State standards for safe operation, reasonable and prudent operation is required, and unsafe trail conditions trigger closure. Pedestrian visitors are not precluded from using the snowmobile trail. They can snowshoe or ski anywhere else at Pondicherry to avoid snowmobiles, including the network of logging roads.

*(6) Areas and trails where ORV use is permitted are well-marked and information about location and conditions for use are made available to the public.*

Recreational snowmobile use at the Pondicherry Division is limited to the Powerline Trail and the north-south alternative route, which appear on local club and State trail maps. An informational kiosk is located at the rail trail parking lot on Airport Road. The refuge will post a map of the division notifying snowmobilers that travel through the refuge is restricted to the Powerline Trail and the State's Presidential Recreational Trail, and that no off-trail travel is permitted. Standard State or refuge snowmobile trail signs will be posted at key points. Other entry points will have "No Snowmobile" signs erected, if necessary, to ensure people are aware that snowmobile use is not allowed elsewhere on the division. Updated trail conditions are available from the New Hampshire Bureau of Trails either by phone or on their web site. Visitors also can contact the refuge to find out about current conditions. SUPs issued to Whitefield Sno-Kings contain specific special conditions that govern their operation and use of the trail.

*(7) Provisions are made for law enforcement.*

Federal wildlife officers enforce applicable laws and regulations, provide visitor and resource protection, perform public outreach, monitor activity patterns, collect information on the use, and provide appropriate feedback to refuge management staff concerning snowmobile and other public uses. Officers from the New Hampshire Fish and Game Department and Bureau of Trails have conducted law enforcement on this trail in the past as part of their normal duties, and will continue to do so on the division.

*(8) Effects of ORV use must be monitored.*

Snowmobile use on the refuge will be monitored and effects evaluated. Monitoring will be done via observations of trail use by refuge staff, state personnel, and members of the Friends of Pondicherry, a local volunteer group. Federal and State law enforcement patrols will help ensure that people comply with regulations to minimize biological and recreational conflicts. Empirical use data will be collected with a trail counter on the Powerline Trail. Condition of the trail itself will be evaluated at the end of each season and periodically during the season to ensure that unacceptable resource damage is not occurring.

*(9) If it is determined that ORV use is causing considerable adverse effects on soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails, those areas must be closed until adverse effects are eliminated or preventive measures have been implemented to prevent recurrence.*

As stated in Number 8 above, monitoring use of the Powerline Trail will be an ongoing process. Because there is only one trail on Service property at Pondicherry and it lies completely within a managed utility corridor, the primary resource concerns are impacts to soil, surface water, and resident winter wildlife. Both refuge staff and personnel from the Bureau of Trails will monitor trail conditions to ensure that there is sufficient snow pack to support snowmobile use. The trail does not traverse any habitats key to wintering wildlife such as

deer thermal cover; however, the trail will have limited effect on species that spend the winter under the snow surface in the utility corridor.

Should unacceptable resource impacts occur, appropriate action will be taken to alleviate problems. Actions may include more restrictive limitations on engine exhaust emissions or noise levels, limiting the number of snowmobiles on the refuge, and trail relocation or closure. These or other actions may be necessary in the future to ensure that snowmobile use of the Powerline Trail does not materially interfere with or detract from refuge purposes or the mission of the Refuge System, as previously described. Compatibility could be reconsidered before the term of this Compatibility Determination should the conditions change significantly, or there is new information regarding the effects of snowmobiling that warrants an updated evaluation.

The Powerline Trail is used specifically for snowmobiles. It does not serve as a hiking trail during other times of the year so there is no historical pattern of pedestrian use, except for snowshoers and skiers that may use it during snowmobile season. Snowmobiles are not allowed on any of the developed pedestrian trails on the division (map D.6).

(10) Use outside of daytime hours (one-half hour before sunrise and one-half hour before sunset requires a special use permit.

**JUSTIFICATION:**

This use has been determined to be compatible provided the stipulations necessary to ensure compatibility are implemented, and the use does not exceed thresholds necessary for visitor safety and resource protection. This use is not expected to materially interfere with or detract from the mission of the Refuge System nor diminish the purposes for which the refuge was established, will not pose significant adverse effects on refuge resources, will not interfere with public use of the refuge, nor cause an undue administrative burden.

**Signature:**

**SIGNATURE:** Andrew C. French 1-18-17  
Refuge Manager: (Signature) (Date)

**CONCURRENCE:** Scott B. Kahan 1/18/17  
Regional Chief: (Signature) (Date)

**MANDATORY 10-YEAR RE-EVALUATION DATE:** 1/18/2027

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## COMPATIBILITY DETERMINATION

### USE:

Furbearer Management (Trapping) on the Nulhegan Basin Division

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AUTHORITY

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### PURPOSE(S) FOR WHICH ESTABLISHED:

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### THE NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is it a priority public use?**

The use is furbearer management. We consider furbearer management to be a refuge management economic activity. It is not a priority public use of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997.

#### **(b) Where would the use be conducted?**

The Nulhegan Basin Division (division) has been open to trapping since 2001 and this activity occurred during the decades preceding U.S. Fish and Wildlife Service acquisition. The Conte Refuge proposes to continue

furbearer management through trapping throughout the division. As we acquire lands in the future for this division (e.g. McConnell tract), assuming our preferred-alternative is approved for the comprehensive conservation plan, we propose to allow trapping as a tool to manage wildlife populations on the division, and where the management need is supported by the respective State fish and wildlife agency. Prior to opening refuge lands to trapping in 2017, we would complete a NEPA compliant document, a compatibility determination, and a furbearer management plan. Trappers would be issued a special use permit (SUP) to trap on refuge lands, and based on data from previous years we expect an average of three SUPs would be issued each year. Due to this light demand, trapping zones have not been established. This use would be evaluated on a yearly basis, and areas would be closed to trapping if it is determined that this management activity directly conflicts with other user groups or biological goals and objectives. If a conflict is observed, trappers would be notified and a special condition(s) to remedy the situation would be attached to the SUP.

**(c) When would the use be conducted?**

This activity would correspond to the dates established annually by the Vermont Fish and Wildlife Department (VFWD); the trapping season generally spans late-fall to mid-winter <http://www.vtfishandwildlife.com/cms/One.aspx?portalId=73163&pageId=190440#Furbearer> Trapping Seasons (accessed November 2016). Access to the division would occur 24 hours a day, 7 days a week.

**(d) How would the use be conducted?**

The furbearer management program would be implemented through the special use permit (SUP) process and, if needed, the refuge would work with the VFWD to implement any special furbearer management regulations. Otherwise, the program would follow the current state regulations. Administering the program under an annual SUP would allow the refuge manager to have a ready list of contacts for requests for specific management needs to accomplish refuge objectives.

We will require a harvest report from each trapper following the close of the trapping season. The report includes data about the trapping effort (trap-days), the time span of trapping by species, the number of traps used, the number of target and non-target species harvested, the refuge areas trapped, and remarks on observations of wildlife or other noteworthy ecological information. We will also require that trappers report any sign of lynx within the areas they trap to the Refuge Manager within 48 hours of observations. This data is used to monitor potential impacts of this use on refuge populations of furbearers. If the required information is lacking for a trapper from the previous year, we will not issue the SUP for the upcoming season.

As specified in the Nulhegan Basin Division Furbearer Management Plan, trappers must follow State regulations and trapping seasons on refuge lands. Refuge-specific regulations are provided to each trapper under “special conditions” of the issued SUP. The refuge would allow furbearer management for the following target species: beaver, bobcat, mink, fisher, coyote, fox, muskrat, otter, raccoon, skunk, and weasel.

The refuge manager reserves the authority to regulate the numbers of target species taken in any one location, as well as the number of trappers or number of traps per trapper allowed when it is determined that unacceptable resource impacts are occurring. If we determine that limits on the number of trappers is necessary, we would follow the procedures outlined in the Service’s Refuge Manual (5 RM 17.11) and other applicable laws and regulations (see also 50 C.F.R. 29.1). Trappers, as with all visitors, are allowed off trail; however, off-trail use is limited to pedestrian access only (e.g., walking, snowshoeing, skiing) <http://www.vtfishandwildlife.com/cms/One.aspx?portalId=73163&pageId=190626>.

Additionally, due to the confirmed presence of Canada lynx in northeastern Vermont, VFWD in 2014 enacted new trapping regulations for State Wildlife Management Unit E (WMU E), which includes the division. The special regulations for WMU E are attached, and can be found at [http://www.vtfishandwildlife.com/UserFiles/Servers/Server\\_73079/File/Hunt/trapping/2013\\_Lynx\\_Regulation\\_Annotated.pdf](http://www.vtfishandwildlife.com/UserFiles/Servers/Server_73079/File/Hunt/trapping/2013_Lynx_Regulation_Annotated.pdf) (accessed August 2016). Also attached is a copy of the SUP.

**(e) Why is this use being proposed?**

Trapping on refuges is considered a refuge economic use, per Service policy (603 FWS 2, part 2.6 (N)). As per 50 C.F.R. 29.1, we may only allow economic uses of a refuge natural resource where the use contributes to achieving refuge purposes or the Refuge System mission. We would conduct furbearer management: (1) as a wildlife management tool that can maintain sustainable populations and habitat quality, (2) as a mechanism to collect species information that otherwise would be expensive and difficult to obtain using refuge resources, and (3) as a way to maintain a data set that may lead to research on furbearer (and other wildlife) occurrence, activity, movement, population status, and ecology. By maintaining a trained, experienced group of trappers,



the Service can use their skills and local knowledge to perform or assist in valuable management or research functions. Trappers could potentially provide assistance with the implementation of structured management objectives, such as the alleviation or reduction of wildlife damage conflicts, negative interactions among species, and habitat modifications.

A trapping program also fosters the appreciation of wildlife and nature, wildlife observation, a greater understanding of ecological relationships, stewardship of natural resources, and inter-generational transfer of the methodologies of renewable resource use. Trapping is an activity in which family members and friends often participate and share joint experiences that broaden appreciation of natural resources and ecological awareness (Daigle et al. 1998).

**AVAILABILITY OF RESOURCES:**

The financial resources necessary to provide and administer this use at its current level are now available, and we expect them to be available in the future. The refuge manager would provide overall administration of the program. A wildlife biologist would be required to evaluate furbearer activity, potential and current impacts on refuge resources, and potentially prescribe harvest objectives or quotas. The biologist would also evaluate trapper data, compile trapping reports, and help process SUPs. The refuge’s Federal wildlife officer, in coordination with other law enforcement agencies, would check refuge trappers and ensure compliance with State and refuge regulations.

A breakdown of the projected annual cost of the trapping programs is shown below:

<i>Law Enforcement and Monitoring:</i>	\$1,000
<i>Biological staff time</i> (program oversight and monitoring):	\$6,000
<b>Total:</b>	<b>\$7,000</b>

**ANTICIPATED IMPACTS OF THE USE:**

The impacts of furbearer management on the purposes of the refuge and mission of the Refuge System can be either direct or indirect, and may have negative, neutral, or positive impacts on refuge resources. Direct effects of trapping include the removal of individuals of target (i.e., furbearer) and potentially non-target species. Indirect impacts include reduced production among migratory birds resulting from disturbance during the pair bonding/nesting season, increased recruitment of birds as a result of removing predators of birds or their nests, or habitat change as a consequence of the removal of species that directly alter habitats (e.g., beavers or muskrats).

**Impacts to furbearers:**

The impacts of furbearer management on the purposes of the refuge and mission of the Refuge System can be either direct or indirect, and may have negative, neutral, or positive impacts on refuge resources. Direct effects of trapping include the removal of individuals of target (i.e., furbearer) and potentially non-target species. Indirect impacts include reduced production among migratory birds resulting from disturbance during the pair bonding/nesting season, increased recruitment of birds as a result of removing predators of birds or their nests, or habitat change as a consequence of the removal of species that directly alter habitats (e.g., beavers or muskrats).

VFWD considers harvested furbearer populations throughout the State to be stable with indices tracking within the expected ranges of these species’ year-to-year cyclic variations (C. Bernier, VFWD, personal communication). They employ the following sources of information in developing furbearer harvest regulations:

- (1) **Fur dealer reporting:** All licensed Vermont fur dealers are annually required to report the number of pelts per species they’ve purchased from Vermont’s furbearer trappers and hunters. This system provides an index of between-year fluctuations in pelt sales, but underestimates the true magnitude of the harvest because the annual totals exclude out-of-state pelt sales by trappers to non-resident fur dealers.

(2) **Trapper mail survey:** The voluntary trapper mail survey was implemented in 1987. This annual mail survey is designed to collect data on a per-species basis related to the magnitude and distribution of harvest, the effort expended, the average price received, and the markets into which pelts were sold including to out-of-state fur dealers. Since implementing the mail survey, Furbearer Management Project staff has been able to use the out-of-state pelt sale and average pelt price data in concert with the fur dealer report data to extrapolate the magnitude and total value of the annual furbearer harvest. Additionally, the catch per unit effort and incidental take of each species is calculated annually based on data collected via the mail survey. Other than bobcat, fisher, and river otter, the trapper mail survey is the primary method for monitoring furbearer populations in Vermont.

(3) **Pelt tagging and carcass collection of bobcat, fisher, and river otter:** Legal harvest of bobcat, fisher, and otter is annually monitored through an intensive program requiring both the tagging of pelts and the surrendering of carcasses of these species. Information gathered via pelt tagging includes the town, watershed/wildlife management unit, and date of harvest, as well as, the CITES tag number (otter and bobcat), type of take (e.g., trapped, hunted, incidental, nuisance, road-killed), and the target species. Carcasses collected via this program are annually examined to determine the sex, age, and physical condition of each specimen. Sex and physical condition are determined through internal examination of carcasses whereas ages are obtained by the examination of tooth sections at a commercial laboratory. In an effort to minimize costs associated with this program, a variety of trained volunteers (e.g., trappers, students, college professors, cooperating agencies) are used to collect data at the necropsy sessions. Pelt tagging and necropsy data are annually analyzed, tabulated, and mapped to ascertain not only the distribution and magnitude of the harvest of these species, but also the age and sex structure of these harvested populations as well.

(4) **Collection of muskrat sex and age data:** Furbearer Management Project staff annually attends Vermont Trappers Association fur auctions in December and March to collect sex and age data on harvested muskrat. The VFWD also recently initiated a request for muskrat carcasses as part of a regional effort to collect reproductive information. Data collected via these efforts will be analyzed once sufficient quantities of samples have been assembled.

(5) **Collection and analysis of genetic samples:** As opportunities and needs arise, Furbearer Management Project staff will collect genetic samples for use in furthering our understanding of these populations. Project staff may also contribute samples and participate in regional efforts to study the genetic composition of various furbearer populations.

Beaver, muskrat, fisher, and mink are the most common furbearers harvested from the division (Table D.2). During the 2001 through 2016 trapping seasons, the number of trappers has ranged from a high of 5/year in 2002 to 1/year in 2003, 2004, 2010, 2014, 2015, and 2016. The average number of trappers during this 16 year period is 2.5 trappers/year.

**Table D.2. Harvest Summary for 2001–2016**

<b>Species trapped</b>	<b>Total number of individuals trapped</b>	<b>Total number of trap days</b>
Beaver	171	294
Bobcat	1	59
Coyote	31	73
Fisher	59	246
Mink	50	173
Muskrat	78	137
Otter	13	110
Raccoon	2	4
Weasel	8	10
<b>Total for 2001–2016</b>	<b>413</b>	<b>1,106</b>

A national program operated under the guidance of the Fur Resources Technical committee of the International Association of Fish and Wildlife Agencies (IAFWA 1998) systematically improves animal welfare through trap testing and the development of “Best Management Practices (BMPs) for Trapping Furbearers in the United States.” The refuge would cooperate with and contribute to the development and implementation of those BMPs by practicing an integrated, comprehensive approach to furbearer management, wherever and whenever possible.

### **Impacts to Canada Lynx:**

Lynx are the only documented federally listed species to occur on the division. Lynx require boreal forest landscapes supporting a mosaic of differing successional forest stages that contain snowshoe hares and their preferred habitat conditions. Such conditions include dense understories of young trees, shrubs or overhanging boughs that protrude above the snow, and mature multistoried stands with conifer boughs touching the snow surface; winter conditions that provide and maintain deep fluffy snow for extended periods of time; sites for denning that have abundant coarse woody debris, such as downed trees and root wads; and matrix habitat (e.g., hardwood forest, dry forest, non-forest, or other habitat types that do not support snowshoe hares) that occurs between patches of boreal forest in close juxtaposition (at the scale of a lynx home range) such that lynx are likely to travel through such habitat while accessing patches of boreal forest within a home range (USFWS 2013). In Vermont, which is characteristic of landscapes at the southern limit of the species range, habitat is patchy and comprised by smaller patches where lynx occupancy tends to fluctuate in response to limited resource availability, such as during periods of cyclical decline in snowshoe hare abundance. In these landscapes comprised by scattered patches of suitable habitats, lynx may abandon previously occupied home ranges in search of new areas with sufficient resources. Lynx populations are dependent on landscapes containing relatively high snowshoe hare populations. However, snowshoe hare populations are prone to cyclic changes in abundance with years of high snowshoe hare abundance being followed by population crashes that result in years when they are relatively scarce. During these times of low snowshoe hare abundance, lynx may cease reproducing or even abandon areas (USFWS 2013).

The historical record of lynx occurrence in Vermont is scant; however, recent lynx occurrence in Vermont has been documented since 2007, and breeding was first documented in 2009. To date, evidence of lynx reproduction in Vermont (corroborated via the genetic testing of biological matter collected during winter track surveys) has been documented from 2010 to 2013 on the division and adjacent lands (R. Cliche, USFWS, pers. comm.). As demonstrated by recent breeding records at the division, the physical and biological features essential to lynx are present in sufficient quantity and spatial arrangement to support several lynx home ranges, at least temporarily. Based on these sightings and other survey work conducted within the State, the division is thought to have supported Vermont’s only known population of breeding lynx. This short period of lynx occupancy has since been followed by several years (2014 to present), in which surveys conducted on the division failed to detect the presence of lynx. Based on these observations, our understanding of lynx and their habitat requirements, and our knowledge of the area, we believe northeastern Vermont, including the division, contains limited resources for lynx. Consequently, we expect lynx may occupy the refuge during cyclic highs in snowshoe hare abundance, but will abandon the area when snowshoe hare abundance declines.

As a furbearer, lynx are susceptible to incidental capture in traps set for other species. In order to minimize the potential for incidental capture or harm, VFWD enacted several regulations effective January 1, 2014 (attached, and located at [http://www.vtfishandwildlife.com/newrules/Hunting\\_and\\_trapping/2013\\_Lynx\\_Regulation\\_Annotated.pdf](http://www.vtfishandwildlife.com/newrules/Hunting_and_trapping/2013_Lynx_Regulation_Annotated.pdf)). These regulations establish a lynx management zone, WMU E, which includes the division, and they establish special regulations related to the placement of traps.

We do not anticipate lynx will be captured in traps placed in the water for furbearers, such as beaver, muskrat, mink, otter, and raccoon, because lynx tend to avoid getting wet. We also anticipate the greatest risk for catching lynx will occur as a result of traps placed in upland locations. To avoid the possibility of incidentally capturing lynx, management of trapping will utilize an adaptive management approach, to include a continuation of an intensive monitoring program and discussions between the refuge, the Service’s New England Field Office (NEFO), and VFWD to address the appropriate response should lynx be detected in the future. This is described further in Stipulations Necessary to Ensure Compatibility below. The refuge manager reserves the authority to regulate the numbers of target species taken in any one location, as well as the number of trappers or number of traps per trapper allowed when it is determined that unacceptable resource impacts may occur or are occurring.

### **Northern Long-eared Bat:**

The northern long-eared is listed as federally threatened and State-endangered due to similar white-nose syndrome-related population declines. This is a forest-associated bat that roosts in dead and dying trees. Summer mist-net surveys conducted in nearby Charleston, Vermont captured this species. We anticipate that furbearer management will have no effect on northern long-eared bats, but we will continue to consult with Service endangered species staff with the New England Field Office to ensure there are no negative impacts to this species.

### **Impacts to Other Wildlife:**

Non-target species could be captured incidentally through this trapping program. Traps will be set specifically within areas of targeted species activity to reduce the risk of taking species other than targeted species. The experience of the trappers, use of species-appropriate techniques, and the selection of the appropriate trap size will reduce non-target captures (Northeast Furbearer Resources Technical Committee 1996, Boggess et al. 1990). The VFWD requires trappers to check traps once daily, unless traps are set in the water (body traps) or under the ice (body and foot traps) for beaver. This decreases the risk of exposure to the elements, predators, and stresses for animals in traps, and increases the success of releasing an uninjured non-target species.

Trappers may temporarily disturb wildlife while driving the division's roads and walking to their trap sets. Disturbances will 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 robins) were found near trails and rare species (e.g., blackburnian warblers) 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 (e.g., 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. For recreation activities that occur simultaneously (e.g., hiking, biking) there will likely be compounding negative impacts to wildlife (Knight and Cole 1991). However, because of the temporal separation of trapping activities (i.e., fall/winter) and breeding wildlife using the refuge (i.e., spring/summer), disturbance of migratory birds by trappers would be negligible.

Although trapping has some negative effects, it also plays a large role in maintaining sustainable populations and lessens predation effects for certain species of interest. Trapping is used to maintain wildlife population levels that are immune to population crashes, produce the maximum sustained yield, maximize environmental benefits for species of management emphasis, reduce the spread of diseases within a population, or reduce wildlife damage. All of these goals often require furbearer populations to be maintained at a lower level than would otherwise be the case (Conover 2001). With a recent decrease in the price of fur, hunters and trappers have less incentive to pursue furbearers, leading to an increase in their populations. This could cause a decrease in the population of other key species like ground-nesting birds (Batcheller et al. 2000). Adjusting regulated trapping beyond surplus production contributes to a controlled additive mortality which will cause the population to decline. This lessens predation on rare, threatened or endangered species (NEFRTC 2001).

### **Impacts to Aquatic Systems:**

The topography of the Nulhegan Basin, with its dense stream network, is conducive to beaver activity. Although beaver-influenced wetlands have not been mapped, several are visible from roadways and when viewed from above, a meaningful percentage of the division is covered with open water (staff observations). Naiman et al. (1988) discuss the influence that beaver have over natural systems and the ecological changes that occur as colonization progresses. The alteration of stream channels and the mosaic of habitats created is readily apparent at the division. Such a variety of habitats have great value to the Service's trust resources (e.g., migratory birds) as well as provide more generalized "ecosystem services," such as floodwater retention and enhancing nitrogen availability across the landscape (Naiman et al. 1988). Past records indicate that the beaver harvest is sustainable, and observations by staff of current beaver activity indicate that this species continues to persist in the presence of a regulated trapping program. It is, therefore, believed that continuation of such a trapping program will not adversely affect the division's aquatic systems.



### **Conflicts with Other Public Uses:**

A program of regulated furbearer management on the division as described under this compatibility determination is not expected to conflict with other public uses. Conflicts with public uses are not expected because trapping is generally an inconspicuous activity, traps are usually hidden from view, and they are usually checked in the early morning when other visitation is low. Furthermore, the principal visitors at this time of year are camp leaseholder, hunters, and other trappers, who are long accustomed to this activity. These characteristics serve to limit the potential for encounters between traps or captured animals and those engaged in other public use activities.

### **Beneficial Effects:**

Regulated trapping has been documented to provide a variety of ecological benefits including prevention and alleviation of habitat degradation, facilitation of habitat and wildlife restoration, reduction of predation on key species of management concern, protection of rare and endangered species, dampening of disease transmission and severity of disease outbreaks among wildlife and between wildlife and humans, maintaining the integrity of infrastructure, and the conservation and enhancement of biological and genetic diversity (Boggess et al. 1990, Organ et al. 1996).

It is sometimes necessary to reduce the furbearer population to limit damage to infrastructure. Certain furbearers have gradually become more of a liability (NEFRTC 2001). For example, beavers can dam culverts and outlets causing roads to flood following heavy rains and spring snowmelt. This prevents road access and increases the cost to repair damaged roads. Among local municipalities, many adjust trapping regulations in response to furbearer population changes and the public's desires (NEFRTC 2001). Trapping is an effective means to manage and monitor furbearer populations thereby minimizing infrastructure damages.

The eastern coyote is known to be a principal competitor of lynx, sharing a similar prey base (Buskirk et al. 1999, Federal Register Vol. 65(58): 16051-16086). As demonstrated in past trapping records, the removal of approximately three coyotes each year by trapping may increase the availability of prey for lynx and thereby enhance the suitability of the division for lynx.

Regulated trapping is an important means to minimize the transmission of diseases for the benefit of both the wildlife and humans. A healthy population is one that exists within the limits that the habitat can support. If a population exceeds its carrying capacity, factors like starvation or disease can force a re-balancing. Disease in wildlife is often linked to a high population density allowing easier transmission of the disease through contact (Herman 1969). Some furbearer diseases, such as rabies, sarcoptic mange, raccoon roundworms, plague, murine typhus, tularemia, and salmonellosis can also affect humans (Cheng 1973). Trapping can help reduce the local density of furbearers which can decrease the potential spread of disease and contact with humans. Regulated trapping is the most efficient and practical way to regularly maintain furbearer populations at no cost to the public. Regulated trapping will not eradicate diseases, but it may help control the transmission of disease (NEFRTC 2001).

Implementation of a regulated trapping program on the refuge also provides a mechanism to collect information, and possibly contribute to research on furbearer (and other wildlife) occurrence, activity, movement, population status, and ecology. The ecological and monitoring benefits are management services that will be accomplished through minimal or no cost to the government, compared to costs associated with using salaried staff or contractual arrangements with private individuals or organizations, other agencies, or refuge staff. By maintaining a trained and experienced cadre of trappers, the Service can utilize their skills and local knowledge to perform or assist with valuable management or research functions (Mason 1990). Trappers who participate in the refuge program would provide assistance with the implementation of structured management objectives, such as the alleviation or reduction of wildlife damage conflicts, negative interactions among species, and habitat modifications. Refuge trappers typically have a stake in proper habitat and wildlife conservation and protection of the ecological integrity of the refuge so they can continue trapping. Accordingly, they are valuable assets for the refuge manager in providing on-site reports concerning the fundamental status of habitat, wildlife, and refuge conditions. In fact, trappers who currently participate in the furbearer management program have provided valuable wildlife population status updates and unusual sightings, including lynx use of division habitats. Trappers reported seeing lynx snow tracks within the division before they were confirmed breeding in northeastern Vermont. Trappers have also reported road and property damage caused by storm water and beaver activity, allowing management to address the issue in a timely manner.

Furbearers are considered a renewable natural resource with cultural and economic values (Andelt et al. 1999, Boggess et al. 1990, NEFRTC 1996, Payne 1980). Several human dimensions studies have documented trapper profiles, cultural aspects of trapping, and the socioeconomic role of trapping in the United States (Andelt et al. 1999, Boggess et al. 1990, Daigle et al. 1998, Gentile 1987). A regulated trapping program on the division also fosters the appreciation of the division's wildlife and habitats and provides opportunities for wildlife observation, a greater understanding of ecological relationships, a sense of natural resource stewardship, and continuation of a wildlife-dependent use across generations. Trapping is an activity in which family members and friends often participate jointly and share experiences that broaden the sense of appreciation for natural resources and ecological awareness, and indeed even a sense of community (Glass et al. 1991, Daigle et al. 1998).

### **PUBLIC REVIEW AND COMMENT:**

This compatibility determination was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

### **DETERMINATION (CHECK ONE BELOW):**

Use is not compatible

Use is compatible, with the following stipulations

### **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

The furbearer management program will be reviewed annually to assess its effectiveness and to ensure and that wildlife populations and habitat quality are managed appropriately. In addition to VFWD trapping regulations, the following stipulations and/or conditions will apply (also see SUP, Attachment 1; items 1-11 are conditions of the SUP):

- (1) Any person engaging in activities on the Nulhegan Basin Division of the Conte Refuge that would be defined as trapping under Vermont State law must be in possession of a valid Vermont trapping license and a valid refuge SUP and will present such credentials to refuge officials and Federal and State law enforcement agents upon their request. This permit is valid only for trapping conducted on the Refuge during the legal trapping seasons established by the State of Vermont and only for species legal for trapping harvest as defined by the State of Vermont.
- (2) In consideration of being permitted to engage in the activity authorized under this permit at the Nulhegan Basin Division of the Conte Refuge, Permittee, being of lawful age, for himself and his personal representative, heirs, and next of kin, hereby releases, waives, and forever discharges the United States of America, its agents and employees, all for the purposes herein referred to as, Releasees, from any and every claim, demand, action or right of action, of whatsoever kind or nature, either in law or in equity, arising from or by reason of any bodily injury or personal injuries known or unknown, death and/or property damage resulting or to result from any injury, which may occur while engaged in the permitted activity, and covenants not to sue the Releasees, for any loss or damages, and any claim or damage therefor, on account of injury to the person or property or resulting in death of the Permittee, whether caused by the negligence of Releasees or otherwise.
- (3) Permittee agrees to indemnify, defend, save and hold harmless the Releasees and each of them from any loss, liability, damage or cost Releasees may incur due to the presence of Permittee in or upon the said property of the United States. Releasor agrees that this release and waiver is intended to be as broad and inclusive as permitted by the laws of the State of Vermont and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full legal force and effect.

- (4) Permittee will obey the laws of the United States and Vermont, including those concerning trapping, firearms, motor vehicles, and snowmobiles, while engaged in activities connected with this permit.
- (5) Travel by motor vehicle is restricted to established roads, and travel by snowmobile is restricted to the designated Vermont Association of Snowmobile Trails trail system, unless otherwise specifically authorized by separate permit from the wildlife refuge manager.
- (6) Use of all-terrain vehicles is prohibited.
- (7) Permittee will use every feasible precaution against causing damage to refuge roads, lands, and waters. Permittee will report any damages as soon as possible.
- (8) Permittee will not conduct activities in connection with this permit in any manner that would interfere with or cause hazards to vehicular or snowmobile travel, or the activities of refuge visitors.
- (9) Permittee shall not litter, or start or use open fires on refuge lands.
- (10) Permittee is required to submit a completed Refuge Trapper Report accompanying this permit to the Refuge Manager within 30 days of the close of the Vermont trapping season. Report forms **MUST** be submitted whether or not any trapping was conducted or any animals were captured. Failure to submit this report will be grounds for denial of a refuge trapping permit for the following season.
- (11) Permittee is required to report any sign of lynx (e.g. tracks, scat, animals) to the Refuge Manager within 48 hours of observations.
- (12) If future conditions warrant, the Service may regulate the numbers of target species taken in any one location as well as the number of trappers, the number of traps per trapper allowed, or redefine areas subject to trapping as necessary to address resource issues. If we determine such actions are necessary, we would follow the procedures outlined in the Service's Refuge Manual (5 RM 17.11; copy available from refuge headquarters).

Furthermore, given the uncertainty regarding the continued presence and breeding status of lynx as they relate to our stewardship, additional investigations will occur as part of the division's annual operations. Specifically, in collaboration with Service and VFWD personnel, scientific information regarding the status of lynx on the division will be collected in order to provide an indication of the presence of lynx, areas of use, and potentially whether home ranges have been established and breeding is possible. We will achieve this by employing a combination of the following:

- Continue a systematic survey protocol to detect lynx. This involves dividing those land cover types considered important for lynx into a series of 2km x 2km grid cells. Each cell contains a permanent camera trap site and a 1 km snow track survey transect.
  - \* Perform snow track surveys at least twice each winter when snow conditions are appropriate.
  - \* Maintain camera trap sites at least once every four weeks throughout the year to download data, refresh attractants, and ensure the cameras are working properly.
- Pellet count surveys are performed twice annually at 800 locations to assess the relative abundance of snowshoe hares, which may help managers to determine if adequate prey resources to support lynx reproduction are available.

Administratively, we will implement the following measures:

- Continue to maintain a list of trappers with their contact information through the SUP permit process. Should lynx be detected during the trapping season, the refuge will immediately contact the permitted trappers and notify them of necessary responsive actions.





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Attachment 1



United States Department of the Interior

FISH AND WILDLIFE SERVICE

NULHEGAN BASIN DIVISION

Silvio O. Conte National Fish and Wildlife Refuge

5396 Route 105

Brunswick, VT 05905

Phone: 802-962-5240

Fax: 802-962-5006



**This Special Use Permit is subject to the following requirements, regulations, and stipulations:**

- (1) Any person engaging in activities on the Nulhegan Basin Division of the Conte Refuge that would be defined as trapping under Vermont State law must be in possession of a valid Vermont trapping license and a valid refuge SUP and will present such credentials to refuge officials and Federal and State law enforcement agents upon their request. This permit is valid only for trapping conducted on the Refuge during the legal trapping seasons established by the State of Vermont and only for species legal for trapping harvest as defined by the State of Vermont.
- (2) In consideration of being permitted to engage in the activity authorized under this permit at the Nulhegan Basin Division of the Conte Refuge, **Permittee**, being of lawful age, for himself and his personal representative, heirs, and next of kin, hereby releases, waives, and forever discharges the United States of America, its agents and employees, all for the purposes herein referred to as, Releasees, from any and every claim, demand, action or right of action, of whatsoever kind or nature, either in law or in equity, arising from or by reason of any bodily injury or personal injuries known or unknown, death and/or property damage resulting or to result from any injury, which may occur while engaged in the permitted activity, and covenants not to sue the Releasees, for any loss or damages, and any claim or damage therefor, on account of injury to the person or property or resulting in death of the Permittee, whether caused by the negligence of Releasees or otherwise.
- (3) Permittee agrees to indemnify, defend, save and hold harmless the Releasees and each of them from any loss, liability, damage or cost Releasees may incur due to the presence of Permittee in or upon the said property of the United States. Releasor agrees that this release and waiver is intended to be as broad and inclusive as permitted by the laws of the State of Vermont and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full legal force and effect.
- (4) Permittee will obey the laws of the United States and Vermont, including those concerning trapping, firearms, motor vehicles, and snowmobiles, while engaged in activities connected with this permit.
- (5) Travel by motor vehicle is restricted to established roads, and travel by snowmobile is restricted to the designated Vermont Association of Snowmobile Trails trail system, unless otherwise specifically authorized by separate permit from the wildlife refuge manager.
- (6) Use of all-terrain vehicles is prohibited.
- (7) Permittee will use every feasible precaution against causing damage to refuge roads, lands, and waters. Permittee will report any damages as soon as possible.

- (8) Permittee will not conduct activities in connection with this permit in any manner that would interfere with or cause hazards to vehicular or snowmobile travel, or the activities of refuge visitors.
- (9) Permittee shall not litter, or start or use open fires on refuge lands.
- (10) Permittee is required to submit a completed Refuge Trapper Report accompanying this permit to the Refuge Manager within 30 days of the close of the Vermont trapping season. Report forms MUST be submitted whether or not any trapping was conducted or any animals were captured. NOTE: Failure to submit this report will be grounds for denial of a refuge trapping permit for the following season.
- (11) Permittee is required to report any sign of lynx (e.g. tracks, scat, animals) to the Refuge Manager within 48 hours of observations.

**Note: Trappers must follow the procedures outlined in Vermont Fish and Wildlife Department's 2013 Canada lynx regulation 4.16. This regulation can be found at: <http://www.vtfishandwildlife.com> under trapping rules.**



**REFUGE TRAPPER REPORT**

**NULHEGAN BASIN DIVISION**

**Silvio O. Conte National Fish and Wildlife Refuge**

Present data in this report **ONLY** for trapping conducted on **Refuge** lands for trapping season. Submission of this refuge report does not relieve you of your responsibility to submit the Vermont Annual Trappers Report!

Name: \_\_\_\_\_ Special Use Permit#: \_\_\_\_\_

Place an **X** next to each species you attempted to trap during the trapping season. For each species you attempted to trap, please fill in the number of days trapped, the average number of traps you had set each day, the total number caught, general refuge areas trapped, and the general time period during which you trapped on the refuge for each species. This data **only** applies to your trapping **on the refuge**. Please use the enclosed map when referencing general refuge areas.

X	Species	# of days trapped	Avg # traps set each day	Total number caught	List general <b>Refuge</b> areas trapped for this species	When during the season did you trap for this species <b>on the Refuge?</b>
	Mink					
	Raccoon					
	Muskrat					
	Skunk					
	Opossum					
	Weasel					
	Coyote					
	Red fox					
	Gray fox					

Compatibility Determination – Furbearer Management (Trapping) on the Nulhegan Basin Division

X	Species	# of days trapped	Avg # traps set each day	Total number caught	List general <b>Refuge</b> areas trapped for this species	When during the season did you trap for this species <i>on the Refuge</i> ?
	Bobcat					
	Fisher					
	Otter					
	Beaver					

Did you observe any sign of lynx (e.g. tracks, scat, animals) while trapping on refuge lands? If so, please specify where on the refuge these observations were made and dates of observations.

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Did you experience captures of furbearers subject to closed seasons or non-furbearers? If so, please list by species, number, and type of trap and set in which the capture(s) occurred.

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**\*\* OVER PLEASE \*\***







**Attachment 2**

**Vermont Fish and Wildlife Trapping Regulations**

**Enacted with January 2014 Season**

# 2013 Canada Lynx Regulation

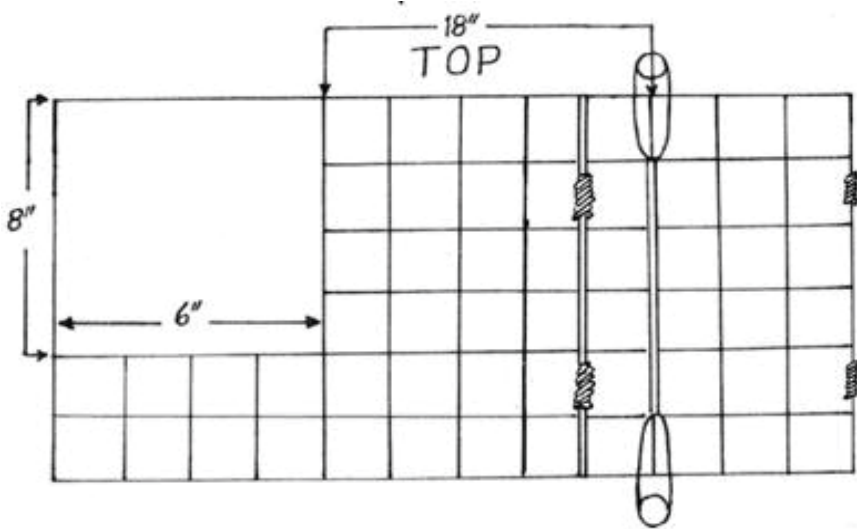
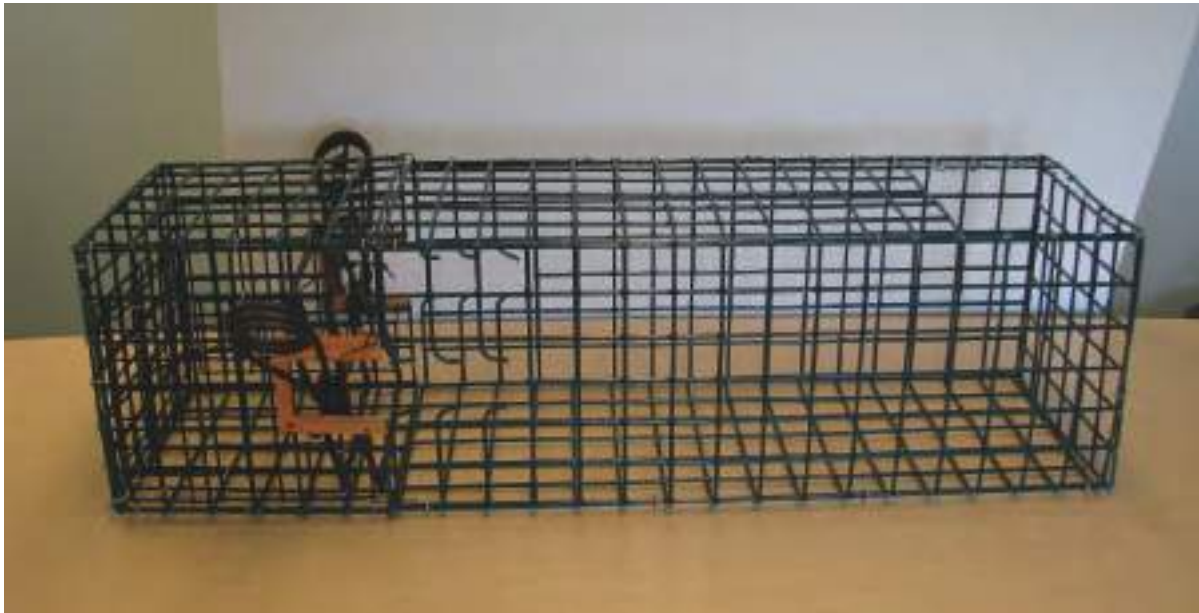
## ANNOTATED TEXT

### 4.16 Lynx

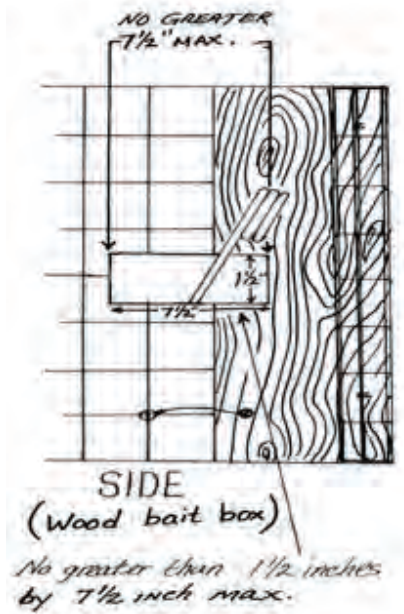
- (a) This subsection shall be effective on January 1, 2014.
- (b) Any person who incidentally captures a lynx shall notify the Department immediately.
- (c) The following regulations on traps and trapping shall only apply within the Wildlife Management Unit E.
  - (1) Foothold traps set on land must be anchored using a chain or cable no longer than 18” that is center-mounted to the trap using a swivel connection and must have at least one in-line swivel along the chain or cable.
  - (2) From the fourth Saturday in October to December 31, both dates inclusive, all body gripping traps must be set:
    - i. In the water, or;
    - ii. Within a Canada lynx exclusion device as described below and as depicted in Diagram 1:
      - a. the trap jaws shall be completely within the device;
      - b. the trap springs may extend outside of device through openings no larger than 7.5” wide by 1.5” high;
      - c. the device shall not have an opening greater than 6” by 8”;
      - d. the opening shall not be directly in front of the trap but shall instead be either on the top or side of the device;
      - e. the trap set within the device shall be a minimum of 18” from the closest edge of the opening to the trap;
      - f. there shall be at least two attachment points for each side of the device where there is a joint or where panels come together;
      - g. the device shall be constructed of wood or of wire mesh of 16 gauge or less wire (.05” diameter wire or greater) and having a mesh size with openings no greater than 1.5” X 1.5” or 1” X 2”; and,
      - h. the trap shall be anchored outside of the device; or

- iii. Off the ground as described below and as depicted in Diagram 2:
  - a. at least 5’ above the ground or if snow is on the ground at least 5 feet above snow level with the exception of the 24-hour period immediately following a snowstorm;
  - b. affixed to a standing tree which is free of branches below the trap or to a leaning section of pole that has not been planed or otherwise altered except for the removal of branches and is less than 4” in diameter at the trap and is angled at least 45° along its entire length from the ground to the trap; and
  - c. in an area that is free of any object within 4’ of the trap.
- (3) From the fourth Saturday in October to December 31, both dates inclusive, body gripping traps no larger than a typical 160 (inside jaw spread up to 6.5”) may also be set on the ground if placed:
  - i. Under overhanging stream banks, or;
  - ii. In blind sets without the aid of bait, lure or visual attractants, or;
  - iii. Within a cubby constructed of artificial materials with the trap inserted at least 7” from the front and with an opening no greater than 50 square inches as depicted in Diagram 3.
- (d) The establishment of a ten-year “Lynx Study Period” shall commence on the effective date of this subsection. The Department will assess the status of lynx in Vermont, identify and evaluate additional techniques and devices for avoiding incidental capture of lynx, and develop revisions to these rules in accordance with the findings of such studies and all current information. The rules set forth in this subsection 4.16 shall expire on January 1, 2024 unless such rules are either extended or amended by the Fish and Wildlife Board. The decision to extend or amend these rules shall be based on an evaluation of the following key criteria:
  - (1) Reliable evidence of the presence or absence of a resident, breeding population of Canada lynx;
  - (2) The availability of more effective and/or practical alternatives for avoiding the incidental capture of lynx; and
  - (3) The outcome of Maine’s Incidental Take Permit application process.

**Diagram 1.** Canada lynx exclusion device for body gripping traps.

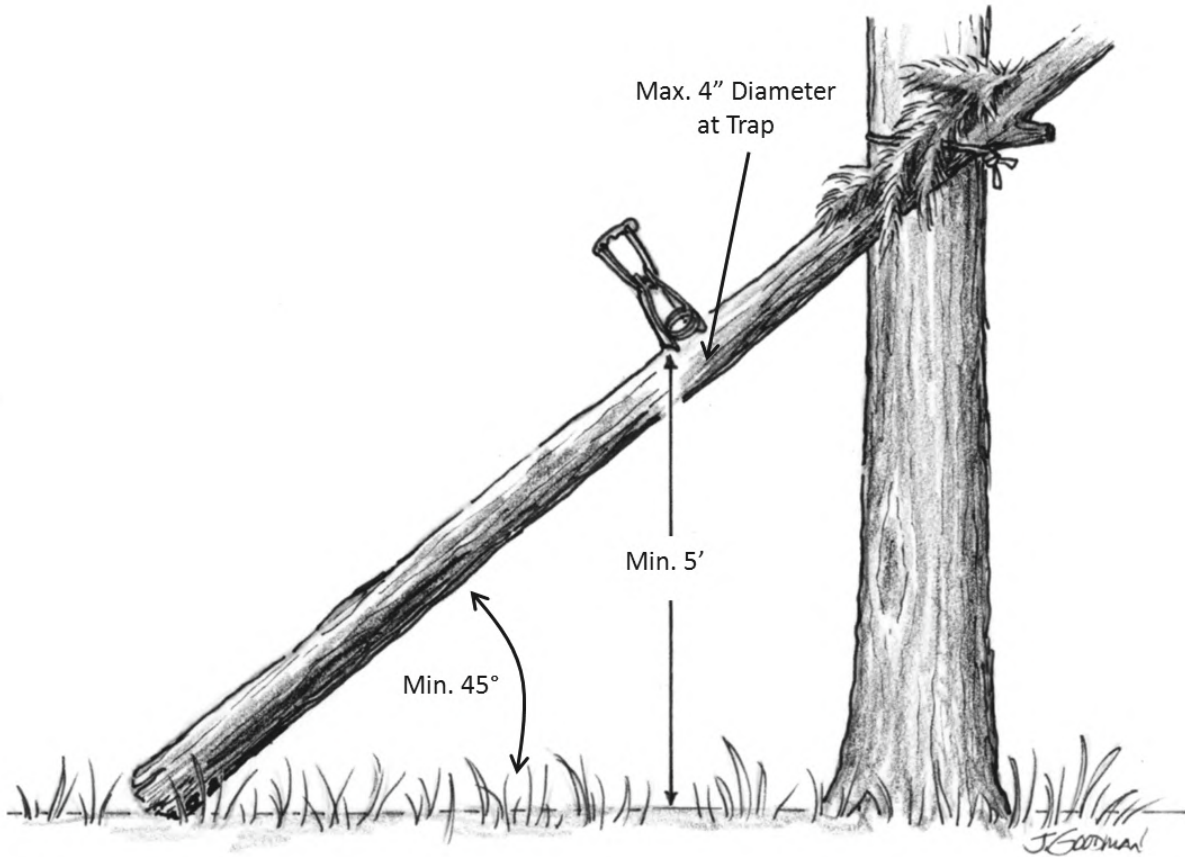


Not drawn to scale

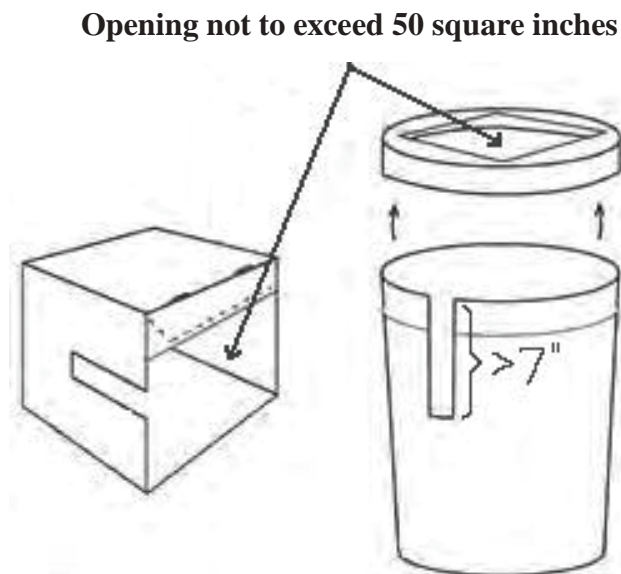




**Diagram 2. Off the ground sets for body gripping traps.**



**Diagram 3. Cubby sets for body gripping traps no larger than a typical 160.**





## COMPATIBILITY DETERMINATION

### USE:

Hunting on Silvio O. Conte Refuge Lands in Vermont

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species, and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is the use a priority public use?**

The hunting of big game, small game, furbearers, and migratory birds on refuge lands in Vermont, including the existing Nulhegan Basin Division and Putney Mountain Unit. Both of these were officially opened to hunting during the 2013-14 season, when a Hunt Plan, Compatibility Determination, and Environmental Assessment were finalized. This compatibility determination updates information and analysis for these lands; Nulhegan Basin Division had previously been opened to hunting under a 1999 pre-acquisition compatibility determination.

Hunting was identified as one of six priority public uses by Executive Order 12996 (March 25, 1996), and legislatively mandated by the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

**(b) Where would the use be conducted?**

Hunting will occur on the Nulhegan Basin Division (division) located in Ferdinand, Lewis, Brunswick, and Bloomfield, Essex County (Fig. 1), and the Putney Mountain Unit (unit) in Brookline and Putney, Windham County (Fig. 2). After completing the U.S. Fish and Wildlife Service's administrative procedures, additional lands acquired at the division from willing sellers will be open to hunting consistent with the regulations of the State of Vermont. It is the intent of the refuge to allow hunting at new refuge divisions when sufficient and suitable land, capable of supporting a quality and safe hunter experience, is acquired from willing sellers.

The division consists of 26,605 acres of high quality black spruce-tamarack, spruce-fir, and northern hardwood forests, free-flowing rivers, and bogs. The unit contains 285 acres of hardwood forest and scattered beaver wetlands. These habitats support small and large mammals all year round, and neotropical migratory birds during the nesting season and during spring and fall migrations.

**(c) When would the use be conducted?**

Refuge property will be open to hunting during the seasons and times set by the State of Vermont with the exceptions described below in "Stipulations Necessary to Ensure Compatibility." For most species, the daily hunting period will begin one-half hour before sunrise and end one-half hour after sunset. Migratory game bird hunting begins at one-half hour before sunrise and closes at sunset. A special use permit (SUP) is required for refuge use outside of regular refuge hours (one-half hour before sunrise and one-half hour after sunset).

**(d) How would the use be conducted?**

All refuge lands will be open to the hunting of big game (white-tailed deer, moose, black bear, and wild turkey), upland game (coyote, fox, raccoon, bobcat, woodchuck, red squirrel, eastern gray squirrel, porcupine, skunk, snowshoe hare, eastern cottontail, and ruffed grouse), and migratory birds (ducks, geese, crows, and American woodcock) as defined by the State of Vermont. Hunting will conform to State seasons and in accordance with State of Vermont, Federal, and refuge-specific regulations to include archery, firearms, muzzleloader, and dog training seasons.

Access will be in the form of motor vehicles operating on roads open to the public, snowmobiles operating on designated snowmobile trails, and pedestrian access (walking/hiking and snowshoeing). In addition, the use of draft horses to recover downed moose, a supporting activity, would be allowed by SUP.

Areas may be closed if there are unacceptable resource impacts such as soil erosion, repeated disturbance to susceptible wildlife, or irresolvable conflicts with other compatible priority public uses. The need for site closures will be considered by the refuge manager on a case-by-case basis.

The hunting program will be reviewed annually or as needed, in consultation with the Vermont Fish and Wildlife Department (VFWD) to assess its effectiveness and to insure that wildlife populations and habitat quality are managed appropriately. In addition, refuge-specific regulations listed below under "Stipulations Necessary to Ensure Compatibility" will apply.

**(e) Why is this use being proposed?**

Hunting is one of the priority uses outlined by Congress in the Refuge Improvement Act of 1997. The Service supports and encourages priority uses on national wildlife refuge lands where appropriate and compatible. Hunting is used in some instances to manage wildlife populations. Hunting is also a traditional form of wildlife-oriented recreation that can be accommodated on many National Wildlife Refuge System (Refuge System) lands. There also is a strong hunting heritage in Vermont and in the areas covered in this document.

As previously discussed, the Nulhegan Basin Division and Putney Mountain Unit have been open to hunting under Service ownership. Hunting would continue on these lands and newly established divisions in the state if sufficient land is acquired.



**AVAILABILITY OF RESOURCES:**

There are sufficient funds within the refuge’s annual operating budget to administer these hunts. All hunts will be administered in accordance with existing federal and State regulations. The refuge shares a federal wildlife officer with Umbagog National Wildlife Refuge, and this officer will conduct enforcement patrols on refuge properties in the State. Additional law enforcement staff, as described in the refuge’s Comprehensive Conservation Plan (CCP), will eventually be necessary as new divisions are established.

Projected costs to fund the hunting program are estimated below.

<b>Annual Costs</b>	
<i>Document Preparation and Review</i>	\$600
<i>Supplies/Brochures/Sign Maintenance</i>	\$500
<i>State Consultation</i>	\$500
<i>Processing SUPs/Monitoring Resource Impacts</i>	\$600
<i>SUP compliance</i>	\$2,700
<i>Law Enforcement/Responding to the Public</i>	\$4,200
<b>Total Annual Costs</b>	<b>\$9,100</b>

The estimated annual costs listed above are primarily salary costs and do not reflect efforts coordinated with VFWD (e.g., law enforcement). Monitoring public use and providing law enforcement are required to properly administer public use programs; therefore, these operations are accounted for in budget and staffing projections.

**ANTICIPATED IMPACTS OF THE USE:**

Hunting can result in positive or negative impacts to the wildlife resource. A positive effect of allowing hunter access to the refuge will be a better appreciation and understanding of the wildlife and habitats associated with northern New England ecosystems. This can translate into more widespread and stronger support for the refuge, the Refuge System and the Service. The typical range of impacts are addressed in greater detail in the Environmental Assessment of Public Hunting on Refuge Lands in Vermont (U.S. Fish and Wildlife Service 2012).

**Effects on Air and Water Quality:**

Air quality and water quality impacts will be minimal and limited to automobile and snowmobile emissions on open roads and trails and subsequent surface runoff. These effects will not only come from hunters but also from other users engaged in wildlife-dependent recreation. The effects of hunting-related activities, as well as other management actions on overall air and water quality in the region will be negligible, compared to the effects from industrial centers and non-refuge vehicle traffic.

**Effects on Vegetation:**

The physical effects on vegetation from hunting are expected to be minimal because hunters tend to travel on existing roads and game trails. Some dispersed hiking/snowshoeing is anticipated, but it will generally be dispersed over large areas.

Positive effects on the vegetation may result by maintaining white-tailed deer and moose populations at levels in sync with the carrying capacity of available habitat. The impacts of dense deer populations on forest regeneration and the composition and diversity of the herbaceous understory have been well documented (Tierson et al. 1966; Behrend et al. 1970; Tilghman 1989). Opening the refuge to deer hunting will at least maintain the habitat as it is now, prevent degradation due to overbrowsing, and promote successful natural regeneration and a more sustainable plant community. Well-managed hunting can effectively control deer and produce dramatic changes in the forest vegetation (Behrend et al. 1970). The impact of deer hunting on the

vegetation will be positive and result in better regeneration of forest canopy species and an increase in the diversity of the herbaceous understory. With regard to moose, this positive change has been observed at the division concurrent with a recent decline in the moose population.

Possible negative cumulative impacts of recreational hunting include temporary trampling of vegetation and light soil erosion. Spring turkey season could cause some trampling effects to growing plants, especially in wet areas; however, we do not expect these impacts to be substantial, because turkey hunter density is expected to be low and dispersed. Most hunting occurs during the fall, but hunters tend to disperse when in the woods; as a result, we do not anticipate substantial impacts to habitats. Some hunt seasons extend into winter when the ground is either frozen, covered in snow, and/or when plants are dormant. Hunters would have little impact on plants during this period. For these reasons, cumulative impacts to plant communities and soils are not likely to be significant during either the fall or spring hunting seasons.

### **Effects on Soils:**

It is anticipated that minor impacts to soils will occur as a result of allowing hunting access on the refuge. Soils can be compacted and erode as a result of repeated foot traffic, especially those soils associated with wetland habitats. Erosion potential will likely vary during the season based on soil moisture and temperatures. During much of the hunting season, soils may be frozen or covered in snow, thereby reducing the impacts greatly. At the anticipated use levels, and because hunters tend to disperse when searching for game, impacts to soils (erosion and compaction) are not likely to be significant.

### **Effects on Hydrology:**

Hydrology impacts from hunting would be minimal and only result from the use of roads and trails. Unsurfaced trails are susceptible to a variety of impacts including vegetation loss and compositional changes, soil compaction, erosion, and muddiness, exposure of plant roots, trail widening, and the proliferation of visitor-created side trails (in Marion and Leung 2001). However, these effects are considered minimal due to the fact that hunters are generally dispersed, which reduces repeated erosive actions on soils. Also, hunters will not be permitted to use vehicles off designated refuge roads, although some dust, drift, or runoff may land in streams when hunters are travelling on designated roads near or crossing streams. In addition, soils are generally frozen during the latter portion of the hunting season thus reducing the potential for erosion and downstream sedimentation.

### **Effects on Other Visitors:**

Conflicts between hunters and other refuge visitors can occur, particularly where there is concentrated use by both groups. The refuge has not experienced such conflicts in any measurable amount but recognizes this potential. Because hunting is generally a long-standing use-common on the surrounding landscape, and is dispersed across a large landscape, it is anticipated that there would be negligible impacts to those individuals participating in fishing, wildlife observation and photography, environmental education, and wildlife interpretation. The refuge will, if circumstances warrant, modify public access such that conflicts are avoided (e.g., restricted hunting zones, enhanced outreach).

### **Effects on Wildlife-Game Species:**

Hunting is not expected to have adverse effects on game species because of the hunting regulations set by Federal and State agencies. Hunting is an important tool for wildlife managers to control populations of game species that might otherwise exceed habitat carrying capacity and threaten the well-being of other wildlife and, in some instances, that of human health and safety (USFWS 2010). The Service has ultimate responsibility for regulating migratory bird (e.g., ducks, geese, American woodcock) hunting Nationwide based on Federal law established by international treaties with Canada, Mexico, and other countries with whom we share migratory birds. The Service establishes the frameworks that govern all migratory bird hunting in the United States through a public process each year. Within the bounds of the frameworks, state wildlife agencies have the flexibility to determine season length, bag limits, and areas open to hunting.

Each state has primary authority over hunting of wildlife that reside within state boundaries (e.g., deer, moose, ruffed grouse, turkey) (USFWS 2010). In Vermont, the VFWD manages game based on geographically defined

Wildlife Management Units (WMU). This allows VFWD to manage game populations across a diverse State at acceptable levels.

The scale of management for both migratory birds and resident game is typically much larger than refuge-administered lands. The Atlantic Flyway, is the basis for managing migratory birds found in Vermont. This Flyway includes states along the Eastern Seaboard, Puerto Rico, U.S. Virgin Islands, and in Canada, Nunavut, and the Maritime Provinces (USFWS 2008). For resident game, Vermont uses WMUs as the basis for population management. WMUs are at a scale that allows VFWD to efficiently and effectively manage game populations. As an example, WMU E1 contains the entire towns of Norton, Canaan, Lemington, Averill, Lewis, Warners Grant, Warren Gore, Avery's Gore, as well as, most of Bloomfield and portions of Brunswick, Ferdinand, Brighton, Morgan and Holland. In comparison, the Nulhegan Basin Division comprises about 26,605 acres in the towns of Lewis, Bloomfield, Brunswick, and Ferdinand. Hunting on refuge-administered lands is not at a scale that will affect populations of resident or migratory game species.

Hunting invariably results in the removal of individual animals from populations. However, the goal of wildlife managers is to maintain populations at levels that are within the habitat carrying capacity and socially acceptable, while providing a sustainable harvest for hunters. Hunting on refuge-administered property provides opportunities for a priority public use while contributing to the overall management of species, whether at the Flyway or State levels.

### **Big Game:**

**White-tailed Deer:** The regulated hunting of deer in accordance with State regulations would facilitate ecological balance between refuge lands and the surrounding lands. Regulated hunting would not compromise the persistence of the species on refuge and surrounding lands. Through regulated hunting, deer populations are maintained in accordance with the available habitat. High deer densities have been shown to negatively impact plant and animal communities. Therefore, a hunting program would facilitate ecological diversity through mitigating the effects of high deer densities. Furthermore, deer wintering areas are critical to the survival of the species in northern climates. Thus, managing deer populations with a regulated hunting program would temper browsing pressure on deer wintering areas and limit declines in deer populations as a result of excessive winter browsing pressure that is out of sync with the maintenance of sustainable and quality deer wintering habitat.

The VFWD Big Game Plan (Vermont Fish and Wildlife Department 2009) establishes deer density objectives for both the Northeast and Eastern Foothill regions of between 10 to 15 deer per square mile. These densities, if maintained through regulated hunting, will sustain the native vegetation and forest regeneration associated with the natural communities in those regions. Regulated deer hunting prescribed to achieve the above density objectives also maintains a deer herd in good physical condition that staves off malnutrition and disease.

The VFWD actively monitors deer herd size and physical condition through the collection of harvest numbers and biological parameters at check stations staffed by wildlife biologists during select hunting season periods. This data is critical in providing the biological data needed to properly manage a deer herd in balance with its carrying capacity.

Hunting will not detrimentally affect deer populations on the refuge, as attested by the long history of regulated hunting in the State. Conservation Focus Areas (CFAs) and existing divisions only comprise a portion of a WMU. Habitat vacated by harvested deer would likely be occupied by other deer within a relatively short time. Hunting on the refuge in accordance with State regulations would contribute to the State's population objectives in the applicable WMU, which are designed to keep deer populations within carrying capacities.

Hunting other game species (e.g., moose, black bear, small game) will have a transient effect on deer. When hunters move through occupied habitat, the deer can be expected to flush and move away from the disturbance. Because hunting pressure is not expected to be high (Mark Maghini, personal observations at Nulhegan Basin), disturbed deer have other areas available, either on or off the refuge, to move away from hunters. Encounters will cause physiological stress and use of energy to avoid hunters, the same as encounters with any other refuge visitor.

**Moose:** Historically common in Vermont, moose have returned with reforestation of the State during the late 20th Century. It was estimated that only a few dozen moose occupied Essex County in the 1960s. As numbers increased, a permit hunting program was begun in 1993 in WMU E (Essex County). This has since been expanded to other WMUs where moose population goals provide for a sustainable harvest. By 1997, nearly 2,100 moose existed in Vermont, with nearly a quarter of the population in WMU E. By 2008 the moose population was estimated in excess of 1,500 in WMU E (VFWD 2009). During the 2011 hunting season, a total of 92 moose were harvested in WMU E during both the newly instated archery only season and the regular moose season (VFWD 2012). The goal for moose management in WMU E is roughly a population of 1,000 moose (1.75 per square mile) (VFWD 2009).

The highest moose densities in Vermont currently occur in WMU subunit E1, which is 247 square miles in size and includes the entire division. Nearly 1,600 moose were harvested in this sub-unit from the 1993 through 2011 moose hunting seasons. From 2004 through 2011, 111 of these moose were taken from the division alone. The average moose harvest during this period was 0.35 moose/square mile, and in two of these years the harvest density equaled or exceeded 0.5 moose/square mile.

The high moose densities and consequently high harvest rates for sub-unit E1, including the division, combined with the high proportion of undeveloped land open to public access, make this region the most desirable unit to hunt moose for many Vermont hunters. Hunter success rates averaged 71.4 percent in E1 from 2004 through 2011. Permit numbers for E1 reached a peak of 300 in 2008 and 2009 when VFWD was trying to reduce the moose density below biological carrying capacity. This goal was achieved and with the current density estimate of 1.75 moose/square mile, permits have been reduced to 70 for this sub-unit. Since the onset of modern moose seasons in Vermont in 1993, only one moose was harvested in the town of Putney.

Vermont's regular moose hunting season is open for one week beginning on the third Saturday in October. Beginning in 2012 and continuing for the foreseeable future, the moose harvest in subunit E1 is expected to stabilize at around 45 moose annually. In addition, Vermont instituted a special archery-only moose season in 2011, with 50 permits issued Statewide. This 7-day season begins October 1, and permit holders select their desired WMU. Many of the moose archery hunters have selected subunit E1 (27 in 2011 and 17 in 2012), and 7 and 5 E1 moose were taken by archers in 2011 and 2012, respectively. The majority of moose harvested by archers are bulls and consequently the archery take has negligible effect on population dynamics. For this reason, and because regular season permits are expected to remain stable, no measurable changes are anticipated in the moose population on the division in the near future due to hunting. Hunting of moose as stated in the proposed action should have no adverse cumulative effects on their local, regional, or global populations. Furthermore, the VFWD has proposed a realignment of the existing WMUs that will effectively eliminate the likelihood that moose hunting permits will be made available for WMU O, which includes the Putney Mountain Unit. An additional positive impact of moose hunting is to minimize negative effects of browsing on forest regeneration.

**Black Bear:** The black bear is cherished by hunters as a valuable game species for both its meat and pelt. Since 1995, the black bear population has doubled to approximately 5,000 individuals and bears now occupy 80 percent of the State (VFWD 2009). Approximately 500 bears are harvested annually by licensed hunters in the State with substantial numbers of them being taken in the two management units that contain the Nulhegan Basin Division (WMU E) and Putney Mountain Unit (WMU O2). People hunt for many different reasons, but over 90 percent of hunters who were surveyed listed the reason they hunt for black bear was "for food." (Duda et al. 2007).

Black bears are the State's largest predator and have few natural enemies. The VFWD uses regulated hunting as a means of controlling population growth while monitoring the population to ensure that the legal harvest is sustainable. Vermont's black bear plan, 2010–2020 calls for a statewide bear population objective of between 4,500 and 6,000 bears (VFWD 2009). Hunting is a critical tool in maintaining this population objective. Management objectives also revolve around maintaining wild, free-ranging, viable populations of black bear as well as the conservation of large blocks of habitat. There are currently 25 laws and regulations that regulate the harvest, utilization, and sale of bears in Vermont. Black bear season is currently set on a Statewide basis with no regulatory differences among WMUs. The season length is one of the longest in the nation, extending from September 1 to the Wednesday following the opening day of the November deer rifle season. Use of trained hunting dogs to hunt bears is allowed via state issued permit. The bag limit is currently set at one bear per licensed hunter per season. In a 2007 survey of Vermont hunters, 17 percent of all hunters had hunted black bears within the past 5 years (Duda 2007).



Although considered a valuable game species, black bears annually cause extensive agricultural and property damage and are capable of inflicting injuries to humans. Most human injuries have involved bears that had lost their fear of humans. Hunting is used not only as a tool for controlling the population but also as a means of keeping bears wary of humans. A liberal hunting season and the use of trained dogs for hunting are believed to enhance this behavior modification of bears. This reduces the number of bears that might become “nuisance animals,” causing damage to livestock or farmers’ crops, raiding dumpsters, or entering buildings in search of food. Hunting plays an important role in shaping Vermont’s cultural carrying capacity for bears.

**Wild Turkey:** In the late 1960s the VFWD reintroduced wild turkeys to the State. Only 40 years after the reintroduction, turkeys now range throughout the entire State and have successfully exploited Vermont’s mosaic of forestland and dairy farms. Wild turkeys have thrived in Vermont and public participation in turkey hunting has continued to increase. During the past 7 years, 5,200 to 6,900 birds have been harvested annually in a sustainable manner by 15,500 to 17,800 hunters. Turkeys have become a valuable game species in the State and roughly 400 are harvested annually in the WMUs encompassing refuge lands.

The overall goal of wild turkey management in Vermont is to manage the State’s wild turkeys to sustain healthy, abundant populations that will provide hunting and viewing opportunities that will satisfy social expectations and tolerances for turkeys. This management goal aims to sustain an abundant wild turkey population that is truly wild and that is below both the biological carrying capacity of its habitat and the cultural carrying capacity desired by the public. Populations of turkeys that exceed the biological carrying capacity of their habitat can be decimated by diseases (including Avian Pox that can spread to other bird species) and are capable of degrading their habitat. Populations that are allowed to exceed the cultural carrying capacity can cause extensive agricultural damage. U.S. Department of Agriculture Wildlife Services reports that many farms within the Connecticut River valley already sustain damage from wild turkeys to their stored silage and corn crops. Regulated hunting plays an important role in limiting agricultural damage from turkeys.

### **Small Game Species:**

The small game species most pursued on the division include ruffed grouse and snowshoe hare. Limited habitat for eastern cottontail rabbits and gray squirrels restrict hunting interest and hunting pressure on these species and refuge lands. The unit’s habitat provides for small game populations of ruffed grouse, gray squirrel, and eastern cottontail rabbits.

All of the small game species present on the refuge are r-strategist species, demonstrating high productivity and mortality rates, with population densities often tied to the quality of available habitat. Most of the small game species’ populations are positively influenced by increasing percentages of younger forest age classes that provide the mix of cover and foods for these animals. In particular, Essex County within which the division lands occur has 24 percent of its forestland in small diameter and 20 percent in medium diameter size classes (U.S. Department of Agriculture 2011). Consequently, this area has more early successional forestland than any other region of Vermont. This provides a significant high quality habitat foundation to support higher densities of these species. Even so, population fluctuations can be driven by weather, changes in predator populations, and annual fluctuations in food supplies.

**Ruffed grouse:** Ruffed grouse are the most pursued small game species in Vermont. The 2007 hunter survey estimated ruffed grouse were the fourth most popular game species in Vermont with 16 percent of hunters pursuing them within the last 5 years (Duda 2007). While Vermont’s ruffed grouse season runs Statewide from the last Saturday in September to December 31, ruffed grouse hunters hunted this species only a median of 6 days per season. Participation trends showed October is the most popular month for grouse hunting with greatly reduced participation in December. Vermont’s ruffed grouse hunting activity is not considered high enough to negatively influence the natural fluctuations that this species experiences from the other population limiting factors described above (S. Darling pers. comm.).

**Snowshoe hare and Eastern Cottontail:** Vermont’s rabbit season, which includes both snowshoe hare and eastern cottontail rabbits, runs Statewide from the last Saturday in September through the second Sunday in March. An extension of the season to March 31 was instituted in WMUs D1, D2, and E in 2012. The season extension was granted for this and neighboring WMUs because of the superior snowshoe hare habitat conditions in those regions. In particular, the quantity of young forest is especially large in these WMUs (USDA 2011). This represents excellent habitat conditions that should nearly optimize cover and food conditions

for snowshoe hare. For this reason, the extended season length would not negatively influence hare densities. This season extension does not apply to the Putney Mountain Unit. Approximately 12 percent of Vermont hunters have pursued rabbits according to the most recent hunter survey (Duda 2007).

**Gray squirrel:** Gray squirrel populations are considered cyclic in nature, fluctuating widely with mast production and periodic spikes in population that result in significant emigrations. Hunting mortality is compensatory and generally not considered a factor in controlling squirrel populations (Edwards et al. 2003). The Vermont gray squirrel season occurs Statewide from September 1 through December 31. Duda (2007) indicated that approximately only 7 percent of Vermont hunters had pursued gray squirrels within the preceding 5 years. This low participation rate, coupled with the cyclical nature of squirrel populations indicates that hunting levels on the refuge are too low to negatively impact populations. Gray squirrel populations are present on the Putney Mountain Unit and the more mature forestland of red oaks and beech offer suitable fall food supplies that can provide for higher, more sustainable densities of gray squirrels.

### **Migratory Birds:**

Migratory birds are managed on a flyway basis and hunting regulations are established in each state based on flyway data. Atlantic Flyway and State of Vermont regulations would apply. The total numbers of birds in the flyway is reduced as a result of hunting on refuge lands, but would certainly be within allowable limits as determined by State and Federal agencies. Disturbance to non-target birds and resident wildlife would likely occur from hunting and associated hunter activity, but would be short-term and temporary. Waterfowl hunter activity is light (estimated at fewer than 20 visits per year) due to a lack of accessible waterfowl habitat and therefore has little impact on nontarget species, habitats, or other refuge visitors. Effects of woodcock hunting are similar to those of ruffed grouse (above).

### **Furbearing Species:**

The hunting of furbearers in Vermont is a long standing tradition. Furbearer hunting in Vermont is highly regulated and is restricted to raccoon, coyote, fox, muskrat and bobcat. Populations of these species are monitored annually via the close examination of certain indices such as harvest numbers, sex/age ratios, catch per unit effort and pelt sales (VFWD 2012). Although much of this information is gathered from trapping records, all data indicate healthy and sustainable populations of these species under current harvest regimes, including hunting. Furthermore, the analysis of annual harvest records allows furbearer resource managers to not only foresee potential issues for these species and to react accordingly, but also to revise harvest regulations as necessary in order to ensure viable populations into the future.

Because the furbearer hunting seasons are largely set at a time of year when pelts are prime and of highest value, the harvest of furbearers during the regulated hunting seasons provides citizens an opportunity to utilize these sustainable, renewable fur resources. Several of these furbearing species are commonly viewed as nuisance animals as a result of their feeding behavior, which can conflict with the interests of humans. State statute allows landowners to resolve nuisance furbearer issues on their property, including by lethal means. This annually results in the taking of furbearers by unregulated and unmonitored means and contributes to the waste of an otherwise valuable fur resource because these animals are commonly taken out of season when their pelts are of limited value. Although nuisance furbearer activity is limited on refuge lands, the regulated hunting of furbearers on the refuge may contribute to the reduction of nuisance wildlife activity occurring on adjacent lands and, therefore, help to minimize the waste of this sustainable resource.

**Coyote:** The coyote is distributed Statewide and is considered abundant (VFWD 2012). The coyote population will likely remain relatively constant unless a higher-order predator becomes reestablished.

Some members of the public have a desire to control or eliminate coyote populations, based on their presumption that coyotes are limiting deer populations. However, hunting and trapping has little to no effect in determining Statewide coyote population levels. A Maine study found that there would need to be mortality rates greater than 70 percent in order to reduce the coyote population (Jakubas 1999).

During the past 20 years, the annual coyote harvest has ranged between 600 and 800 animals, although effort has varied widely. No measurable changes are anticipated in the coyote population on the refuge lands in the near future due to hunting. Hunting of coyotes as stated in the proposed action should have no adverse cumulative effects on their local, regional or global populations.

Distemper, sarcoptic mange, and rabies are common diseases sometimes found in coyote populations at higher densities. Maintaining the currently stable coyote population with hunting can aid in stemming the spread of disease. Additional potential positive impacts of hunting coyotes would be a localized, temporary reduction in coyote numbers, which may alleviate the effects of nest depredation by coyotes on resident and migratory birds, as well as predation on white-tailed deer and potentially neighboring livestock.

**Red Fox:** Red fox populations are distributed Statewide and considered to be abundant and stable (VFWD 2012). Historical records indicate that their population has had continuous growth since the early 1800s as agriculture and logging began to create red fox habitat.

Red fox are hunted, but most take of this species in Vermont is from trapping. Harvests across the State of Vermont have increased over the previous decade. No measurable changes are anticipated in the red fox population on refuge lands in the near future due to hunting. Hunting of red fox as stated in the proposed action should have no adverse cumulative effects on their local, regional or global populations.

Distemper, sarcoptic mange, and rabies are common diseases sometimes found in red fox. Hunting of red fox may aid in stemming the spread of disease (Sterner and Smith 2006). The ability to control and/or maintain their population through hunting can reduce the risk of diseases spreading to other species. Additional potential positive impacts of hunting red fox would be a temporary, localized reduction in fox numbers, which may alleviate the effects of nest depredation by foxes on resident and migratory birds.

**Raccoon:** Given the division's boreal climate, raccoon are rare and any hunting take is low and perhaps unlikely. Raccoon are more common in southern Vermont, and hence more likely to be pursued at the Putney Mountain Unit. Following State regulations based on data indicating at least stable populations, the Service concludes that it is highly unlikely that the harvest of this species will have any direct significant impact to local or regional populations.

The raccoon population is stable and healthy, and any harvest on refuge lands has been and is expected to remain small, and therefore have no effect on the Statewide population (VFWD 2012).

**Bobcat:** The bobcat is a trapped and hunted species that is distributed Statewide. Hunting accounts for roughly one-third of the annual harvest. The overall harvest has increased during the past decade, from approximately 74 per year during the first half of the decade to 89 annually in the second 5 years.

No measurable changes are anticipated in the bobcat population on refuge lands in the near future due to hunting. Hunting of bobcats as stated in the proposed action should have no adverse cumulative effects on their local, regional, or global populations.

### **Miscellaneous Game Species:**

**Porcupine, Skunk, and Woodchuck:** Hunting for porcupine, skunk, and woodchuck in Vermont is most often incidental to hunting other species. Some wildlife species compensate for decreased number (harvest) by increasing reproductive output. Davis et al. (1964), found that removal of large numbers of woodchucks from a population resulted in a decrease of other mortality factors on the population, increased birth rate, and increases in immigration. Thus, the population size remained stable even though three times as many woodchucks were removed from the treatment as from the control area. The populations of striped skunk, porcupine, and woodchuck are stable and healthy, and the harvest on refuge lands is expected to be very small, and primarily an incidental harvest while hunting other species (VFWD 2012).

### **Endangered, Threatened, and Other Non-game Species:**

Anticipated direct, indirect, and cumulative impacts to the refuge's endangered species, threatened species, and non-game species are described below. The Service's New England Field Office will review this action as part of an intra-Service Section 7 consultation under the ESA (16 U.S.C. 1536). Concurrence with a determination of "may affect, not likely to adversely affect" is anticipated.

### *Canada lynx*

Canada lynx are the sole federally listed species to occur on the division. The historic record of Canada lynx occurrence in Vermont is scant; there are only five records of lynx from the period 1797 to 1968, and there is no historical evidence of a breeding population (Kart et al. 2005). Recent lynx occurrence in Vermont has been documented since 2006, and breeding was first documented in 2009. To date, evidence of lynx reproduction in Vermont (corroborated via the genetic testing of biological matter collected during winter track surveys) has been documented in 2009, 2011, and 2012; all instances at the division (R. Cliche, USFWS, pers. comm.). Based on these sightings and other survey work conducted within the State, the division is thought to support Vermont's only known population of breeding lynx.

Lynx require boreal forest landscapes supporting a mosaic of differing successional forest stages that contain snowshoe hares and their preferred habitat conditions. Such conditions include dense understories of young trees, shrubs or overhanging boughs that protrude above the snow, and mature multistoried stands with conifer boughs touching the snow surface; winter conditions that provide and maintain deep fluffy snow for extended periods of time; sites for denning that have abundant coarse woody debris, such as downed trees and root wads; and matrix habitat (e.g., hardwood forest, dry forest, non-forest, or other habitat types that do not support snowshoe hares) that occurs between patches of boreal forest in close juxtaposition (at the scale of a lynx home range) such that lynx are likely to travel through such habitat while accessing patches of boreal forest within a home range (Federal Register 2013).

Canada lynx populations are dependent on landscapes containing relatively high snowshoe hare populations. However, snowshoe hare populations are prone to cyclic changes in abundance with years of high snowshoe hare abundance being followed by population crashes that result in years when they are relatively scarce. During these times of low snowshoe hare abundance, Canada lynx may cease reproducing or even abandon areas (Federal Register 2013).

As demonstrated by recent breeding records in northern Vermont, the physical and biological features essential to lynx are present in sufficient quantity and spatial arrangement to support several lynx home ranges, at least temporarily. However, because Vermont is located at the species' southern range limit, it remains uncertain whether the area contains the features in adequate quantity and spatial arrangement to support a persistent population. Based on their recent arrival and lack of historic information, we expect the lynx population at the division to be ephemeral.

The greatest concerns involve the hunting of bobcat with hounds and the presence of bear hounds, bobcat hounds, and beagles during the annual training season that begins June 1; lesser concerns involve potential pursuit by bear hounds beginning with the September 1 general bear hunting season. Hunting bobcat with hounds is of concern because it is assumed that dogs cannot discriminate between bobcat and lynx scent. The concern is alleviated somewhat by the likely presence of snow and the ability of hunters to discern between the species' tracks during the January-February bobcat season and recall their dogs. However, the potential exists for take to occur if the dogs mistakenly pursue a lynx. In order to address this concern, potential impacts will be addressed by maintaining a contact list of those participating in dog training and hunting with bobcat and bear pursuit hounds on the refuge—providing us a means to share outreach materials and pertinent new information and alerts relating to lynx and their habitat as they arise. The refuge will continue to advise hunters of the presence of lynx and will work with VFWD in providing outreach materials and special considerations to follow while hunting in lynx habitat. The VFWD already provides a bobcat/Canada lynx comparison guide in their annual hunting digest.

The hunting of coyote with pursuit hounds is of lesser concern—very few coyote hunters employ hounds and for those who do, winter is the preferred season when deep snow conditions provide an advantage to the hounds (C. Bernier, VFWD, pers. comm.). As with bobcat hunting, the ability to discern tracks in snow enables the hunters to release their dogs on the target species, to monitor the pursuit, and to recall their dogs if they give chase to a non-target animal. Because lynx breed in March and April, it is conceivable that a breeding pair could be disturbed by a coyote pursuit hound. However, lynx possess a distinct advantage in traversing snow and are therefore not expected to suffer any noticeable harm. As with the use of other pursuit hounds, we will maintain a contact list of those hunting coyotes with hounds in order to share information that can help minimize potential conflicts with lynx.



Hunting with beagles is of little concern as a direct impact to lynx; by the time of the late-September snowshoe hare hunting season, Canada lynx kittens are expected to be mobile and capable of evading beagles. In addition, beagles are generally not trained to remain with treed game (animals that seek refuge from pursuit by fleeing up a tree) and are expected to leave any Canada lynx soon after they seek refuge in a tree. We expect these events to be rare and of short duration, and not result in harm or harassment to an extent that take is anticipated. While the hunting of hares targets a primary prey item of lynx, the abundance of snowshoe hare habitat on the division and the fact that hare hunting has occurred at what appear to be stable levels of effort preceding and following the first observations of lynx, it is believed that hare populations are adequate to support breeding lynx and kittens.

With regard to the dog training season beginning June 1, no data exist that assess impacts of hounds on lynx, however lynx biology, behavior, and observations regarding the training of bear hounds, bobcat hounds, and beagles suggest that there may be some conflicts. The life history of lynx presents a number of factors that indicate the use of hounds during spring and early summer may expose lynx to incidental take. Lynx in the southern portion of their range breed in March and April with parturition occurring in late May to early June. Their altricial kittens are typically born in dens comprised of tip-up mounds created by blown down trees within areas of dense vegetation. Kittens remain in the den until they are approximately 5 weeks of age. While kittens are in the den, the female lynx typically restricts her travels so as to remain in close proximity to the den while making periodic visits to feed and care for the young. Kittens typically remain with the mother through the first 9 months, departing when the next breeding season approaches. During this time, kittens are dependent on their mothers while they develop their own hunting skills. Again, the potential for incidental take would be addressed by maintaining a contact list of individuals engaged in dog training on the refuge, thereby allowing for the sharing of species identification traits, life history information, and a means for rapid communication of key information, such as the discovery of a den site. Additional conservation measures to avoid take of lynx would be derived by studying lynx usage patterns. Our discussion on impacts to lynx is based on existing information. As we further monitor lynx activities on the division, and better understand hound usage levels and potential impacts, the administration of dog training will be subject to further refinement.

#### *Northeastern bulrush*

The federally endangered northeastern bulrush is the only federally listed or proposed species known to occur on the unit. It is a wetland-dependent plant. Recent surveys have failed to document its presence; no above-ground growth was observed possibly due to persistent dry conditions (B. Popp, VFWD, pers. comm.). Little is known about the habitat requirements for this species, but it appears to have adapted to fluctuating water levels (USFWS 2006). In addition, populations have been known to return to an area once hydrological conditions improve (B. Popp, VFWD, pers. comm.). It is not expected that hunting would have any greater effect on this species than that of people walking across the unit for other purposes; trampling is perhaps a potential effect, but given its wetland habitat, such instances would be extremely rare. Hunting as proposed was found to not effect Northeastern bulrush in the intra-Service Section 7 consultation on the 2012 hunt opening package.

#### *Spruce Grouse*

Spruce grouse is the only State-listed endangered bird species found on the division. In fact, Vermont's only viable breeding population of spruce grouse is mainly located on the division. In this region, their preferred habitat is multi-structured lowland areas dominated by spruce, balsam fir, and tamarack. Their diet is dependent on the availability of needles from these preferred tree species; especially in the fall and winter when other food sources, such as blueberries and insects, are not available (Alexander et al. 1993).

Some overlap exists between ruffed grouse and spruce grouse range on the division. The potential for a ruffed grouse hunter to mistakenly shoot a spruce grouse exists and could potentially interfere with recovery efforts. However, outreach in the form of true-color, informative signs depicting the difference between the two species placed in key locations on the division as well as a column in the annual VFWD hunting digest and frequent news releases appears to be mitigating the potential for inadvertent loss. Based on spring breeding surveys conducted by VFWD, spruce grouse numbers in the Nulhegan Basin (including the adjacent Wenlock WMA) appear to be governed more by habitat quality and distribution than by incidental hunting mortality (J. Buck, pers. comm.).

### *Little Brown Bat*

The little brown bat was State-listed as endangered in 2011 as a result of the devastating disease white-nose syndrome. Statewide populations have declined an estimated 90 percent or more as a result of the disease. The little brown bat hibernates in caves and mines and the females migrate to summer maternity colonies located in buildings and, less often, dead or dying trees. Summer mist-net surveys conducted in nearby Charleston (Nulhegan Basin Division) and Townsend (Putney Mountain Unit) captured this species.

### *Northern Long-eared Bat*

The northern long-eared is listed as federally threatened and State-endangered due to similar white-nose syndrome-related population declines. This is a forest-associated bat that roosts in dead and dying trees. Summer mist-net surveys conducted in nearby Charleston (Nulhegan Basin Division) and Townsend (Putney Mountain Unit) captured this species. We anticipate that hunting will have no effect on northern long-eared bats, but we will continue to consult with Service endangered species staff with the New England Field Office to ensure there are no negative impacts to this species.

### *Small-footed bat*

The small-footed bat is listed as State-threatened due to its low abundance throughout the State. The bat hibernates in caves and mines during the winter, but is documented to roost in cliffs and ledges during the summer maternity colony season. Recent mist-net surveys in Townsend (near Putney Mountain Unit) documented the species in the vicinity of the unit.

Consultation with VFWD, as the relevant regulatory agency, has determined that the three State-listed bat species and spruce grouse will not be negatively impacted by a public hunting program (S. Darling, pers. comm.).

With regard to other non-game species, the maintenance of herbivore populations at sustainable densities will promote a forest vegetative community with successful regeneration and a robust understory, thereby fostering a balanced faunal community. The overall species diversity of the refuge is not expected to be diminished by this hunting alternative.

Disturbance to non-hunted migratory birds would likely be minimal at the regional, local, and flyway scale. Regional and flyway effects will not be applicable to species that do not migrate such as most woodpeckers, and some songbirds such as cardinals, titmice, wrens, chickadees, etc. Disturbance by hunting to non-hunted migratory birds is not expected to have detectable cumulative negative impacts because most hunting seasons do not coincide with the nesting season. Long-term future impacts that could occur if reproduction was reduced by hunting are not relevant for this reason. Disturbance to the daily wintering activities, such as feeding and resting, of birds may occur. Disturbance to birds by hunters is probably commensurate with that caused by non-consumptive users.

The remaining concern is related to disturbance of ground nesting songbirds during the dog training season beginning June 1, in addition to grouse species and woodcock. Unless the dogs are directly destroying nests or causing mortality of adults, which is unlikely, the birds would probably acclimate to this level of disturbance without abandoning nests or having other major impacts. Therefore, this type of activity probably impacts some birds, but an insignificant and perhaps immeasurable number. It is anticipated that dog training would result in short-term and sporadic wildlife responses such as temporary flushing of ground nesting birds, perching birds, and mammals (R. Dettmers, USFWS, pers. comm.). Additional affects may include the minor trampling of vegetation, introduction of pathogens in feces (Sime 1999), and occasionally direct harm to wildlife by a young, inexperienced dog.

Cumulatively, hunter disturbance to non-hunted resident wildlife may be slightly negative; however, such an impact is unlikely because of the timing of the hunt. The hunts will occur during a time of the year when small mammals, reptiles, amphibians, and invertebrates are inactive and thus the likelihood of hunter interaction is rare. Any isolated encounters with small mammals, reptiles, amphibians, and invertebrates should not have cumulative negative effects on populations.

### *User Conflict*

Given the well-established tradition of hunting on these refuge lands, conflicts with other recreational users are not anticipated due to the season of the year, traditional uses of the lands and general culture of the area, and precautions outlined in the existing Refuge Public Hunt Plan (USFWS 2013). All recreational users have equal access to refuge lands and the various user groups have historically coexisted. Furthermore, hunting is the predominant public use during the fall and hunters are highly dispersed across the refuge landscape. In an effort to limit potential interactions with the non-hunting public, additional precautions involving general ingress and egress via gravel roads were outlined in the following “Stipulations Necessary to Ensure Compatibility” section.

The overall impacts of this use were fully reviewed and discussed in the “Environmental Assessment, Public Hunting on Silvio O. Conte Refuge lands in Vermont” (USFWS 2012). Please refer to this document for a full discussion of direct, indirect and cumulative impacts for this use.

### **Effects of Dogs/Dog Training:**

There is an increasing amount of research on the effects of domestic and feral dogs on wildlife (Miller et al. 2001, Young et al. 2011). Nature based human recreation is becoming increasingly popular in North America (Lenth et al. 2008) and can have a wide range of effects on wildlife, from altering the physical environment, to the response of the species themselves (Steidl and Powell 2006). The response of a species to a disturbance caused by recreation can range from short-term behavioral responses to long-term demographic responses. How much an activity affects wildlife will vary with length, regularity, amount, position, and timing of the activity as well as the species itself (Steidl and Powell 2006, Stevens et al. 2011). Within each species, changes in response may result from differences in individual characteristics such as: age, sex, size, physical condition, reproductive status, and habitat characteristics such as: season, abundance of alternative habitat, and an area’s disturbance history (Stevens et al. 2011).

Domestic dogs often accompany outdoor recreationalists, both on a leash and off, and can have a variety of effects on wildlife. While some of the following species are not found on the refuge, the behavioral effects of dogs on endemic wildlife can be expected to be similar. The effects include increased heart rate and flushing distance of bighorn sheep (MacArthur et al. 1982), increased flush distance of golden plovers (Yalden and Yalden 1990) and marmots (Mainini et al. 1993), increased alert and flush distance of mule deer (Miller et al. 2001), and decreased mule deer, squirrel, rabbit, chipmunk, mouse, and bobcat activity near trails (Lenth et al. 2011) when compared to a pedestrian traveling without a dog. However, some species such as red foxes, woodlarks, and robins do not increase their activity or flushing distance in response to dogs (Miller et al. 2001, Mallord et al. 2007, Lenth et al. 2011). Miller et al. (2001) hypothesized that the difference in response of birds and mammals is an outcome of the differences in the perception of potential predators such that birds may have a reduced response to dogs alone because they are not traditional predators whereas domestic dogs resemble coyotes and foxes, which are natural predators of mammals. In addition, Lenth et al. (2011) suggested that wildlife may adjust their temporal activity patterns to co-exist with high levels of human recreation and dogs.

However, the previously mentioned studies, which constitute the preponderance of dog-wildlife impact research, only address the influence of dogs on designated trails such as those found in urban and suburban parks where dogs are confined to a delineated travel corridor. Training of hunting dogs on the division occurs in a densely forested landscape with few designated hiking trails. Therefore, it is highly unlikely that hunting dogs would travel the same ground twice and the inferences made from the previously mentioned studies to the effects of hunting dogs on wildlife may have only limited relevance. The limited studies available regarding the effects of hunting hounds on non-target wildlife found that white-tailed deer and wild turkey may be displaced from their home ranges only to return the next day or sooner (Sweeney et al. 1971, Lowry and McArthur 1978, Reed and Guynn Jr. 1990). In addition, studies investigating the effects of bear hounds on bears found that adult bears were displaced from their home ranges and returned the next day unharmed, and that cubs climbed trees to escape dogs and were unharmed (Allen 1984, Massopust and Anderson 1984, Elowe 1990).

### **Effects of Bear Hounds:**

The training of bear hounds is currently known to occur only at the Nulhegan Basin Division. Based on average home range sizes that can range from 16 to 68 square miles for females and males, respectively (Alt et al.

1980), the division can support several adult black bears and cubs. As reported by houndsmen, it is also likely that bear density on the division is greatest during spring and early summer given that bears tend to favor agricultural lands in the Connecticut River valley later in summer and into fall.

In the typical course of an outing, a houndsman will slowly drive the division's roads with several dogs riding in the rear of a pickup truck, attempting to pick up the scent of a bear. When the dogs pick up the scent, they are released to begin the pursuit and the houndsman follows their progress by sound (barking) and by use of a tracking collar. The hunt can cover many miles and last hours, with the bears potentially traveling off the division or bears running onto the division from surrounding private lands. The pursuit ends when the bear is treed, the hounds lose the scent, or the hounds tire of the chase.

We do not have estimates for the number of handlers using the division, but can assume that at most two or three handlers may be on the division at one time. This would equate to 12 to 18 dogs within a division encompassing more than 26,000 acres. As a result, bear hound training is likely well dispersed over the division with negligible concentrated use, which would result in very low levels of vegetation disturbance and only incidental disturbance to wildlife. Likewise, the active hunting of bears with pursuit hounds beginning with the September 1 annual season is also widely dispersed. Although the extent of such hunting has not been quantified, handlers have described a generally low level of effort on the division given the relatively greater use of agricultural areas by bears during the fall hunting season. The effects of hunting with bear hounds is expected to be no different than those anticipated during the training season with the exception of a greatly reduced source of disturbance to migratory birds given that most such birds would have departed.

### **Effects of Bobcat Pursuit Hounds:**

The Nulhegan Basin Division represents the most likely current refuge land base where the training of bobcat pursuit hounds could occur. Bobcats occur on the division, but no assessment has been undertaken to determine their abundance, habitat quality, or prey availability. Statewide, the 10-year average annual harvest is 27 bobcats via hunting, which accounts for roughly one-third of the total annual harvest (VFWD 2012). Based on staff observations, it is not believed that the training of bobcat pursuit hounds is a common occurrence, although the activity would follow many of the same mechanics described for bear hounds above. Given the presumed low intensity of the activity, as well as, its dispersion across a large land base, it is believed that such activity would result in very low levels of vegetation disturbance and only incidental disturbance to wildlife.

Hunting bobcat with pursuit hounds could result in conflicts with Canada lynx given the presumed inability of a hound to distinguish between the two species based on scent. Potential impacts and suggested avoidance and conservation measures intended to avoid take of lynx are presented above in the section involving effects to lynx.

### **Effects of Coyote Pursuit Hounds**

Although this use has not been documented by staff and is certainly not a common use, the potential exists at the division given its setting. While the division possesses characteristics that would support its desirability for hunting coyotes with pursuit hounds: relatively high coyote population, land open to hunting, and an extensive and lightly trafficked land base (C. Bernier, VFWD, pers. comm.), accessibility after December 15 is limited to snowmobiles (provided adequate snow cover exists), which may prove infeasible for transporting and managing multiple hounds. It is presumed that coyote hunters using hounds are dependent on identifying fresh sign and therefore are most likely to choose a season with snow on the ground (Willette 2011). The hounds pursue the coyote until it tires and they are able to surround it, allowing the hunter to approach for a shot. Aside from an incidental chase, effects to non-target individuals are expected to be minimal because the hunter can monitor the pursuit and recall the hounds if they strike on a species other than coyote. Given the presumed infrequency of the activity, as well as, its dispersion across a large land base, it is believed that such activity would result in only incidental disturbance to wildlife and very low levels of vegetation disturbance.

### **Effects of Beagles (Snowshoe Hare):**

Snowshoe hare prefer young stands of spruce-fir forest for foraging and predator escape, and therefore beagle training would be concentrated in relatively few areas on the division. Unlike bear hound training, beagle training is confined to the dense spruce-fir areas because hare do not range as widely as black bear and stay



within the dense vegetation for its forage and predator escape cover. The June 1 start of the training season coincides with the early portion of the songbird nesting season, which is one of the division's principal biological values. However, canids are not a common predator of the majority of songbirds which perch and nest in the branches of trees high off the ground. Therefore, the presence of dogs in the area is not likely to adversely affect the behavior of these songbird species. However, the regular activity of beagles within fairly discrete areas may cause a flushing response in ground-nesting songbirds, as well as, spruce grouse, a State-listed species whose habitat overlaps with snowshoe hare. The effects of this flushing response may be minimized given that it is a natural defense behavior against predators such as coyote, red fox, fisher, bobcat, and weasel. Consequently, flushing from hunting dogs may not be considered an unnatural behavior for spruce grouse and other ground-nesting birds, and therefore of lesser concern. Although greater than with bear hounds because of its concentrated occurrence, the potential for vegetation disturbance is not anticipated to be significant.

As with hunting with other pursuit hound breeds, the effects of hunting with beagles is expected to be no different than those anticipated during the training season with the exception of a greatly reduced source of disturbance to migratory birds given that most such birds would have departed by the late September hare season.

### **Effects of Bird Dogs:**

The June 1 start of the training season coincides with the early to mid-point of nesting season for ground nesting songbirds and game birds such as woodcock and ruffed grouse. By this time, many chicks would have hatched and some would have fledged. Therefore, the presence of dogs and the training routine, which would otherwise most likely cause birds to flush from their nests or otherwise disturb them, is of modest concern. Also, while damage to nests has not been documented, the potential for any such effects by bird dogs is negated. Ground nesting birds have a variety of potential natural predators including coyotes, red foxes, fisher, and weasels and flushing/temporary displacement is a natural response of birds to avoid predators. Based on observations by staff, this type of training is infrequent; likely fewer than four outings per month. Therefore, any flushing caused by hunting dogs is a rare occurrence and may be viewed as a natural response, not one caused specifically by dog training. Just as with other forms of dog training, there is some potential for vegetation disturbance; however, any such impact is expected to be immeasurable.

The hunting of grouse and woodcock with dogs is a popular activity, particularly at the division. Incidental flushing of resident bird species is expected, although the effects are anticipated to be minimal given that this is a natural defense behavior to mammalian predators. The potential for vegetation disturbance is not anticipated to be significant.

### **Summary of Wildlife Effects:**

Potential impacts to Canada lynx are the greatest wildlife-related concern; this is heightened with the training of wide-ranging pursuit hounds during the lynx denning period. Such potential impacts will be addressed by maintaining a contact list of those participating in dog training and hunting with bobcat and bear pursuit hounds on the refuge—providing a means to increase awareness of lynx and their habitats and a way of contacting users should new information arise. Additional avoidance and conservation measures intended to avoid take would be derived by studying lynx usage patterns. Our discussion on impacts to lynx is based on existing information. As we further monitor lynx activities on the refuge, and better understand hound usage levels and impacts, the administration of dog training will be subject to further refinement.

The remaining concern is related to disturbance of ground nesting songbirds, in addition to grouse species and woodcock. Unless the dogs are directly destroying nests or causing mortality of adults, which is unlikely, the birds would probably acclimate to this level of disturbance without abandoning nests or having other major impacts. Therefore, this type of activity probably impacts some birds, but an insignificant and perhaps immeasurable number. It is anticipated that allowing dog training would result in short-term and sporadic wildlife responses such as temporary flushing of ground nesting birds, perching birds, and mammals but that these would not have a negative impact overall on resident wildlife or migratory birds or the habitats they occupy. (R. Dettmers, USFWS, pers. comm.). Additional affects may include the minor trampling of vegetation, introduction of pathogens in feces (Sime 1999), and occasionally direct harm to wildlife by a young, inexperienced dog.

## **PUBLIC REVIEW AND COMMENT:**

This compatibility determination was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

## **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

## **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

The hunt program would be managed in accordance with Federal and State regulations. The hunting program would be reviewed annually to ensure management goals are achieved to ensure the program is providing a safe and high-quality hunting experience for participants.

During the hunting season, we will provide a law enforcement presence to ensure safety and compliance and post a notice at public entrances and trailheads reminding users that the hunting season is open and recommend wearing "hunter" orange.

In addition to VFWD regulations the following stipulations will apply:

- (1) Shooting across, over, or within 10 feet of the traveled portion of any gravel road contemporaneously open to motor vehicle travel is prohibited in the interest of public safety (50 CFR 25.71 and 32.2 (l)).
- (2) We allow only temporary tree stands and you must remove them (see 50 CFR 27.93) by the end of the final deer season. Your name and address must be clearly visible on the tree stand. We prohibit nails, screws, or screw-in climbing pegs to build or access a stand (See 50 CFR 32.2(i)).
- (3) You must remove all blinds, decoys, shell casings, and other personal equipment and refuse from the refuge at the end of each day (see 50 CFR 27.93 and 27.94).
- (4) We allow the use of retrieving, flushing, pointing, and pursuit dogs, however dogs must be under control as is reasonable and customary for that activity, such as voice command and/or remote telemetry (see 50 CFR 26.21).
- (5) In order to monitor and mitigate potential disturbances to wildlife and neighboring land owners, any nighttime hunting (e.g., raccoon, coyote) will require a SUP issued by the wildlife refuge manager.
- (6) We prohibit the use of all-terrain vehicles (ATV's or off road vehicles).
  - We maintain a safe hunt by establishing safety/no hunt zones around refuge residences, buildings, and high-use public use trails, as necessary.
  - Hunting outside of regular refuge hours requires a SUP.
  - Provide visitors with general information on the hunting program and refuge-specific and State regulations through the refuge website, information signs, and a hunting brochure.
  - In all materials related to the hunting program, promote and encourage the use of lead-free ammunition.
  - Work with the State to identify and evaluate the impacts associated with requiring the use of non-toxic ammunition for hunting on refuge lands.

In order to protect Canada lynx during any potential interactions with hounds:

- The refuge and/or VFWD will maintain a contact list of those individuals training and/or hunting with pursuit hounds (bobcat, bear, coyote) on the refuge, as well as those training beagles.

Such list will provide an opportunity to share information regarding the identification of lynx and their sign and proper conduct when lynx are present (e.g., leashing and removing hounds from the area) as well as a means to contact users immediately should critical information become available (e.g., the discovery of a lynx den).

Given the uncertainty regarding the continued presence and breeding status of lynx at the Nulhegan Basin Division and the need to communicate lynx-related information with users, additional investigations will occur as part of the division's annual operations. Specifically, in collaboration with Service and VFWD personnel, scientific information regarding the status of lynx on the division will be collected by employing a combination of the following:

- Surveys to assess relative abundance of snowshoe hares, which may help managers to determine if adequate prey resources to support lynx reproduction are available.
- Snow track surveys to determine if lynx are present during late winter, which will indicate that Canada lynx have established home ranges on the division.
- Camera trap surveys to determine if lynx are present during periods of no snow cover.
- Telemetry studies of lynx to identify activity patterns, use areas, and important habitat features, such as denning sites.

In the future, the use may be restricted in timing and/or extent based on observations relating to the presence of lynx and potential impacts of the use to their life functions.

### **JUSTIFICATION:**

Hunting, when compatible, is defined as one of the priority public uses of the Refuge System by the National Wildlife Refuge System Improvement Act of 1997. Public hunting on Conte Refuge lands in Vermont will not have any significant impacts on the refuge environment, populations of hunted species, adjacent lands, or nearby residents. The refuge environment includes soils, vegetation, air quality, and water quality. Some disturbance to the soils and vegetation is expected in areas open to hunting, but impacts will be minimal due to the dispersed nature of the activity and the fact that soils are typically frozen and vegetation is dormant during most State hunting seasons. Hunting will benefit the composition, structure, and resiliency of the vegetation by keeping resident herbivore populations in balance with the carrying capacity of the habitat.

Disturbance to non-game wildlife will occur, however the impact will again be lessened because of the time of year hunting is permitted. Because the use is necessarily spatially dispersed and it occurs over the duration of the various State hunting seasons, any disturbance impacts will be tempered over an extended period of time and a larger area. These disturbance impacts will not materially affect the refuge's ability to fulfill its overall obligations to protect, conserve and manage fish, wildlife, or plant species as directed by the mission of the Refuge System or the refuge's legislated purposes. As documented in the intra-Service Section 7 consultation, hunting may affect, but is not likely to adversely affect any Federal-threatened or endangered species utilizing refuge lands. Likewise, the VFWD has concluded that a hunting program will not adversely affect any State-listed species.

Allowing hunting will provide a valued and traditional recreational opportunity to both local residents, people from across the State, and individuals from locations across the country. This activity and program produces a positive impact on refuge population and habitat management objectives, and purchases of food, fuel, lodging, and supplies contribute to the local economy.

Based on wildlife surveys and population estimates conducted by the State as well as the Service (in regards to migratory birds), wildlife which are harvested on refuge lands generate surplus populations and are able to sustain regulated harvest without impacting local or regional populations. Both the State and Service review harvest information annually to assess impacts on population levels and adjust, if necessary, regulations, take limits, and season lengths to assure the sustainable management of the species at the population level. Hunting does result in the taking of many individuals within the overall population, but restrictions are designed to safeguard an adequate, sustainable, and resilient breeding population from year to year. Hunting under State and Federal guidelines, as well as refuge-specific regulations, will not impact the populations of resident wildlife or migratory birds that the refuge protects and will not have adverse effects on the overall conservation of wildlife or their habitats on refuge lands. Based upon State and Federal regulations, the hunting program will operate under sound wildlife management principles and is in the public interest as directed under 50 CFR 32.1.

With regard to dog training, the outcome of the use is expected to be minimal trampling of vegetation and temporary displacement of wildlife, neither of which are expected to have long-term negative impacts on populations. The ability to communicate with houndsmen would allow for the sharing of lynx-related information and best practices when handling dogs in lynx habitat. If it is suspected that dog training may be having a negative impact on wildlife, the Service may propose a targeted research project to investigate the cause and effect of dog training on wildlife, which may lead to changes in or restrictions of the use. However, it is anticipated that dog training would not have a negative impact overall on resident wildlife or migratory birds (R. Dettmers, USFWS, pers. comm.) or the habitats they occupy.

In summary, the refuge hunt program on refuge-administered lands in Vermont will not have any appreciable impacts on the populations of hunted species, to the refuge environment, to other refuge users, to adjacent lands, or to nearby residents. By permitting public hunting the refuge is fulfilling the mission of the Refuge System by administering refuge resources for the benefit of present and future generations. For these reasons, we have determined that hunting will not materially interfere with nor detract from the fulfillment of the Refuge System mission or the purposes of the refuge.

**SIGNATURE:**

Refuge Manager: \_\_\_\_\_

*Andrew C. Freund*      *1-18-17*  
(Signature)      (Date)

**CONCURRENCE:**

Regional Chief: \_\_\_\_\_

*Sam B. Kern*      *1/18/17*  
(Signature)      (Date)

**MANDATORY 15-YEAR RE-EVALUATION DATE:**

*1/18/2032*

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## COMPATIBILITY DETERMINATION

### USE:

Interpretation, Environmental Education, Wildlife Observation, and Wildlife Photography

### REFUGE NAME:

Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge)

### DATE ESTABLISHED:

October 3, 1997

### ESTABLISHING AND ACQUISITION AUTHORITY(IES):

- Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212).
- Migratory Bird Conservation Act of 1929.
- Land and Water Conservation Fund Act of 1965.

### REFUGE PURPOSE(S):

- To conserve, protect, and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife.
- To conserve, protect, and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge.
- To protect species, listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 (ESA) as amended (16 U.S. 1531 et seq.).
- To restore and maintain the chemical, physical, and biological integrity of wetland and other waters within the refuge.
- To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands.
- To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

### NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

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.

### DESCRIPTION OF USE:

#### **(a) What is the use? Is it a priority public use?**

The uses are interpretation, environmental education, wildlife observation, and wildlife photography. All four of these uses are priority uses of the National Wildlife Refuge System (Refuge System) under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57). Visitors access the refuge and conduct these uses by walking, hiking, snowshoeing, cross-country skiing, bicycling on public roadways, and driving

motor vehicles (street registered vehicles) on public roads. On refuge divisions and units that allow boating and/or snowmobiling, some visitors engaged in these uses may access the refuge by boat or snowmobile. These uses are proposed on Conte Refuge to increase the public's knowledge, understanding, and appreciation of the refuge's natural resources and wildlife. By participating in these uses, we hope that visitors will support the refuge and Refuge System and be inspired to conserve natural resources.

**(b) Where will these uses be conducted?**

Wildlife observation and photography occur along refuge roads and trails, in parking areas, and in other areas open to public use. These uses will also occur in refuge facilities, as visitor contact stations, other onsite facilities, boardwalks, observation decks, and photography blinds. There are existing public use facilities at the Nulhegan Basin Division, Pondicherry Division, Putney Mountain Unit, and the Great Falls Discovery Center. Although these uses also occur on other existing refuge divisions and units, these other division and units do not have any existing public use infrastructure. The Dead Man's Swamp Unit in Connecticut and the Wissatinewag Unit in Massachusetts are closed to these uses to protect sensitive resources. The Mount Tom Unit in Massachusetts is also currently closed due to safety and vandalism concerns.

Interpretation and environmental educational programs, workshops, and talks will also occur in designated locations on refuge lands. Occasionally, these programs may occur in areas generally closed to the public. For example, special interpretive walks may be offered periodically at the Venture Smith Site located on the Salmon River Division due to its historical significance.

Some interpretation and environmental education will also occur off-refuge using the Watershed on Wheels Express (The WoW Express). The WoW express is a traveling visitor facility and outdoor classroom that visits schools and other venues throughout the Connecticut River watershed. This staffed vehicle houses interpretive exhibits about the refuge and watershed, and their natural resources.

In addition to existing refuge facilities and the WoW Express, we are proposing some additional public use facilities on existing refuge lands and lands proposed for future acquisition in the refuge's Comprehensive Conservation Plan (CCP). For example, at the Roger Tory Peterson Unit, we propose to work with the Friends Group and other partners to possibly renovate Roger Tory Peterson's former studio to serve as a visitor contact facility. Several new trails are also proposed at the Nulhegan Basin Division. Two will connect to already existing trails—the Nulhegan River Trail and a proposed riverside campsite and a connector trail between Lewis Pond Overlook and the Green Mountain Club's Gore Mountain Trail. The Nulhegan River Trail spur will be approximately 500 feet long and the Gore Mountain Trail spur will be roughly 1.4 miles long. In addition, a new loop trail is planned extending from the Lewis Pond Overlook. This trail will use 0.5 miles of existing cleared trail, with 0.8 miles of new trail tread. At the Putney Mountain Unit, two trail segments are proposed to provide a linkage between existing trails on the unit and the Putney Mountain Association's larger trail network. All of these will be primitive trails, with an 18-inch mineral surface tread and 3-foot wide cleared path to minimize vegetation clearing.

As we acquire additional refuge lands, we propose to construct parking lots, kiosks, and ADA-accessible trails on each refuge division. We may also construct additional public use facilities (e.g., wildlife observation blinds, platforms, blinds, interpretive kiosks and panels, restrooms, etc.) on existing and proposed refuge lands to help facilitate these uses. Some projects may be subject to compliance with the National Environmental Policy Act of 1969 (NEPA) and may require an environmental assessment and additional public review and comment.

**(c) When will the uses be conducted?**

These uses occur on the refuge year-round, during refuge open hours. All refuge units are open daily from one-half hour before sunrise to one-half hour after sunset, with the following exceptions:

- The Nulhegan Basin Division (Brunswick, VT): The Nulhegan Basin Division is open 24 hours a day, 7 days a week for approved uses. The roads at the division are not plowed and many are used as snowmobile trails between December 15 to April 15, snow conditions permitting. During this time, only snowmobiles are allowed on the roads. All roads are closed to motor vehicle travel during mud season, which follows the snowmobile season and generally lasts until late May (until the roads and those of Plum Creek Timber Company, our northern neighbor are dry enough to support motor vehicles without causing damage to the road surface). Only pedestrian and bicycle use is allowed during mud season.



- The Third Island Unit (Deerfield, MA) is seasonally closed (January 1 through July 31) to protect nesting bald eagles.
- Both the Dead Man’s Swamp (Cromwell, CT) and the Wissatinnewag Units (Greenfield, MA) are closed to the public at all times to protect sensitive resources. The Mount Tom Unit (Holyoke, MA) is also currently closed due to public safety and vandalism concerns.

Occasional guided evening programs may also be offered, including staff and/or trained volunteer-led, citizen science activities, such as the 24-hour bird count. Requests for these uses outside of these hours must be approved by the refuge and are subject to a SUP.

**(d) How will the uses be conducted?**

Visitors enter the refuge at public entry points or drive to refuge parking areas and generally walk from there. To participate in these activities, visitors may park vehicles at refuge parking areas, along the shoulders of designated refuge roads (Nulhegan Basin Division), and along public roads.

Visitors engaged in wildlife observation and photography generally hike along trails or in other areas open to the public or bicycle or drive along refuge roads. Visitors engaged in these uses will also use other public use facilities, such as visitor contact stations, boardwalks, observation decks, and photography blinds. In the winter, some visitors may also cross-country ski or snowshoe along refuge roads, trails, and other areas open to the public. Some visitors also access the Nulhegan Basin and Pondicherry Division by snowmobile or use motorized or non-motorized boats in designated areas, such as Lewis Pond at the Nulhegan Basin Division.

Wildlife observation and photography are typically self-guided and visitors engaged in these uses use refuge trails, viewing areas, informational material, photo blinds, and other areas open to the public. Wildlife observation may occur in the form of bird walks, and can be facilitated by binoculars often lent by the refuge or viewing scopes that may be installed in designated areas. The Nulhegan Basin and Pondicherry Divisions are both designated Important Bird Areas and draw many birders and photographers.

Interpretation and environmental education programs include presentations by staff, volunteers, teachers, and other youth leaders, and special events and displays both on and off the refuge (e.g.,WoW Express). These activities may include:

- Formal environmental education programs (e.g., teacher- or staff-led field trips).
- More informal environmental education programs (e.g., nature study).
- Interpretive talks and guided walks.
- Self-guided interpretation (e.g., interpretive panels along trails, interpretive displays, and exhibits in visitor centers, and interpretive brochures for trails).

Interpretive information will also be provided on signs and kiosks, in printed information (e.g., brochures), exhibits, and through audiovisual presentations, as well as social media outlets. Environmental education will be delivered through on- and off-site visits, including the use of the WoW Express, interaction with Adopt-a-Habitat partners, and other appropriate methods.

The refuge will also periodically sponsor educational classes in nature photography and facilitate activities by local birding groups (e.g., the bird club at the Great Falls Discovery Center).

In addition to strategies to support these uses listed in the refuge’s CCP, refuge staff will perform the following:

- Onsite evaluations to resolve public use issues.
- Monitoring and evaluation of impacts of the use on refuge resources.
- Maintenance of boundaries and signs.

- Meet with interested members of the public.
- Recruitment of volunteers.
- Preparation and presentation of interpretive and environmental education programs.
- Revision of interpretive and environmental materials.
- The creation and installation of interpretive kiosks.

**(e) Why are these uses being proposed?**

The Refuge System Improvement Act defines wildlife observation, photography, environmental education, and interpretation as priority public uses. Priority public uses, if found compatible on a refuge, are to receive our enhanced consideration over other general public uses. Authorizing these uses will provide opportunities for the public to enjoy wildlife and plants on the refuge in accordance with law, and it will produce better-informed public advocates for U.S. Fish and Wildlife Service (Service) programs.

These uses provide opportunities for visitors to observe and learn about wildlife, wildlands, and cultural resources at their own pace and observe wildlife in their natural habitats. These four priority uses provide visitors with opportunities to enjoy refuge resources and gain a better understanding and appreciation of fish and wildlife, wildlands ecology, the relationships of plant and animal populations in an ecosystem, and wildlife management. These activities will enhance the public's understanding of natural resource management programs and ecological concepts, enable the public to better understand and connect with the problems facing our wildlife and wildlands resources, help visitors to better understand how they affect wildlife and other natural resources, learn about the Service's role in conservation and restoration, and forge relationships that will aim to encourage the public to take action for the sake of the environment.

Photographers will have opportunities to photograph wildlife in its natural habitat. These opportunities will increase the publicity and advocacy of Service programs. Photography provides wholesome, safe, outdoor recreation in a scenic setting, and entices 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.

Visitors need a way to access these priority uses. By allowing visitors to walk, hike, cross-country ski, snowshoe, bicycle, boat, snowmobile, and drive automobiles in designated areas of the refuge, we are providing access to these important priority public uses with minimal impacts to sensitive wildlife and habitat.

Continuation of these programs helps the Service meet the Refuge System's goal, to provide an understanding and appreciation of fish and wildlife ecology and human's role in their environment.

**AVAILABILITY OF RESOURCES:**

The following list estimates the required costs for the refuge to administer and manage its current programs for wildlife observation and photography, environmental education, and interpretation. Costs associated with administering this use includes assessing the need for road and trail maintenance and repair, maintaining kiosks, gates, and traffic counters, recording collected data, maintaining signs/posting roads and trails, informing the public about the range of refuge uses, conducting visitor use surveys, analyzing visitor use patterns, monitoring the effects of public uses on refuge resources and visitors, and providing information to the public about the use. Such costs do not include the costs of new infrastructure construction, interpretive panels, signs and other costs as described in the CCP. They also do not cover unanticipated costs such as participation in search and rescue operations. The refuge's federal wildlife officer is the primary contact for any emergency operations on the refuge, however local resources are available to assist and provide resources if necessary. Because such incidents are uncommon and unpredictable, these costs are not assumed in the resources estimate below. The use of refuge staff to develop and monitor public uses and engage visitors is required for administering all refuge public uses. Therefore, these responsibilities and related equipment are accounted for in budget and staffing plans.

We estimate below the annual costs associated with the administration of these uses on the refuge.

<i>Program Oversight</i> (wildlife refuge manager):	\$8,000
<i>Interpretive Program Development, Environmental Education Coordination, Development of Interpretive Exhibits and Brochures</i> (visitor services manager):	\$12,000
<i>Special Use Permits/Monitoring Resource Impacts</i> (wildlife biologist):	\$1,200
<i>Provide Public Information/Visitor Safety</i> (Federal wildlife officer):	\$3,500
<i>Trail and Parking Lot Maintenance</i> (Youth Conservation Corps):	\$35,000
<i>Staff and Support for the WoW Express:</i>	\$30,000
<b>Total Annual Cost of Program:</b>	<b>\$89,700</b>

The financial and staff resources necessary to provide and administer these uses at their current levels are now available. We expect the resources to continue in the future, subject to availability of appropriated funds. As stated above, we will need additional resources to expand and enhance these uses as described in the CCP.

**ANTICIPATED IMPACTS OF THE USE:**

Following are descriptions of potential adverse effects on natural resources of interpretation, environmental education, wildlife observation, and wildlife photography, accessed by walking, hiking, cross-country skiing, snowshoeing, and boating in designated refuge areas and bicycling and driving on public roads. Effects of snowmobile access are addressed in a separate compatibility determination.

***Effects on Hydrology and Water Quality:*** Visitor use has the potential to negatively impact lakes, ponds, streams and the major tributaries of the Connecticut River. Exposed soils on hiking trails may increase sediments in near-by waterways, and petroleum products may be introduced by boating activity and run-off from parking lots and roads. However, overall we do not anticipate any major impacts to hydrology and water quality because these uses are limited to designated areas only, current and projected levels of use are relatively low, and we will build, maintain, and monitor trails and roads in such ways as to minimize impacts.

Refuge visitors are encouraged to use refuge trails and roads. The majority of visitors hike along designated trails, roads, and former logging roads. Buffers will be required on trails that are adjacent to waterways to decrease bank erosion, and filter contaminants before they enter waterbodies. Boardwalks will provide a path for users to cross over the wetlands or streams and not through them, thereby minimizing long-term adverse effects to hydrology and water quality. In addition, refuge staff will routinely monitor roads, trails, and boardwalks for damage and remediate problem areas as needed.

Motorized and non-motorized boating would occur on designated refuge waterbodies in accordance with state boating regulations. The most likely locations for motor boating are Lewis Pond at the Nulhegan Basin Division and McConnell Pond, which is proposed for addition to this division. The use of motorboats is currently estimated at one to two boats per week. This low level of use is expected to continue into the future and is expected to have only minimal impacts to water quality. Boat speeds are not to exceed 5 miles per hour, so boat wakes and the associated erosion is not anticipated.

There is the potential for bicycles and cars traveling on refuge roads to impact refuge wetlands through increased soil erosion, sedimentation, and run-off or from contaminants from cars (e.g., oil and antifreeze). To minimize these impacts, cars and bicycles are only allowed on designated roads. At current and anticipated levels of use, we do not expect any greater than negligible impacts from cars and bicycles on refuge hydrology and wetlands. Refuge parking lots will not be located directly adjacent to streams, rivers, or other wetlands. Additionally, where feasible, parking lots will be constructed of gravel, which is more porous than impervious surfaces such as asphalt, and therefore would result in lower levels of runoff and sedimentation.

Trails, kiosks, and other possible public use facilities may cause short-term adverse impacts from soil runoff and sedimentation into the refuge's water resources. A more detailed discussion of the impacts of these construction projects will be addressed in a subsequent environmental assessment if appropriate.

**Effects on Vegetation:** To facilitate interpretation, environmental education, wildlife observation and wildlife photography, we will allow hiking, cross-country skiing, and snowshoeing access on designed trails and other areas open to the public and bicycle and automobile access on designated roads. Short-term effects consist of the deterioration of plant material, whereas long-term effects of trampling include direct and indirect effects on vegetation and soils like diminishing soil porosity, aeration, and nutrient availability through soil compaction (Kuss 1986, Roovers et al. 2004). Compaction of soils thus limits the ability of plants, particularly rare and sensitive species, to revegetate affected areas (Hammitt and Cole 1998). Kuss (1986) found that plant species adapted to wet or moist habitats are the most sensitive and increased moisture content reduces the ability of the soil to support recreational traffic. Where adverse impacts to vegetation are observed, the refuge will take necessary measures, such as remediation and trail closures, to restore plant communities.

It is anticipated that allowing foot traffic on the refuge will cause some vegetation loss, increased tree root exposure and trampling effects, however we will minimize the potential for impacts to vegetation by allowing these uses in designated areas open to the public. The majority of visitors stay on trails and roads. Off-trail use could have impacts to adjacent vegetation; however, we will encourage users to remain on existing trails (where they exist) and roads. Also, off-trail use is generally dispersed and occurs at low levels. It is also anticipated that under current and projected use the incidence of these problems will be minor. Some rare plants have been documented in habitat adjacent to trails, however, designated routes do not have any known occurrences of rare plant species on their surface or soils subject to compaction that will be impacted by this use. Because cross-country skiing and snowshoeing only occur during the winter, when plants are dormant and the ground is covered with snow, we anticipate negligible impacts to vegetation from cross-country skiing and snowshoeing. We will not allow bicycles or automobiles off of refuge roads. Refuge staff will monitor all trails, identify problem areas, and conduct appropriate restoration and protection efforts.

**Effects on Soils:** Visitor use on the refuge could adversely impact soils through compaction, erosion, and sedimentation. In general, we will minimize these impacts by encouraging users to stay on trails and roads and in other areas open to the public. We may close areas to the public either seasonally or permanently to minimize impacts to sensitive wildlife and habitats. We expect impacts to soils to be minor to negligible because the majority of use occurs on existing refuge trails and roads; off-trail use occurs at low levels and is dispersed.

In areas where new construction will be necessary (e.g., observation platforms, environmental education pavilion, parking lots, kiosks, roads, and trails) localized soil compaction and loss of productive soil will occur. These impacts will constitute unavoidable adverse impacts from refuge infrastructure improvements but will be short-term and temporary as restoration and revegetation of construction sites will be prioritized. Additionally, trail construction projects may cause temporary disturbance to improve trails but will lead to more stable and sustainable trails over the long term. For example, boardwalks will be constructed over sensitive wetlands to mitigate long-term impacts to wetland communities, but short-term impacts may be created during the construction phase. As warranted, impacts of new trail construction not currently under consideration would be evaluated in a supplemental environmental assessment(s), if appropriate.

**Effects on Wildlife:** Short-term and long-term adverse impacts will be expected for wildlife populations in relation to increasing trail miles and visitor use. However, we do not anticipate any major, long-term impacts on wildlife from allowing these uses because current and projected levels of use are relatively low and these uses are only allowed in designated areas open to the public.

Disturbances to wildlife will vary by wildlife species involved and the type, level, frequency, duration, and the time of year activities occur. Beale and Monaghan (2004) found that adverse effects to wildlife increase as number of users increase. The study found that an animal's response to one visitor walking down a trail is entirely different than its response to a group of users walking down a trail. The refuge recognizes that large group sizes may amplify negative effects to wildlife. Therefore, groups larger than 10 are required to notify the refuge prior to visiting to determine if a SUP would be needed. This will enable the refuge to understand which trails are preferred by large groups, and to monitor any potential excessive wildlife disturbance created by large groups. Having the ability to monitor these kinds of disturbances will also enable the refuge to mitigate impacts associated with large groups. Examples of mitigation may include directing large groups to less sensitive habitats during breeding seasons or assigning refuge staff to lead or meet with the group while on refuge lands.



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 Robins) were found near trails and rare species (e.g., Blackburnian warblers) 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 (e.g., Schulz and Stock 1993), but in many cases disturbance act 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. For recreation activities that occur simultaneously (hiking, biking, and horseback riding) there will likely be compounding negative impacts to wildlife (Knight and Cole 1991).

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 (DeGraff et al. 2001, Longcore et al. 2000). Limiting or closing recreational use within the vicinity of nest sites during the breeding season will mitigate impacts to these species. For example, the Third Island Unit of the refuge is closed to these uses to protect bald eagles during the sensitive breeding season. Additionally, trail development has striven to and will continue to avoid sensitive habitats.

Wildlife disturbance may be compounded by seasonal needs. For example, causing mammals to flee during winter months would consume stored fat reserves that are necessary to get through the winter. 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).

Short-term localized adverse impacts to fish populations may result from refuge construction and restoration projects that might cause soil erosion and sedimentation into refuge waterways. Long-term adverse impacts from increased trail miles and trail use might pose another concern to refuge fisheries. Trails that have stream and river crossings will likely degrade over time with increased use and contribute to downstream sedimentation and turbidity, which has been found to be a stressor to brook trout (Sweka and Hartman 2001) and redbreast dace (Holm and Crossman 1986) populations that are sensitive to habitat degradation. Buffers will be required for trails located along riparian areas to decrease erosion of river banks, and filter contaminants before they enter waterways. The refuge will monitor stream and river crossings closely and remediate any damaged areas to minimize adverse impacts associated with trail use.

Refuge visitors who choose to boat may cause localized, minor, short-term impacts by disturbing the bottom substrate in shallow water. In addition, discarded items such as plastic containers present a risk for waterfowl and other birds. As mentioned earlier, we expect these impacts to be negligible due to very low number of boaters on the refuge.

We will take all necessary measures to minimize all of these impacts, particularly where group educational activities are involved. We will evaluate the sites and programs periodically to assess whether they are meeting the objectives, and to prevent site degradation. If evidence of unacceptable adverse impacts appears, we will rotate the activities to secondary sites, or curtail or discontinue them. If necessary, we will close areas seasonally around active bird nesting sites and avoid recreational use of areas where federally listed species occur to minimize or eliminate human disturbance. We will post and enforce refuge regulations, and establish, post, and enforce closed areas.

## **PUBLIC REVIEW AND COMMENT:**

This compatibility determination was distributed for public comment for 90 days from August 18, 2015 to November 16, 2015 as part of the review of the Silvio O. Conte Refuge's draft CCP/EIS. Comments we received on this use were considered as we developed this final determination. This determination was distributed for another 30-day review with release of the final CCP/EIS. A summary of comments received on the draft plan is included in appendix O of the final CCP/EIS.

## **DETERMINATION (CHECK ONE BELOW):**

- Use is not compatible
- Use is compatible, with the following stipulations

## **STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:**

The refuge has developed a list of criteria for determining whether any given route (e.g., trail, road, etc.) would be appropriate for interpretation, environmental education, wildlife observation, and wildlife photography. These criteria apply to current and future trails and are designed to help minimize negative impacts to soils, vegetation, and wildlife and to provide high-quality experiences to visitors. Criteria are as follows:

### **Checklist for Existing Routes to Be Eligible for Compatibility Consideration:**

*(Routes must meet all criteria)*

- (1) The route provides an opportunity to view a variety of habitats and wildlife.
- (2) The route is safe for the proposed types and amount of use.
- (3) The route requires minimal annual maintenance (e.g., use waterbars and stepping stones, etc., to reduce soil and hydrology impact) to ensure safe access and to prevent further habitat degradation.
- (4) The route has a low potential for fragmenting habitat or disturbing wildlife populations.
- (5) Based on existing soils information, less than 50 percent of the route's length occupies soil types rated as high or very high for compaction and/or erosiveness. The route is not rated as severely limited for hiking trails based on appropriate county soil surveys.
- (6) Any route crossing of sensitive soils occupies the shortest possible distance. Organic soil crossings are minimized or eliminated.
- (7) Continued use of the existing route is not likely to cause further wetland alteration or degradation. There is low risk that hydrology, soil stability, sensitive plant communities, riparian zones, and wildlife habitats would be adversely affected.
- (8) The route predominately occupies previously modified substrate (graveled, compacted, or filled), such as former logging roads and rail grades.
- (9) The route is not incised more than 1-foot deep over 10 percent of its total length.

### **Additional stipulations that will apply to ensure compatibility include:**

- Refuge regulations will be posted at trailheads and entrance kiosks and enforced. Closed areas will be established as needed, posted, and enforced. Signs necessary for visitor information, safety, and traffic control will be kept up to date.

- The known presence of a threatened or endangered species will trigger discussions with the Service's New England Field Office prior allowing any new use of an area.
- We will choose locations for public uses to minimize impacts to wildlife and habitat. We will periodically evaluate sites and programs to assess whether objectives are being met and to prevent site degradation. If evidence of unacceptable adverse impacts appears, the location(s) of activities will be rotated with secondary sites or the use will be reduced or discontinued.
- Bicycles and automobiles are only allowed on designated refuge roads. Bicycles and automobiles are not allowed on refuge trails or offroad.
- All-Terrain Vehicles (ATVs) and other off-road vehicles are not permitted in the refuge.
- Boating may only occur in designated waterways and boat operators must obey posted speed limits.
- Visitors engaged in walking, hiking, snowshoeing, and cross-country skiing are encouraged to stay on designated refuge trails and roads, where these exist.
- These uses are restricted to refuge open hours: one-half hour before sunrise until one-half hour after sunset (except the Nulhegan Basin Division, which is open 24 hours a day for individuals engaged in these approved uses).
- The refuge conducts an outreach program to promote public awareness and compliance with public use regulations on the refuge.
- Group size is encouraged to be no more than 10 persons to promote public safety, accommodate other users, and reduce wildlife disturbance. Groups larger than 10 persons must contact the refuge office prior to visiting the refuge so that staff can determine if the group will require a SUP. Groups traveling only on roads shared with vehicles are not required to contact the refuge office or obtain a SUP.
- All routes designated for public access are annually inspected for maintenance needs. Prompt action is taken to correct any conditions that risk public safety. Roads and trails are maintained at a level that reasonably accounts for safe travel. Roads are not plowed in winter.
- Guidelines to ensure the safety of all participants will be issued in writing to any special use permit holder for the activities and will be reviewed before the activity begins.
- Routes designated for public access are monitored periodically to determine if they continue to meet the compatibility criteria (listed above) established by the refuge. Should monitoring and evaluation of the use(s) indicate that the compatibility criteria are or will be exceeded, appropriate action will be taken to ensure continued compatibility, including modifying or discontinuing the use.
- Routine law enforcement patrols are conducted throughout the year. The patrols promote education and compliance with refuge regulations, monitor public use patterns and public safety, and document visitor interaction.
- Potential conflicts with other public uses such as hunting will be minimized by using trailhead signs and other media to inform the visitors about current public use activities as well as which activities are authorized in specific locations throughout the refuge.

**JUSTIFICATION:**

Interpretation, environmental education, wildlife observation, and wildlife photography are all priority public uses and are to receive enhanced consideration on national wildlife refuges, according to the Refuge Improvement Act of 1997. Providing increased wildlife-dependent recreational opportunities promotes visitor appreciation and support for refuge programs, as well as habitat conservation efforts in the Connecticut River watershed.

Wildlife observation, photography, environmental education, and interpretation activities generally support refuge purposes and impacts can largely be minimized (Goff et al. 1988). Interpretation and environmental education can also help to develop a resource protection ethic within society. They allow us to educate refuge visitors about endangered and threatened species management, wildlife management, ecological principles and ecological communities. Environmental education and interpretation also instill an ‘ownership’ or ‘stewardship’ ethic in visitors. These uses strengthen Service visibility in the local community.

The majority of visitors to the refuge come to view and/or photograph wildlife and habitats. There will be some visitor impacts from this activity, such as trampling vegetation (Kuss and Hall 1991) and disturbance to wildlife (Burger 1981, Klein, 1989); however, stipulations to ensure compatibility will make these impacts minimal. For example, we encourage visitors to stay on trails and roads and, if necessary, will close areas to these uses to protect sensitive habitats (e.g., wetlands) and wildlife (e.g., breeding birds).

By encouraging visitors to stay in designated areas open to the public, impacts to vegetation, soils, hydrology, wetland communities, wildlife, and ecological integrity of the refuge will be minimized. Because the majority of visitors use designated trails and roads on a small percentage of the refuge, disturbance will be limited and manageable. Through proper trail maintenance these impacts will be further reduced. Hydrologic and soil impacts were generally inherited with refuge lands and are being remediated through routine maintenance operations. These uses will not affect the refuge’s ability to restore impacted lands nor will they materially increase sedimentation, erosion, or hydrologic impacts on refuge lands. Also, current and projected future levels of use are low, so we expect impacts to refuge soils, wildlife, and vegetation to be minor. We also have stipulations in place to further reduce impacts to refuge resources, such as limiting group sizes, closing sensitive areas, if necessary, to public use, and guidelines for designing and future trails.

These uses will not have an effect on threatened or endangered species, because these uses will not be allowed in areas where known federally listed species exist. For example, we have closed the refuge’s Dead Man’s Swamp Unit to prevent impacts to the federally threatened Puritan tiger beetle. Wherever listed plants or wildlife occur, we will close these areas to visitor use. The refuge will work with the Service’s Ecological Services Office to ensure that no adverse effects will occur. We will insure that no trails or human impacts will be allowed in the areas where these species either exist or have been sited.

For these reasons, allowing these uses will detract from the refuge’s purposes, the Fish and Wildlife Act (1956), or the mission of the Refuge System for conserving, managing, restoring, and protecting wildlife resources. Based on this information, we have determined that environmental education and interpretation and wildlife observation and photography will not materially interfere with or detract from the mission of the Refuge System or the purposes for which the refuge was established.

**SIGNATURE:**  
Refuge Manager: Andrew C. French 1-18-17  
(Signature) (Date)

**CONCURRENCE:**  
Regional Chief: Scott B. / Ken 1/18/17  
(Signature) (Date)

**MANDATORY 15-YEAR RE-EVALUATION DATE:**  
1/18/2032



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## Appendix E

Tom LaPointe/USFWS



*Nulhegan Basin Division, Vermont*

# Wilderness Review

## 1. Introduction

## 2. Wilderness Inventory

## 3. Summary of Wilderness Inventory Findings

## 4. Wilderness Study

## 5. Alternatives Considered but Eliminated from Consideration

## Literature Cited





## 1. Introduction

The purpose of a wilderness review is to identify and recommend to Congress, lands and waters of the National Wildlife Refuge System (NWRS) that merit inclusion in the National Wilderness Preservation System (NWPS). Wilderness reviews are required elements of comprehensive conservation plans (CCP), are conducted in accordance with the refuge planning process outlined in the U.S. Fish and Wildlife Service (Service) Manual (602 FW 1 and 3), and include compliance with the National Environmental Policy Act (NEPA) and public involvement.

The wilderness review process has three phases: inventory, study, and recommendation. During the inventory phase, the wilderness review team categorizes lands and waters into Wilderness Inventory Areas (WIAs) and evaluates them to determine if the minimum criteria for wilderness is met. WIAs that meet the minimum criteria are considered Wilderness Study Areas (WSAs) and are further assessed during the wilderness study phase. During the study phase, a range of management alternatives is evaluated to determine if a WSA is suitable for wilderness designation, or whether a WSA should be managed under an alternate set of goals and objectives that do not involve wilderness designation.

During the recommendation phase, the review team decides whether to recommend a WSA to Congress for wilderness designation. If the team decides that any WSAs merit wilderness designation, they report their recommendations to Congress in a wilderness study report. The wilderness study report is prepared after the record of decision for the final CCP has been signed. Areas recommended for designation are managed to maintain wilderness character in accordance with management goals, objectives, and strategies outlined in the final CCP until Congress makes a decision, or the CCP is amended to modify or remove the wilderness proposal.

This wilderness review was produced from an inventory of the refuge's lands and waters. The process involved combining site knowledge with existing land status maps, photographs, available land use information, and road inventory data to determine if refuge lands and waters meet the minimum criteria for wilderness. Geographic Information System (GIS) software was used to conduct spatial and temporal data analysis, which allowed interpretation of such things as habitat conditions, natural communities, cultural features, human footprint, road locations, and other informational needs.

## 2. Wilderness Inventory

### 2.1. Introduction

The wilderness inventory is a broad look at each planning area (WIA) to identify potential WSAs. A WSA is an area of undeveloped Federal land that retains its primeval character and influence, without permanent improvements or human habitation, and further, meets the minimum criteria for wilderness as identified in Section 2(c) of the Wilderness Act. This evaluation was performed for all of the refuge's divisions and units on lands owned in fee title.

### 2.2. Minimum Wilderness Criteria

A WSA is required to be a **roadless** area or an island of any size, meet the **size** criteria, appear **natural**, and provide for **solitude or primitive recreation**.

**Roadless:** Roadless refers to the absence of improved roads suitable and maintained for public travel by motorized vehicles primarily intended for highway use. A route maintained solely by the passage of vehicles does not constitute a road. Only Federal lands are eligible to be considered for wilderness designation and inclusion within the NWPS.

The following factors were the primary considerations in evaluating the roadless criteria:

- The area does not contain improved roads suitable and maintained for public travel by means of motorized vehicles primarily intended for highway use.
- The area is an island, or contains an island, that does not have improved roads suitable and maintained for public travel by means of motorized vehicles primarily intended for highway use.
- The area is in Federal fee title ownership.

**Size:** The size criteria can be satisfied if an area has at least 5,000 acres of contiguous roadless public land, or is sufficiently large that its preservation and use in an unimpaired condition is practicable.

The following factors were the primary considerations in evaluating the size criteria:

- An area of more than 5,000 contiguous acres. State and private lands are not included in making this acreage determination.
- A roadless island of any size. A roadless island is defined as an area surrounded by permanent waters or that is markedly distinguished from the surrounding lands by topographical or ecological features.
- An area of less than 5,000 contiguous Federal acres that is of sufficient size as to make practicable its preservation and use in an unimpaired condition, and of a size suitable for wilderness management.
- An area of less than 5,000 contiguous acres that is contiguous with a designated wilderness, recommended wilderness, or area under wilderness review by another Federal wilderness managing agency such as the Forest Service, National Park Service, or Bureau of Land Management.

**Naturalness:** The Wilderness Act, Section 2(c), defines wilderness as an area that “generally appears to have been affected primarily by the forces of nature with the imprint of human work substantially unnoticeable.” The area must appear natural to the average visitor, rather than “pristine.” The presence of historic landscape conditions is not required.

An area may include some human impacts provided they are substantially unnoticeable in the unit as a whole. Significant hazards caused by humans, such as the presence of unexploded ordnance from military activity and the physical impacts of refuge management facilities and activities are also considered in evaluating the naturalness criteria.

An area may not be considered unnatural in appearance solely on the basis of the sights and sounds of human impacts and activities outside the boundary of the unit. The cumulative effects of these factors in conjunction with land base size, physiographic and vegetative characteristics were considered in the evaluation of naturalness.

The following factors were the primary considerations in evaluating the naturalness criteria:

- The area appears to have been affected primarily by the forces of nature with the imprint of human work substantially unnoticeable.
- The area may include some human impacts provided they are substantially unnoticeable in the unit as a whole.
- The absence of significant hazards caused by humans, such as unexploded ordnance from military activity.
- The presence of physical impacts of refuge management facilities and activities.

**Solitude or Primitive and Unconfined Recreation:** A WSA must provide outstanding opportunities for solitude or primitive and unconfined recreation. The area does not have to possess outstanding opportunities for both solitude and primitive and unconfined recreation, and does not need to have outstanding opportunities on every acre. Further, an area does not have to be open to public use and access to qualify under this criteria; Congress has designated a number of wilderness areas in the National Wildlife Refuge System that are closed to public access to protect resource values.

Opportunities for solitude refer to the ability of a visitor to be alone and secluded from other visitors in the area. Primitive and unconfined recreation means non-motorized, dispersed outdoor recreation activities that are compatible and do not require developed facilities or mechanical transport. These primitive recreation activities may provide opportunities to experience challenge and risk, self-reliance, and adventure. These two elements are not well defined by the Wilderness Act, but can be expected to occur together in most cases. However, an outstanding opportunity for solitude may be present in an area offering only limited primitive recreation potential. Conversely, an area may be so attractive for recreation use that the ability to experience solitude is compromised.

The following factors were the primary considerations in evaluating the criteria for outstanding opportunities for solitude or primitive unconfined recreation:

- The area offers the opportunity to avoid the sights, sounds and evidence of other people. A visitor to the area should be able to feel alone or isolated.
- The area offers non-motorized, dispersed outdoor recreation activities that are compatible and do not require developed facilities or mechanical transport.

**Supplemental Values:** The Wilderness Act states that an area of wilderness may contain ecological, geological, or other features of scientific, educational, scenic or historical value. Supplemental values of the area are optional, but the degree to which their presence enhances the area's suitability for wilderness designation should be considered. The evaluation should be based on an assessment of the estimated abundance or importance of each of the features.

### 3. Summary of Wilderness Inventory Findings

The wilderness review team reviewed the eight divisions and eight units (table E.1) within the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge) to determine if they met the minimum wilderness criteria stipulated in law and Service policy, and if so, should be further assessed in the Wilderness Study phase of this review. Of the divisions, only Nulhegan Basin and Pondicherry were large enough to meet the minimum size criteria and, therefore, are further evaluated in this review. None of the units met the minimum size criteria; however, the Third Island Unit is a roadless island and is, therefore, further evaluated in this review.

**Table E.1. Conte Refuge Divisions and Units**

Name*	Location	Class	Acreage
Deadman's Swamp	Connecticut	Unit	31
Roger Tory Petersen	Connecticut	Unit	56
Honeypot Wetlands	Massachusetts	Unit	21
Wissatinnewag	Massachusetts	Unit	21
Mt Tom	Massachusetts	Unit	141
Mt Toby	Massachusetts	Unit	30
<b>Third Island</b>	<b>Massachusetts</b>	<b>Unit</b>	<b>4</b>
Putney Mountain	Vermont	Unit	285
Salmon River	Connecticut	Division	425
Dead Branch	Massachusetts	Division	97
<b>Nulhegan Basin</b>	<b>Vermont</b>	<b>Division</b>	<b>26,605</b>
Fort River	Massachusetts	Division	249
Mill River	Massachusetts	Division	249
Westfield River	Massachusetts	Division	125
<b>Pondicherry</b>	<b>New Hampshire</b>	<b>Division</b>	<b>6,405</b>
Blueberry Swamp	New Hampshire	Division	1,166
<b>Total</b>			<b>35,910 acres</b>

\* Note: The refuge divisions and unit listed in **bold** meet the size criteria and are evaluated further as to whether they meet other minimum wilderness criteria.

### 3.1. Third Island Unit

This island was donated to the Service by the Connecticut River Watershed Council in 1997 and served to formally establish the refuge. It is a 4-acre island in the Connecticut River, in Deerfield, Massachusetts. Third Island is natural in appearance and roadless, but it is small in size and within a quarter mile of numerous roads, houses, and farm fields, thereby precluding the opportunity for solitude and primitive, unconfined recreation. The wilderness review team found that this island does not possess wilderness characteristics and supplemental values that warrant additional evaluation.

#### **Wilderness Inventory Conclusion for Third Island Unit**

The wilderness review team did not identify any WIAs on the Third Island Unit and the unit in its entirety does not meet all of the minimum wilderness criteria. We will not evaluate Third Island unit in the Wilderness Study phase of this wilderness review.

### 3.2. Pondicherry Division

The wilderness review team identified six WIAs that comprise nearly 70 percent of the division (map E.1). Twelve other portions are isolated by roads and are therefore considered roadless, but each is less than 500 acres and will not be further evaluated as a WIA. The WIAs were defined by highways, interior powerline rights-of-way, railroad tracks, and other non-federally owned lands.

All of the WIAs were evaluated to determine if they meet the minimum wilderness criteria and should be further assessed in the wilderness study phase of this review. The wilderness review team found none of the WIAs to be larger than 5,000 acres (table E.2), and given the widespread application of clear-cutting harvests roughly 20 years ago, none of them possess wilderness characteristics and supplemental values that warrant additional evaluation.

**Table E.2. Silvio O. Conte National Fish and Wildlife Refuge, Pondicherry Division Wilderness Inventory Areas**

<b>Wilderness Inventory Area (WIA)*</b>	<b>Size**</b>
<b>WIA 1</b>	2,269 acres
<b>WIA 2</b>	885 acres
<b>WIA 3</b>	400 acres
<b>WIA 4</b>	209 acres
<b>WIA 5</b>	904 acres
<b>WIA 6</b>	635 acres

\* All Wilderness Inventory Areas are in fee title ownership.

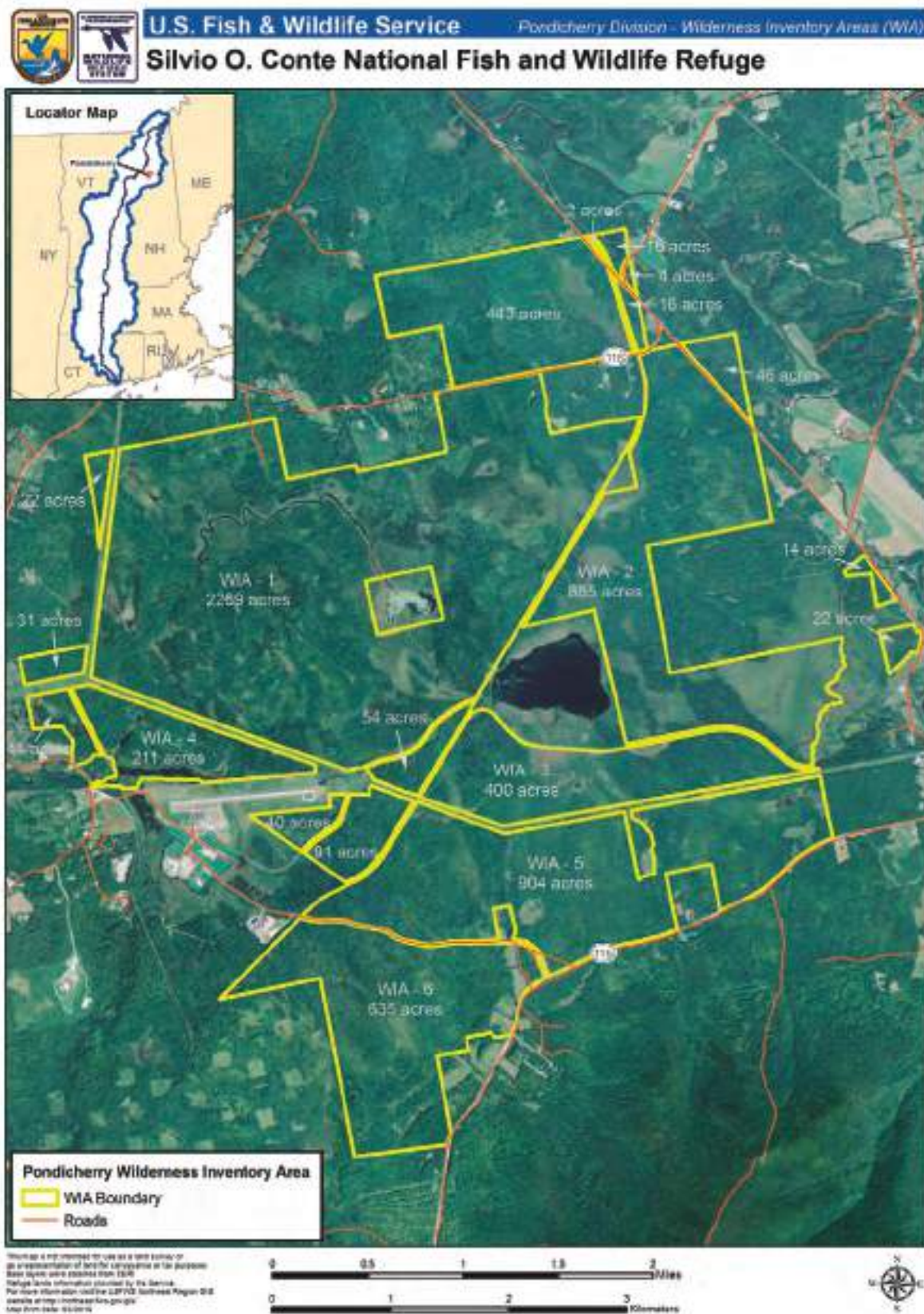
\*\* Acreage is approximate.

#### **Wilderness Inventory Conclusion for Pondicherry Division**

The wilderness review team identified six WIAs within the approved acquisition boundary of the division and determined that none of the WIAs meet all of the minimum wilderness criteria. We will not evaluate any of the Pondicherry Division WIAs in the wilderness study phase of this wilderness review.



Map E.1. Wilderness Inventory Areas – Pondicherry Division



### 3.3. Nulhegan Basin Division

The wilderness review team identified 11 WIAs within the approved acquisition boundary of the Nulhegan Basin Division (division) (map E.2).

The WIAs were primarily defined by the network of existing improved gravel roads on the division. These roads define the extent of parcels that meet the requirements of a roadless area and, therefore, are well suited for use as WIA perimeter boundaries. Alternate road placements, including potential future decommissioning of roads, were evaluated to determine if perimeter boundaries could be altered to increase the size of the WIAs, while maintaining the area as roadless. Such reconfiguration was not possible given the deeded rights-of-way held by neighboring landowners across the following through-roads: Lewis Pond, Lewis Pond Overlook, Tim Carroll Brook, Four Mile, Eagle’s Nest, Tin Shack, Canal, and Stone Dam. No alternative road layouts were therefore identified that would meet refuge management or public access objectives, abide by legal access obligations, and result in a WIA becoming eligible as a WSA based on the roadless criteria alone.

All of the WIAs were evaluated to determine if they met the minimum wilderness criteria and should be further assessed in the wilderness study phase of this review. The wilderness review team found one WIA to be larger than 5,000 acres (WIA 4, table E.3) and one WIA that is less than 5,000 acres (WIA 3) yet possesses wilderness characteristics and supplemental values that warrant additional evaluation. While substantially larger than WIA 3, WIA 8 is less than 5,000 acres and lacks naturalness or other associated wilderness values due to extensive logging within the past 20 to 30 years and is not considered further. A narrative description of the two WIAs that warranted further evaluation, WIA 3 and WIA 4, is included below.

**Table E.3. Silvio O. Conte National Fish and Wildlife Refuge, Nulhegan Basin Division Wilderness Inventory Areas**

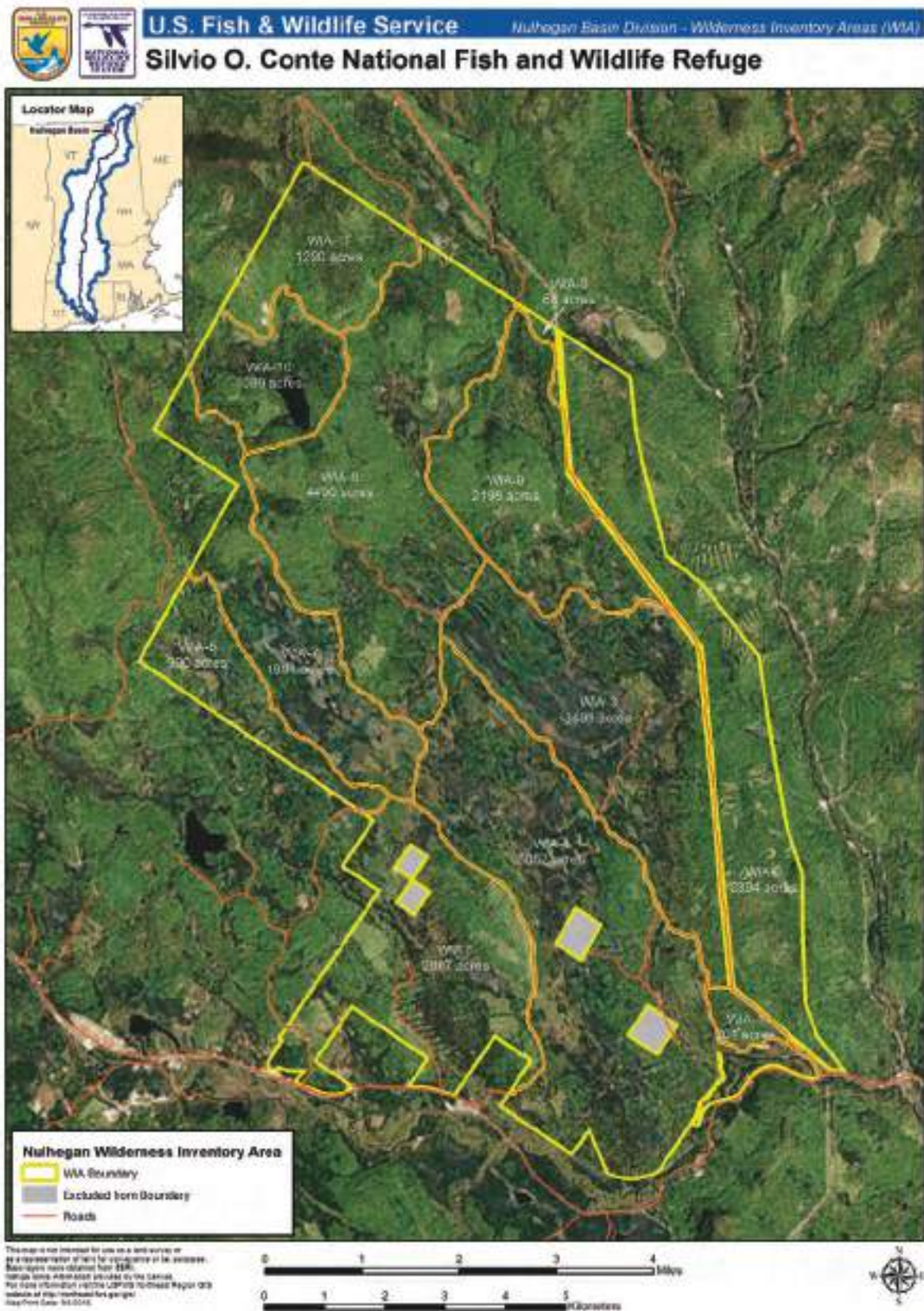
<b>Wilderness Inventory Area (WIA)*</b>	<b>Size**</b>
<b>WIA 1</b>	201 acres
<b>WIA 2</b>	2,894 acres
<b>WIA 3</b>	3,498 acres
<b>WIA 4</b>	5,052 acres
<b>WIA 5</b>	2,867 acres
<b>WIA 6</b>	990 acres
<b>WIA 7</b>	1,994 acres
<b>WIA 8</b>	4,490 acres
<b>WIA 9</b>	2,198 acres
<b>WIA 10</b>	1,089 acres
<b>WIA 11</b>	1,260 acres

\* All WIAs are in fee title ownership.

\*\* Approximate acreage from GIS listed.



Map E.2. Wilderness Inventory Areas – Nulhegan Basin Division



**Features and characteristics common to both WIA 3 and WIA 4:**

*Yellow Bogs*—The Nulhegan Basin contains an area that is commonly referred to as “Yellow Bogs.” Although no formal boundary exists for Yellow Bogs, it is generally accepted as an area characterized by fairly level topography with poor drainage supporting a conifer matrix forest, which is a mix of forested swamps and bogs intermingled among lowland and upland spruce-fir-tamarack forests. A portion of land within both WIAs is considered to be a part of the Yellow Bogs. Yellow Bogs contains a diversity of plants, habitats, and wildlife considered of high ecological value. A variety of species present in this ecosystem have been identified as resources of concern on a number of state and regional plans.

*Forest Management*—Throughout both WIAs, previous forest management actions are evident in all but the wettest areas. More than a century of forest management has resulted in a vegetative condition that differs markedly from those shaped through natural processes. On heavily managed uplands, age and structural diversity are lacking. Additionally, approximately 3,125 acres (37 percent) of land within the two units is in a successional stage that supports vegetation different from the prescribed natural community. Though not specific to these WIAs, a Conifer Patch Analysis (Lapin and Engstrom 2002) provides a context for the effects of past forest management to the broader forest community. In analyzing the lowland spruce-fir forest within the division, they found that 82 percent was less than 40 years old. Further, they noted that of the forest patches more than 40 years old, only 14 percent constitute “interior forest”, as defined by patches separated from adjacent clearcuts by at least 100 meters. Finally, the authors report that “...it is not a gross overgeneralization to say that every acre of lowland spruce-fir forest in the Refuge is younger than 80 years old.”

*Wind Events*—In the wet-mesic matrix forest dominated by conifers, it is common for trees to topple over from wind events. Although more prevalent in the conifer-dominated forest, these “blowdowns” are evident throughout these units and range in size from single trees to much larger areas. Areas that had been selectively harvested appear to have experienced an increase in blowdowns, which can be expected as trees, especially conifers, lose their resilience to such events when adjacent trees are removed.

*Cabins*—There are several cabins along the perimeter of these WIAs. These cabins predate Service acquisition of the land. Cabin owners lease land owned in fee by the Service. A special use permit (SUP) is issued to cabin owners on a 5-year basis, with an understanding that no SUP will extend beyond 2049. In the meantime, cabin owners may choose to sell their remaining interest to the Service. Any structures acquired will be removed if they are of no future use to refuge management needs and the underlying ground will be allowed to revert to its pre-existing vegetative cover.

*Rivers*—River systems flow through both WIAs. Within the State of Vermont, rights, ownership, and management of navigable waters are the sole jurisdiction of the State. These are not eligible for wilderness designation but have not been identified as features restricting the bounds of a WIA.

**Other features and characteristics in WIA 3:**

Acreage: 3,498 acres  
Ownership: Fee title

*Habitat*—Yellow Bogs is an area that has no formal demarcation, but is generally considered to encompass the northeastern quarter of the Nulhegan Basin. Much of the Yellow Bogs—including important natural communities commonly known as Big Swamp and Blowdown Bogs—falls within WIA3. WIA3 is one of the most extensive areas of boreal habitat in Vermont: a large complex of black spruce swamps, alder thickets, sedge meadows, and lowland bogs interspersed within lowland spruce-fir forests. Additionally, large expanses of lowland spruce-fir forest are known to support a great number of species (DeGraaf and Yamasaki 2001). Stands with mature trees support bark-gleaning and cavity-nesting species as trees reach senescence, creating snags and live stems with decay columns within the boles. Black-backed woodpecker is typical in these areas. Hardwood inclusions that arise from periodic disturbances to the main canopy support still more species; red-eyed vireo, for example.

Big Swamp represents an extensive and relatively undisturbed example of lowland black spruce forest—an uncommon community type in Vermont. The swamp has a canopy dominated by black spruce, with lesser amounts of tamarack and balsam fir. The shrub layer is sparse—tall shrubs of mountain holly, withe-rod, and red maple are most common. Habitat characteristics within Big Swamp are thought to support the rare black-backed woodpecker, spruce grouse, gray jay, rusty blackbird, bay-breasted warbler, and possibly Wilson’s warbler.

Blowdown Bogs is a diverse area, including some black spruce swamps, a lowland bog, and shrub swamp, all within a matrix of lowland spruce-fir forest. The lowland bog is dominated by black spruce in the canopy,



and in the shrub layer bog-cotton, bog laurel, *Rhodora*, and small cranberry. The shrub swamp is a formerly forested area currently recovering from a large blowdown event. This area also serves as an excellent example of paludification—a process whereby a reduction in evapotranspiration from the loss of a forested canopy leads to an increase in the wetness of a site through a “drawing up” of the water table. This process is common in the moist, cool environment of the subarctic, but is extremely rare in Vermont. Blowdown Bogs provides important habitat characteristics for rare boreal birds, and a rare boreal plant—mountain cranberry.

These unique areas within WIA 3 sit within a matrix of lowland spruce-fir forest, with a significant portion having been harvested in the recent past (Lapin and Engstrom 2002). While this matrix forest is not unique per se, it serves as an important buffer to the unique communities discussed above.

*Natural Communities/Naturalness*—Approximately 1,036 acres (30 percent) of land within this unit support vegetation that is significantly different than the natural community of the area in which it occurs. WIA 3 has lands that have been managed intensively for forest products and appear so, and lands that were not managed intensively, if at all, within the past 100 years. We used tree height and canopy closure as indicators of perceived “naturalness”, although greater heights and a larger percentage of closure are not necessarily indicative of natural or mature forest conditions. In evaluating the mix of forest conditions, three areas within WIA 3 were identified as having characteristics that could appear as natural to the general public. Collectively these three areas account for approximately 55 percent of WIA 3.

*Roads*—Peanut Dam Road extends approximately 1.3 miles from Stone Dam Road into the unit. This is a gravel road that was constructed by the previous owners for timber extraction, and has been maintained to minimum standards (i.e., passable by vehicles but with no grading, gravel additions, etc.) by the Service since acquisition. In addition, this WIA contains approximately 4.8 miles of “winter” road, consisting of an unimproved cleared alignment used for hauling wood products. While not having been used for more than a decade, these winter roads are still clearly identifiable in recent aerial photographs and may influence a person’s perception of “naturalness”. It is also likely that many of these roads would be used by the Service to accomplish future habitat management projects.

*Cabins*—Six privately owned cabins are within this unit.

*Gravel Pit*—One site exists where gravel has been extracted, probably for use in building or maintaining roads. The total area of this site is approximately one acre.

#### **Other features and characteristics in WIA 4:**

Acreage: 5,052 acres

Ownership: Fee title

*Inholdings*—WIA 4 is the largest contiguous parcel of land within the division. The WIA contains two in-holdings that are not owned by the Service and therefore they will not be further studied in this review. Their acreages have not been included in the WIA acreage calculation.

*Habitat*—Upland areas support a mix of conifer and hardwood, as well as hardwood dominant forests in the more southern portions, and especially as the land rises from the Yellow Branch to the eastern and western expanses of the unit. Regeneration is occurring within “skid roads” that were used for timber extraction that occurred prior to Service acquisition. These roads are no longer used for machinery access by the Service, but are still present and easily distinguished.

*Yellow Bogs*—A large portion of the northern and central regions of this unit, as well as wetlands found along the river corridor of the Yellow Branch, are a part of Yellow Bogs. This portion of Yellow Bogs is primarily drained by the Yellow Branch of the Nulhegan River, which has its headwaters to the north on an adjacent WIA, but the majority of which meanders through WIA 4. The portion of the Yellow Branch that is within this unit is considered a navigable waterway, and therefore is owned and managed by the State of Vermont.

*Natural Communities/Naturalness*—Approximately 2,089 acres (41 percent) of land within this unit support vegetation that is significantly different than the natural community of the area in which it occurs. WIA 4 has lands that have been managed intensively for forest products and appear so, and lands that were not managed intensively, if at all, within the past 100 years. We used tree height and canopy closure as indicators of perceived “naturalness”, although greater heights and a larger percentage of closure are not necessarily indicative of natural or mature forest conditions. In evaluating the mix of forest conditions, four areas within WIA 4 were

identified as having characteristics that could appear as natural to the general public. Collectively these four areas account for approximately 42 percent of WIA 4.

**Roads**—Black Branch road extends approximately 2.3 miles from Stone Dam Road into the unit. This is a gravel road that was constructed by the previous owners for timber extraction, and has been maintained to minimum standards (i.e., passable by vehicles but with no grading, gravel additions, etc.) by the Service since acquisition. In addition, this WIA contains approximately 4.9 miles of “winter” road, consisting of an unimproved cleared alignment used for hauling wood products. While not having been used for more than a decade, these winter roads are still clearly identifiable in recent aerial photographs and may influence a person’s perception of “naturalness”. It is also likely that many of these roads would be used by the Service to accomplish future habitat management projects.

**Cabins**—Five privately owned cabins are within this unit.

**Gravel Pits**—Two sites exist where gravel has been extracted for use in building or maintaining roads. The total area of these sites approximates 2.8 acres.

### **Wilderness Inventory Conclusion for Nulhegan Basin Division**

The wilderness review team identified eleven WIAs within the approved acquisition boundary of the division and determined that none of the WIAs meet all of the minimum wilderness criteria. However, because of their unique characteristics, WIA 3 and WIA 4 should be further evaluated. WIA 3 and 4 are within the approved acquisition boundary of the division and are owned in fee by the Service.

WIA 3 does not meet the roadless or size criteria but has components that may appear natural to the general public and provides the opportunity for solitude or primitive recreation. Peanut Dam Road is within this WIA and would have to be decommissioned in order to be considered roadless.

WIA 4 does not meet the roadless criterion but does meet the size criterion, has components that may appear natural to the general public, and provides for solitude or primitive recreation. Black Branch Road is within this WIA and would have to be decommissioned in order to be considered roadless.

WIAs 3 and 4 are comprised of undeveloped Federal lands, a portion of which retain their primeval character and influence, without permanent improvements or permanent human habitation. Collectively, they span a significant portion of a conifer matrix forest ecosystem, which possesses high ecological value. Additionally, these WIAs contain an approximately 6-mile common border, divided by a single-lane gravel road subject to a deeded right-of-way. Although the presence of this road precludes a wilderness area from being considered roadless, the juxtaposition of habitat provides a high degree of ecological and wildlife habitat connectivity.

We will evaluate WIA 3 and WIA 4 as WSAs in the wilderness study phase of this wilderness review. In the study phase, we will evaluate a range of management alternatives to determine if WSA 3 or 4 are suited for wilderness designation, or are suited for management under an alternate set of goals and objectives that do not involve wilderness designation.

## **4. Wilderness Study**

### **4.1. Nulhegan Basin Division**

WSA 3 and WSA 4 were found to possess wilderness characteristics defined by the Wilderness Act. In the wilderness study, we further evaluate these WSAs to determine their suitability for management, preservation, and designation as wilderness. Considerations in this evaluation included:

- Quality of wilderness values.
- Evaluation of resource values, public uses, and associated management concerns.
- Capability for management as wilderness.

This information provides a basis to compare the impacts of a range of management alternatives and determine the most appropriate management direction for each WSA.

### **Evaluation of Wilderness Values**

This section evaluates the quality of the WSAs’ mandatory and supplemental wilderness characteristics.

**Roadless:** Both WSA 3 and WSA 4 contain a combined 13 miles of both gravel and winter roads within their

perimeter bounds. These roads were built by previous owners and while the gravel roads have been maintained by the Service for administrative purposes and public access, the winter roads have not been maintained, yet are still clearly distinguishable in current aerial photography. In order for these WSAs to qualify as roadless, the gravel roads will need to be decommissioned and either removed or allowed to naturally return to a forested condition, while in the absence of active use, the winter roads will continue to re-vegetate over time and may be mostly obscured in the next few decades.

**Naturalness:** Although sharing a history of extensive logging, both of the WSAs contain discrete areas that provide a sense of naturalness and generally appear to have been affected primarily by the forces of nature, with the imprint of human work substantially unnoticeable. These areas are comprised of predominately forested and non-forested wetlands, which provide an environment with natural character. These wetlands occur in irregular shapes that with one exception are well less than one-mile square. In WSA 3, the wetlands are located in closer proximity to each other and therefore collectively they provide a larger, more expansive area with a natural appearance. The wetlands within WSA 4 are more isolated, creating a less notable natural appearance. The adjoining upland areas present throughout both WSAs have been subject to intensive forest management. In these upland areas, it is obvious that forest manipulation has occurred, thus reducing the naturalness of the corresponding landscape. These areas are regenerating naturally and therefore are now being shaped by natural forces. However, it will take hundreds of years before evidence of human intervention is less apparent.

The majority of the topography has been unaltered, with the exceptions being the gravel pits, skid roads, and a few log landings. The small, isolated cabins and gravel spur roads have been identified as features that impact the sense of naturalness.

**Outstanding Opportunities for Solitude or Primitive Recreation:** Both WSAs provide opportunities for solitude or primitive recreation. The WSAs are in remote areas that are more than 70 miles from a major airport and more than 20 air-miles from an interstate highway, although the most pristine forest elements generally share a substantial border with gravel roads and/or the 450 kV transmission line corridor. The transmission line, with poles in excess of 80 feet in height, forms the eastern boundary of WSA 3. This transmission line is visible from WSA 3 and, therefore, will likely have some visual impact that may reduce the overall sense of solitude and opportunity for primitive recreation. However, the relatively level topography and dense vegetation will serve to mask its presence.

**Quality of Supplemental Values:** Both of the WSAs offer excellent ecological values with features of scientific, educational, and scenic interest. The peat lands and forested wetlands have been relatively unaltered by human intervention and therefore offer a unique opportunity to observe or study habitats that have been primarily shaped by natural processes. These areas also contain a variety of plants that are rare in the State of Vermont, including one of the rarest plants in the State, lingonberry (*Vaccinium vitis-idaea*). The Nulhegan Basin is rich in Native American and modern American history, although most is obscured by the dense forest vegetation within the WSAs, with the exception of the more recent forest management activities. The exception to this is the evidence of historic log-drive dams that existed in the Black Branch of the Nulhegan River, within the perimeter of WSA 3. In addition, the results of an ecological assessment of the Nulhegan Basin indicate (Lapin and Engstrom 2002) :

- “The Nulhegan Basin is a landform of a unique large size, geologic history, and natural community mosaic. The forest and wetland vegetation have boreal affinities and the landscape thus may be considered to be one of a handful of large, lowland southern extensions of boreal vegetation types.”
- “Conserved areas in Maine and New York are similar to the Nulhegan Basin in several, but not all, ecological parameters (specifically, natural community and floristic composition, soils, and hydrology in various combinations at the different sites). The Maine and New York sites are located approximately 300 miles apart, and the Nulhegan Basin sits practically midway between.”
- “The Nulhegan Basin is a landscape of a scale similar to few lowland spruce-fir landscapes in any geologic landform from Maine to New York; thus, it provides one of the few opportunities for landscape-scale, lowland spruce-fir forest conservation in the northeastern United States.”
- “The Nulhegan Basin is one of the southernmost lowland spruce-fir landscapes, and thus provides habitat for a variety of northern organisms that are of conservation concern in the region (particularly forest birds and some plants). As such, the area also has implications for providing corridor, stepping stone, or refugium functions with regard to global climate change.”

**Evaluation of Manageability and Other Resource Values and Uses:** Neither of these WSAs can be managed as a wilderness without making some exceptions. Both of the WSAs contain privately owned and maintained recreational cabins on their periphery. These cabins are on leased lots that are owned in fee by the Service, and leased to camp owners - use of the cabins may extend until 2049 at the owner's discretion. While the Service has a standing offer to purchase cabins from willing sellers, it should be assumed for the purposes of this review that the cabins will remain until 2049. Until that date, cabin owners are granted legal use and access of their cabins and an associated one-acre plot of land.

**Rivers**—Rivers flow through both WSAs. The State of Vermont retains rights and ownership of public waters defined as “navigable”, and the lands lying thereunder. Although these non-Federal lands are not eligible for wilderness designation, they have not been identified as features that restrict the bounds of a WSA. Although they are assumed to be negligible at the WSA-scale, accurate acreages have not been calculated for the riverine portions of the WSAs, and therefore have not been removed from the WIA or WSA acreage.

**Inholdings**—Two parcels totaling approximately 167 acres are within the perimeter bounds of WSA 4 (map E.2) and have been deducted from the acreage total. These lots are owned in fee by private and municipal interests. The owners of these lands retain certain “unwritten and unrecorded ingress and egress rights.” The 84-acre lot falls within the Refuge acquisition boundary; the 83-acre lot does not.

**Deer Wintering Area**—The largest “deer wintering area” in the State of Vermont is within the Nulhegan Basin area. The majority of this historic wintering area is on the division (approximately 10,000 acres) and encompasses all of WSA 4 and most of WSA 3. In this northern region, wintering areas are critical for the survival of white-tailed deer. Furthermore, the multi-aged, dense canopy forest conditions desired for wintering deer benefit additional wildlife species of concern and contribute to broader ecological goals. Past forest management has significantly reduced the amount of functional shelter currently available within this area, disrupting the desired condition. Rehabilitation efforts utilizing mechanized equipment will be necessary to encourage a multi-aged forest that would more quickly develop into and sustain the desired habitat condition for wintering deer and a variety of other wildlife species associated with these habitat conditions.

**American Woodcock**—Woodcock Habitat Management Demonstration Areas exist within both WSA 3 and WSA 4. These areas comprise approximately 134 acres of WSA 3 and 32 acres of WSA 4. These locations have been selected because they contain features that are highly suitable for woodcock habitat management and provide access to exhibit such treatments to potential practitioners. These areas contribute to the Northern Forest Woodcock Initiative (NFWI), of which the Service is a partner. The NFWI is a landscape-level conservation approach that is dependent on private and public involvement. NFWI was developed to address the rapid decline in woodcock populations. The division was identified as one of the most suitable public land areas for woodcock management in Bird Conservation Region 14 (BCR 14). This presents opportunities for the division to contribute to the recovery efforts of the NFWI and to the goals of national plans identifying woodcock as a priority species of concern. One of the goals of the NFWI is to establish woodcock demonstration areas to provide examples of proper woodcock management and to provide research and monitoring opportunities. Creating such demonstration areas on the division also provides the opportunity for public education and interpretation, and thus will further contribute to the Service's goals and the Conte Refuge's purposes. The Service has committed to actively managing these areas for the purposes intended until it is determined they are no longer critical to meet the goals of the NFWI. Employing mechanized equipment that shreds or removes trees will be necessary at five to seven year intervals in order to provide the stages of dense and shrubby early successional habitat required by woodcock to successfully complete their lifecycle. Additional information regarding the locations, goals, objectives, and strategies for each demonstration area may be found in the Woodcock Habitat Management Plan (USFWS 2009).

**Motorized Vehicles**—Most of the perimeter bounds of the WSAs are division roads (and a private powerline road) that are open to the public. These roads are open to motorized vehicles throughout the year, except when the roads are not passable due to muddy conditions which typically occur during April and May. Snowmobiles are the only motorized vehicles allowed during the winter season and are restricted to a network of trails that primarily overlay gravel roads; encompassing approximately 33 of the division's roughly 40 miles of gravel roads. The trails are maintained by the Vermont Association of Snow Travelers (VAST) through a SUP. Each year, the division receives approximately 2,000 wheeled vehicle visits and 8,000-12,000 snowmobile visits, depending on snow conditions. Sound from wheeled vehicles dissipates within a short distance, while the basin's topography tends to project snowmobile sounds. This may adversely affect “wilderness character” during winter and necessitate an evaluation of potential changes to the snowmobile trail network.



*Powerline Corridor*—The eastern boundary of WSA 3 is a privately owned powerline corridor. This corridor is 200 feet in width and is owned and managed by the Vermont Electric Power Company (VELCO). An access road extends the length of the corridor and is open to public travel. Wheeled motorized vehicles and snowmobiles are allowed and the season and mode of use are typically managed similarly with the division. Motorized vehicles on the division, as well as the powerline road, are restricted to registered vehicles that can be legally operated on public highways. All-terrain vehicles (ATV) and other motorized vehicles such as dirt bikes and all-terrain cycles are not permitted on the division or on the powerline road.

### **Development of CCP Alternatives**

After evaluating the quality of wilderness values, manageability, and other resource values and uses, and reviewing public comments during the scoping phase, the following action alternatives were developed and analyzed in the accompanying final CCP/EIS for Conte Refuge:

***Alternative C (Service's Preferred Alternative):*** Under this alternative, neither of the WSAs (0 acres) would be recommended for wilderness designation. Both WSAs would be managed to accomplish habitat management objectives for priority wildlife species as described in the final CCP/EIS. More specifically, habitat management would follow the actions described in a future Habitat Management Plan. In general, both passive and active management would be used to attain an adequate diversity and distribution of age classes with an emphasis on rehabilitating natural communities and a naturally sustainable multi-aged forest. Once goals have been met in terms of rehabilitating natural communities and age-class distributions, it is recommended that another wilderness review be completed.

The forests in both WSAs have been subject to intensive forest management resulting in predominately even-aged characteristics that lack aspects of the biological diversity and ecological integrity important to Federal trust resources and other species and habitats of conservation concern to the Service. It would take hundreds, if not thousands of years, for a forest to develop naturally the multi-aged, biologically diverse characteristics that contribute to a healthy and sustainable ecosystem. However, research has demonstrated that the thoughtful application of uneven-aged management techniques will encourage multi-aged forests, comprised of native species growing on appropriate natural community sites, to develop at a much faster rate than through sole reliance on natural processes/disturbances (Schütz 2002, Seymour et al. 2002, Keeton 2004, Franklin et al. 2005). Therefore, the wilderness review team concluded at this time that the potential use of active management in both WSAs is critical to achieving habitat goals and objectives in a timely manner. Furthermore, the team concludes that once conditions that lend themselves well to natural sustainability have been restored, another wilderness review should be conducted. It is likely that the beginning stages of naturally sustainable forest conditions could occur within the next 30 to 50 years.

***Alternative D (Propose Unit 3 and Unit 4 as Wilderness with Exceptions):*** Under this alternative, both WSA 3 and WSA 4 would be recommended for wilderness designation with exceptions that include cabin SUPs, access rights to private landowners, and decommissioning and reforestation of interior roads and gravel pits. Additionally, waterways that are owned by the State of Vermont are not eligible for wilderness designation and therefore are not included under this alternative.

The recreational cabin program would be administered consistent with current practices (i.e., use and maintenance of cabins would continue as prescribed in the existing SUP, and SUPs would not be renewed beyond 2049). When feasible, lands and cabins within the WSAs would be purchased from willing sellers. Once cabins were acquired by the Service, they would be dismantled and removed, and the site would be restored to a natural condition.

Access rights to landowners, both interior and adjacent to the division, as well as cabin owners would continue to be allowed as specified in any and all legal documents, and more specifically, in accordance with the deeds that are held by adjacent landowners wherein roadway rights-of-way are considered at a width of 66 feet.

Roads that currently exist as spur roads into the WSAs, namely Peanut Dam Road and Black Branch Road, which have been maintained for administrative and public access purposes, would be decommissioned and the use of machinery and other mechanized equipment would be used, if warranted, to restore road beds to conditions that facilitate natural hydrologic flows or other natural conditions, as advised through future environmental assessments. Gravel pits that lie within the WSAs would also be subject to the use of machinery and other mechanized equipment for restoration and habitat rehabilitation purposes.

The WSA boundaries would be defined by the gravel roads that surround the WSAs, namely Lewis Pond, Eagle's Nest, Canal, Stone Dam, and Tin Shack Roads, and all private lands and rights-of-way. The width of the gravel roads is considered 66 feet as defined by the deeds held by adjacent landowners.

Because Congress has reserved the authority to make final decisions on wilderness designation, the wilderness recommendations are preliminary administrative determinations that will receive further review and possible modification by the Service Director, the Secretary of the Interior, or the President. However, the analysis of the environmental consequences of this alternative in chapter 5 of the final CCP/EIS is based on the assumption that Congress would accept the recommendation and designate both WSAs as wilderness.

If both WSAs are designated as wilderness, they would be managed according to the provisions of the Wilderness Act and Service wilderness management regulations (50 CFR 35) and wilderness management policy in the Refuge Manual (6 RM 8). The areas would be managed to accomplish refuge purposes and the NWRS mission, while also preserving wilderness character and natural values for future generations. Use of motorized vehicles, motorized equipment, and mechanical transport may be allowed for emergency purposes and when necessary to meet minimum requirements for the administration of the area as wilderness and to accomplish refuge purposes. Proposed or new Nulhegan Basin Division management activities, or division uses would be evaluated through a minimum requirements analysis and NEPA compliance to assess potential impacts and identify mitigating measures to protect wilderness character.

## **5. Alternatives Considered but Eliminated from Consideration**

Federal agencies are required by NEPA to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). It was determined that there was no benefit in analyzing partial wilderness alternatives for individual WSAs. There are no feasible or practical boundary adjustments that would improve the manageability of an individual WSA. Additionally, it is not feasible to recommend wilderness without providing exceptions for cabin usage and deeded rights-of-way.

### **Conte Refuge Wilderness Review Team**

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## Appendix F



Sharon Lindsay

*Nulhegan River adjacent to nature trail*

# Wild and Scenic Rivers Review

- Introduction
- National Wild and Scenic Rivers System
- Existing and Proposed WSRs in the Connecticut River Watershed





## Introduction

The Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge) Act of 1991 authorized the creation of the Conte Refuge. The legislated project boundary includes the entire 7.2 million-acre Connecticut River watershed. Over 1.8 million acres within the watershed currently have some form of permanent protection. This conserved lands network includes the Conte Refuge footprint (as of October 7, 2013, totaling 35,989 acres — all owned in fee title with the exception of approximately 170 acres in conservation easements) and tracts owned by State and local governments, local and national non-governmental organizations, and other Federal agencies.

The final Conte Comprehensive Conservation Plan (CCP) is based on a landscape-scale, partnership approach to conservation within the Connecticut River watershed. Because of the geographic scope and scale of the refuge's legislative project boundary and the limited staff and other refuge resources available, the management alternatives in the final CCP focus on two tiers of priority areas of interest to the U.S. Fish and Wildlife Service (Service, FWS) within the Connecticut River watershed.

- Conservation Partnership Areas (CPAs) are areas within the watershed where we propose refuge staff use their resources to facilitate and support the conservation, education, and recreation work led by others on other ownerships.
- Conservation Focus Areas (CFAs) are areas of particularly high importance and significance to the Service, and typically nested within CPAs, where we propose refuge staff take the lead role in conservation, education, and recreation actions. Any future land acquisition for the refuge would be focused in CFAs.

Congress created the National Wild and Scenic Rivers System (National System) in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The National Wild and Scenic Rivers System Act directs Federal agencies to consider potential wild and scenic rivers in their land and resource planning processes. Wild and scenic river considerations are a required element of CCPs and conducted in accordance with the refuge planning process outlined in 602 FW 1 and 3, including public involvement and National Environmental Policy Act compliance.

This report documents the Service's preliminary inventory and eligibility assessment of rivers and streams that flow through all CPAs evaluated in the final CCP, and all rivers and streams within existing refuge units not embedded within a CPA.

At the present time, we are not pursuing further study of any of the rivers and streams catalogued in this inventory. Wild and Scenic River (WSR) Studies for rivers and streams in the Connecticut River watershed and Conte Refuge should be conducted with full participation and involvement of our Federal, respective state, local, and nongovernmental partners.

Some of these river segments are currently being evaluated by other entities for their potential to be designated Federal wild and scenic rivers. We learned of several studies underway or where there is interest in initiating a planning process; however, we do not provide status updates in this document because we simply did not have the resources to check out every potential project. We acknowledge that the information below might not be current at the time of publication. However, for those planning efforts or studies underway in any of the CPAs, we request lead agencies or organizations to contact us so that we may partner in those efforts.

## National Wild and Scenic Rivers System

The National System was established by Congress in 1968 to protect certain outstanding rivers from the harmful effects of new Federal projects such as dams and hydroelectric facilities. Section 1(b) of the Wild and Scenic Rivers Act states:

*It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.*

The National System includes a spectrum of rivers, from cascading mountain streams to rivers meandering through valleys, from remote wilderness to rural and urban rivers. Rivers and river segments are classified, designated, and administered in one of three categories depending on the extent of development and accessibility along each section.

- **Wild Rivers** — Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.
- **Scenic Rivers** — Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
- **Recreational Rivers** — Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

The original Act designated eight rivers as components of the National System, and specified processes by which other rivers could be added. Since 1968, the Act has been amended many times, primarily to designate additional rivers and to authorize the study of other rivers for possible inclusion in the National System. As of July 2012, the National System protects 12,598 miles of 203 rivers in 39 states and Puerto Rico.

### ***Provisions for Expanding the National System***

Congress included mechanisms and standards in the WSR Act to provide for the expansion of the National System. Rivers may be designated by Congress (under Section 3(a) of the Act) or, if certain requirements are met, the Secretary of the Interior (under Section 2(a)(ii) of the Act).

Rivers included in the National System by act of Congress are administered by one of four Federal agencies: Bureau of Land Management (BLM), National Park Service (NPS), U.S. Forest Service (USFS), and/or the Service as specified in the legislation. Management is provided by the Federal agency (or agencies) that have jurisdiction over the federal lands adjacent to the river. The Federal WSR-administering agency is responsible for implementing the Act's requirements through its authorities on federal lands and through voluntary, cooperative strategies developed with other governments, Tribal nations and landowners on non-Federal lands.

Congressionally designated rivers that flow entirely or largely through non-Federal lands require a community-based conservation approach. This collaborative approach is well-evidenced on "Partnership" rivers in the National System. The designated rivers are administered by the NPS but a local partnership organization (e.g. a watershed association, river council or advisory committee representing landowners, and local and state governments) is responsible for day-to-day management. NPS staff assist communities in managing their river-related resources locally by bringing together state, county, and community representatives to preserve the values for which the rivers were designated.

Section 2(a)(ii) authorizes the Secretary of the Interior to include in the National System a river already protected by a state river protection program (i.e., by act of a state's legislature) upon application by a state's governor. Applications by the states are evaluated and processed by the NPS. If found eligible, and sufficient protection is afforded by the state, the Secretary may designate the river. Rivers designated in this manner are administered by the state (sometimes with assistance from local governments), except for any Federal lands along the river. If there are federal lands located along the river, the state and federal river-administering agencies may enter into an agreement to outline federal/state management roles and responsibilities and/or provide for management and protection of river values.

### ***Designation Criteria and Study Process***

Before a river can be added to the National System through congressional designation, it must be both eligible and suitable for designation.

To be eligible, the river must be free-flowing and possess at least one river-related "outstandingly remarkable" resource value (ORV), such as high quality scenery, recreational opportunities, geologic features, fisheries and wildlife, historic sites or cultural resources. In order to be assessed as outstandingly remarkable, a river-related value must be a unique, rare, or exemplary feature that is exceptional at a comparative regional or national scale. A variety of methods can be used to determine whether certain river-related values are so unique, rare, or

exemplary as to make them outstandingly remarkable. The determination that a river area contains outstanding values is a professional judgment on the part of an interdisciplinary study team, based on objective analysis. The ORV eligibility criteria listed in table F.1 describe the minimum thresholds for evaluating river-related values. These criteria are not all-inclusive and may be modified by the study team.

**Table F.1. Eligibility Criteria for Outstandingly Remarkable Values**

<p><b>Scenery:</b> The landscape elements of landform, vegetation, water, color and related factors result in notable or exemplary visual features and/or attractions. Scenery and visual attractions may be highly diverse over the majority of the river or river segment.</p>
<p><b>Recreation:</b> Recreational opportunities are, or have the potential to be, popular enough to attract visitors from throughout or beyond the region of comparison or are unique or rare within the region.</p> <ul style="list-style-type: none"> <li>● Interpretive opportunities may be exceptional and attract, or have the potential to attract, visitors from outside the region of comparison.</li> <li>● The river may provide, or have the potential to provide, settings for national or regional usage or competitive events.</li> </ul>
<p><b>Geology:</b> The river or the area within the river corridor contains one or more example of a geologic feature, process or phenomenon that is unique or rare within the region of comparison.</p>
<p><b>Fish:</b> Fish values may be judged on the relative merits of fish populations, habitat, or a combination of these river-related conditions.</p> <ul style="list-style-type: none"> <li>● Populations: The river is nationally or regionally an important producer of resident and/or anadromous fish species. Of particular significance is the presence of wild stocks and/or federal or state listed (or candidate) threatened, endangered or sensitive species. Diversity of species is an important consideration and could, in itself, lead to a determination of “outstandingly remarkable.”</li> <li>● Habitat: The river provides exceptionally high quality habitat for fish species indigenous to the region of comparison. Of particular significance is habitat for wild stocks and/or federal or state listed (or candidate) threatened, endangered or sensitive species. Diversity of habitats is an important consideration and could, in itself, lead to a determination of “outstandingly remarkable.”</li> </ul>
<p><b>Wildlife:</b> Wildlife values may be judged on the relative merits of either terrestrial or aquatic wildlife populations or habitat or a combination of these conditions.</p> <ul style="list-style-type: none"> <li>● Populations: The river, or area within the river corridor, contains nationally or regionally important populations of indigenous wildlife species. Of particular significance are species considered to be unique, and/or populations of federal or state listed (or candidate) threatened endangered or sensitive species. Diversity of species is an important consideration and could, in itself, lead to a determination of “outstandingly remarkable.”</li> <li>● Habitat: The river, or area within the river corridor, provides exceptionally high quality habitat for wildlife of national or regional significance, and/or may provide unique habitat or a critical link in habitat conditions for federal or state listed (or candidate) threatened, endangered or sensitive species. Contiguous habitat conditions are such that the biological needs of the species are met. Diversity of habitats is an important consideration and could, in itself, lead to a determination of “outstandingly remarkable.”</li> </ul>
<p><b>Prehistory:</b> The river, or area within the river corridor, contains a site(s) where there is evidence of occupation or use by Native Americans. Sites must have unique or rare characteristics or exceptional human interest value(s). Sites may have national or regional importance for interpreting prehistory; may be rare and represent an area where a culture or cultural period was first identified and described; may have been used concurrently by two or more cultural groups; and/or may have been used by cultural groups for rare sacred purposes. Many such sites are listed on the National Register of Historic Places, which is administered by the NPS.</p>
<p><b>History:</b> The river or area within the river corridor contains a site(s) or feature(s) associated with a significant event, an important person, or a cultural activity of the past that was rare or one-of-a-kind in the region. Many such sites are listed on the National Register of Historic Places. A historic site(s) and/or features(s) is 50 years old or older in most cases.</p>
<p><b>Other Values:</b> While no specific national evaluation guidelines have been developed for the “other similar values” category, assessments of additional river-related values consistent with the foregoing guidance may be developed—including, but not limited to, hydrology, paleontology and botany resources.</p>

Rivers that are found eligible are then assigned a tentative classification as either “wild,” “scenic,” or “recreational” depending on the amount of development and human presence along the river. Determining whether a river is “suitable” for designation is more complicated than the relatively straightforward resource assessment required to evaluate eligibility. Essentially, suitability is an evaluation of:

- First, whether the importance of protecting natural, cultural, and recreational resource values outweighs other potential uses of the river:

- Second, whether National Wild and Scenic designation is the most appropriate strategy for long-term protection of the river.
- Third, demonstrated commitment to protect the river by any non-Federal entities who may be partially responsible for implementing protective management.

In other words, does National Wild and Scenic River designation make sense for the river in question? Local residents, leaders, and organizations must show strong support of their intent to participate in the long-term protection of the river.

River studies are conducted pursuant to Section 5(a), through which Congress legislatively directs the study of select rivers, or Section 5(d)(1), which directs federal agencies to identify potential additions to the National System through Federal agency land or resource management planning processes. In both cases, the appropriate Secretary (Interior or Agriculture), is responsible for conducting the river study. Typically, the lead Federal agency is the agency that manages the federal lands adjacent to the study river.

For “private lands” study rivers that flow entirely or largely through non-Federal lands, NPS staff work with representatives of state and local governments, river conservation groups, and other concerned constituencies to form an advisory committee to guide the study process, determine whether the river meets the designation criteria, and develop a conservation plan to protect the river’s free-flowing character and significant resources. Partnership-river study plans often rely on state and local land use requirements and non-Federal land acquisition to achieve their goals.

The final report and recommendation are forwarded to Congress by the President. The river study is typically accompanied by an environmental document, normally an environmental impact statement (EIS), which describes the ORVs and identifies significant issues, public concerns, tentative boundaries and classifications, alternatives and impacts, and appropriate protective management prescriptions and mitigation measures. Congress then decides whether to pass a law adding the river to the National System.

For state-nominated Section 2(a)(ii) rivers, NPS prepares a report determining whether the candidate river meets the requirements of Section 2(a)(ii). Its contents differ from those of study reports prepared under Section 5 of the Act in that the 2(a)(ii) report only addresses the river’s eligibility for designation. The report does not address suitability, beyond the requirement that the river be protected pursuant to an act of the state legislature and be administered by a state or local entity. This report is submitted to the Secretary of the Interior, who then decides whether to designate the river as a component of the National System.

### ***Protection and Management***

Each river in the National System is administered with the goal of protecting and enhancing the values for which it was designated. Designation neither prohibits development nor gives the Federal government control over private property. Recreation, agricultural practices, residential development, and other uses may continue. Protection of the river is provided through voluntary stewardship by landowners and river users and through regulation and programs of Federal, state, local, or Tribal governments. In most cases, not all land within the designated river corridor boundary is, or will be, publicly owned, and the Act limits how much land the Federal government is allowed to acquire from willing sellers. Visitors to these rivers are cautioned to be aware of and respect private property rights.

The Act purposefully strives to balance dam and other construction at appropriate sections of rivers with permanent protection for some of the country’s most outstanding free-flowing rivers. To accomplish this, it prohibits federal support for actions such as the construction of dams or other instream activities that would harm the river’s free-flowing condition, water quality, or outstanding resource values. However, designation does not affect existing water rights or the existing jurisdiction of states and the Federal government over waters as determined by established principles of law.

## **Existing and Proposed WSRs in the Connecticut River Watershed**

### ***National Wild and Scenic Rivers in the Connecticut River Watershed***

Three rivers within the Connecticut River watershed, the Eightmile River, Farmington River, and Westfield River, have been designated and included in the National System (Table F.2). All three of these rivers are Partnership WSRs that flow entirely or primarily through private lands and are preserved and managed through a partnership of adjacent communities, state governments and the NPS.



All three of the designated rivers flow through Service CPAs evaluated in the final Conte Refuge CCP/EIS. However, there are no designated segments flowing through Service-owned refuge lands.

**Table F.2. Existing Wild and Scenic River Designations in the Connecticut River Watershed.**

River Name	Administering Agencies	Miles by Classification			Total Miles
		Wild	Scenic	Recreational	
<b>Eightmile, CT</b> (P.L. 110-229, May 8, 2008)	NPS and Local Government		25.3		25.3
<b>Farmington, West Branch, CT and MA</b> (P.L. 103-313, Aug. 26, 1994)	NPS, State of CT, and Local Government			14.0	14.0
<b>Westfield, MA</b> (Secretary of Interior Designation, Nov. 2, 1993)  (Secretary of Interior Designation, Oct. 29, 2004)	State of MA	2.6	42.9	32.6	78.1
<b>TOTAL</b>					117.4

### ***Lower Farmington River and Salmon Brook WSR Study***

The upper 14 miles of the Farmington River in Connecticut were designated a Wild and Scenic River in 1994. The passing years proved this designation a success in facilitating river protection and in the Fall of 2003, the Farmington River Watershed Association began to pursue congressional authorization for a WSR study for the lower Farmington River and Salmon Brook. Congress passed P.L. 109-370 authorizing the study on November 27, 2006.

The lower Farmington River and Salmon Brook Wild and Scenic River Study Report and Environmental Assessment were completed in November 2011. The Study Report concludes that approximately 37 miles of the lower Farmington River and 26.4 miles of the Salmon Brook are eligible and suitable for designation. The lower Farmington River and Salmon Brook segments recommended in the Study Report flow through the Farmington River CPA. The Study Report package has been transmitted to Washington, D.C. for congressional action. For more information see <http://www.lowerfarmingtonriver.org/> (accessed August 2017).

### **Methodology and Findings**

We used United States Geological Survey (USGS) 7.5 minute topographic maps to identify all named rivers and streams within the 17 CPAs and 21 CFAs evaluated in alternatives C and D. We identified a total of 222 rivers and streams that flow within or through CPAs (table F.3):

- 58 in Connecticut.
- 34 in Massachusetts.
- 58 in Vermont.
- 56 in New Hampshire.
- 16 segments of the Connecticut River main stem.

We calculated the total miles of each river on existing Service-owned refuge tracts, within CPAs, and within CFAs (table F.3).

Potential river-related values (scenery, recreation, geology, fish, wildlife, prehistory, history, and other values) were identified based on existing resource information compiled for the final Conte Refuge CCP/EIS, CPAs and CFAs, individual refuge divisions and units, and information in the Nationwide Rivers Inventory<sup>1</sup>. For many

<sup>1</sup> The NRI is a listing of some free-flowing rivers (or river segments), which, based on preliminary studies, are considered to meet eligibility criteria for the National System. From 1976 to 1980, the Bureau of Outdoor Recreation and the Heritage, Conservation, and Recreation Service compiled the initial NRI, which was subsequently updated, published, and first distributed by the NPS in January 1982. The NRI has not been significantly updated since that time. Listing on the NRI, or any other source list, does not represent an official determination of eligibility, and conversely, absence does not indicate a river's ineligibility. Information about use of the NRI is found at: [www.nps.gov/nrcr/programs/rtca/nri/](http://www.nps.gov/nrcr/programs/rtca/nri/) (accessed August 2014).

ivers and stream segments, no information is available. In particular, it was difficult to assess whether each segment was free-flowing or not. The river-related values identified in table F.3 are a preliminary assessment and do not represent an official determination of the presence or absence of ORVs. In this table, we only list the ORVs for rivers that are already designated as Federal Wild, Scenic, or Recreational River or for rivers that are included on the National River Inventory.

**Table F.3. River Segments in Proposed CPA and a Description of Their Wild and Scenic Values.**

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
<b>Vermont</b>										
Nulhegan	Yellow Branch	8.0	8.0	8.0	8.0	0	0	0	0	
Nulhegan	North Branch -Connecticut River to headwaters North Branch	20.0	5.0	7.7	6.2	20.0	5.0	0	0	<i>Cultural-Major portion of corridor was an old Indian water route between St. Lawrence Valley and the Connecticut River Valley.  Wild-Corridor and watershed are essentially undeveloped. Over half of segment is extremely inaccessible.</i>
Nulhegan	East Branch - Nulhegan River to near Little Averill Lake	12.0	0.0	12.0	0.0	12.0	12.0	0	0	<i>Cultural-Major portion of corridor was an old Indian water route between St. Lawrence Valley and the Connecticut River Valley.  Wild-Corridor and watershed are essentially undeveloped. Over half of segment is extremely inaccessible.</i>
Nulhegan	Nulhegan River	17.5	3.2	17.4	5.0	0	0	0	0	
Nulhegan	Black Branch	13.2	9.0	13.2	9.8	0	0	0	0	
Nulhegan	Tim Carroll Brook	2.8	1.5	2.8	1.5	0	0	0	0	
Nulhegan	Logger Branch	4.9	4.9	4.9	4.9	0	0	0	0	
Nulhegan	Paul John Brook	4.0	0.0	4.0	0.0	0	0	0	0	
Nulhegan	Murphy Brook	4.7	0.0	4.7	0.0	0	0	0	0	
Nulhegan	Bailey Brook	3.5	0.0	3.5	0.0	0	0	0	0	
Nulhegan	Lightning Brook	3.9	0.0	1.3	0.0	0	0	0	0	
Nulhegan	Taffield Willey Brook	2.1	0.0	2.1	0.0	0	0	0	0	
Nulhegan	Clay Hill Brook	1.8	0.0	1.8	0.0	0	0	0	0	
Nulhegan	Mill Brook	2.6	0.0	2.6	0.0	0	0	0	0	
Nulhegan	Fisher Brook	2.3	0.0	2.3	0.0	0	0	0	0	
Ottawaquechee	Dimick Brook	0.8	0.0	0.8	0.0	0	0	0	0	
Ottawaquechee	Dailey Hollow	5.0	0.0	5.0	0.0	0	0	0	0	
Ottawaquechee	North Branch Ottawaquechee River	8.8	0.0	8.8	8.8	0	0	0	0	
Ottawaquechee	Bridgewater Hollow	1.8	0.0	1.8	1.8	0	0	0	0	

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Ompompanoosuc	Ompompanoosuc River	22.1	0.0	18.7	3.7	0	0	0	0	
Ompompanoosuc	West Branch Ompompanoosuc River	16.8	0.0	16.8	0.0	0	0	0	0	
Ompompanoosuc	Lord Brook	4.2	0.0	4.2	0.0	0		0	0	
Ompompanoosuc	Abbott Brook	3.9	0.0	3.9	0.0	0		0	0	
Ompompanoosuc	Old City Brook	5.6	0.0	5.6	0.0	0		0	0	
Ompompanoosuc	Middle Brook	7.1	0.0	7.1	5.3	0		0	0	
Ompompanoosuc	Blood Brook	3.7	0.0	3.7	3.1	0		0	0	
Ompompanoosuc	Big Brook	1.2	0.0	1.2	0.0	0		0	0	
Ompompanoosuc	Glen Falls Brook	0.9	0.0	0.9	0.0	0		0	0	
Ompompanoosuc	Roaring Brook	1.4	0.0	1.4	0.0	0		0	0	
<i>West River</i>	<i>West River - Route 100 to headwaters</i>	12.2	0.0	3.2	0.0	2.0		0	0	<i>Scenic-Headwaters section undeveloped, very scenic. (Note: migratory fish, adult Atlantic salmon, sea lamprey)</i>
<i>West River</i>	<i>West River - Ball Mountain to headwaters</i>	22.0	0.0	5.9	2.4	22		0	0	<i>Scenic-Unique and diverse juxtaposition and combination of land, water and vegetation elements. Recreation-Highly used and regionally unique river segment which includes sections of class IV gradient. (Note: migratory fish, adult Atlantic salmon, sea lamprey)</i>
<i>West River</i>	<i>West River - West Townshend to Ball Mountain</i>	8.0	0.0	8.0	8.0	8	8.0	0	0	<i>Scenic-A unique density and diversity of spatial enclosures, topographic features, hydrologic and vegetative elements, including a series of waterfalls, pools, and potholes. Recreation-Highly used and regionally unique river segment which includes sections of class IV gradient. (Note: migratory fish, adult Atlantic salmon, sea lamprey)</i>

Existing and Proposed WSRs in the Connecticut River Watershed

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
West River CPA	West River - Williamson Station to Townshend Dam	11.0	0.0	11.0	1.9	11.0	11.0	0	0	<p><i>Scenic-A unique and diverse range of views related to a variety of spatial enclosures, topographic diversity, and land uses,</i></p> <p><i>Recreation-Highly used river segment possessing a diversity of experiences and easy access.</i></p> <p><i>Geologic-Three state significant geologic features within or adjacent to the corridor.</i></p> <p><i>(Note: Migratory fish, adult Atlantic salmon, sea lamprey)</i></p>
West River	Tannery Brook	3.8	0.0	3.8	0.0	0	0	0	0	
West River	Smith Brook	4.1	0.0	2.2	1.9	0	0	0	0	
West River	Mill Brook	5.8	0.0	5.8	0.0	0	0	0	0	
West River	Fair Brook	3.1	0.0	3.1	3.1	0	0	0	0	
West River	Wardsboro Brook	7.8	0.0	5.4	2.4	0	0	0	0	
West River	Simpson Brook	1.6	0.0	1.6	1.6	0	0	0	0	
West River	Negro Brook	1.6	0.0	1.6	1.6	0	0	0	0	
West River	Ranney Brook	1.1	0.0	1.1	0.0	0	0	0	0	
West River	Turkey Mill Brook	6.5	0.0	6.5	6.5	0	0	0	0	
West River	Little Turkey Mill Brook	2.3	0.0	2.3	2.3	0	0	0	0	
West River	Cobb Brook	4.7	0.0	4.7	4.7	0	0	0	0	
West River	Burnt Meadow Brook	1.3	0.0	1.3	1.3	0	0	0	0	
West River	Flood Brook	5.3	0.0	5.3	0.0	0	0	0	0	
West River	Styles Brook	2.4	0.0	2.4	0.0	0	0	0	0	
West River	Farnum Brook	1.9	0.0	1.9	0.0	0	0	0	0	
White River	White River - Hartford to South Royalton	18.9	0.0	0.0	0.0	15.0	0	0	0	<p><i>Recreation-A unique diversity of natural and cultural features including Class III gradient, an old Indian travel route, a high number of islands, and a diversity of culturally significant land uses.</i></p> <p><i>(Note: Migratory fish, adult Atlantic salmon)</i></p>



Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
White River	White River - South Royalton to headwaters	37.0	0.0	10.1	0.0	37	10.1	0	0	<p><i>Fish-Includes one of seven regional federal fish hatcheries. All segments are either currently being restored as Atlantic Salmon rivers or were historically such.</i></p> <p><i>Scenic-A high range and diversity of views due to open low mountain topography, land use diversity and vegetation.</i></p> <p><i>Historic-A variety of regionally significant historic and cultural features are present in the segment including an old Indian water route, bee-hive dwellings, and an old talc mill site.</i></p> <p><i>(Note: 9.4 miles of White River within the CPA, migratory fish, adult Atlantic salmon).</i></p>
White River	White River, First Branch - Confluence with White River to headwaters	21.0	0.0	0.0	0.0	21	0	0	0	<p><i>Fish-Includes one of seven regional federal fish hatcheries. All segments are either currently being restored as Atlantic Salmon rivers or were historically such.</i></p> <p><i>Scenic-A high range and diversity of views due to open low mountain topography, land use diversity and vegetation.</i></p> <p><i>Historic-A variety of regionally significant historic and cultural features are present in the segment including an old Indian water route, bee-hive dwellings, and an old talc mill site.</i></p> <p><i>(Note: Migratory fish, adult Atlantic salmon)</i></p>
White River	West Branch Tweed River	4.7	0.0	4.7	0.0	0	0	0	0	
White River	Townsend Brook	3.4	0.0	3.4	0.0	0	0	0	0	
White River	South Branch Tweed River	3.8	0.0	3.8	0.0	0	0	0	0	
White River	Fletcher Brook	4.1	0.0	4.1	4.1	0	0	0	0	
White River	Story Brook	8.8	0.0	8.8	5.6	0	0	0	0	
White River	Locust Creek	11.7	0.0	11.5	0.0	0	0	0	0	
White River	Cleveland Brook	3.9	0.0	3.9	0.0	0	0	0	0	
White River	Lillieville Brook	4.7	0.0	4.7	0.0	0	0	0	0	
White River	Bridgewater Hollow	1.80	0	1.8	0.0	0	0	0	0	
White River	Dimick Brook	0.7	0	0.7	0.0	0	0	0	0	
White River	Dailey Hollow Brook	4.6	0.0	0.0	0.0	0	0	0	0	
White River	North Branch Ottauquechee River	7.9	0	7.9	0.0	0	0	0	0	

Existing and Proposed WSRs in the Connecticut River Watershed

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
<b>New Hampshire</b>										
Ashuelot	Ashuelot - Shaws Comer to Marlow	11.8	0.0	11.8	8.0	8		0	0	<p><i>Recreation-Segment includes one of longest continuous series of Class III and Class IV rapids, including a gorge at Gilsum, in the southern part of this section.</i></p> <p><i>Fish-Stream is a regionally significant trout stream supporting native species.</i></p> <p><i>Cultural-Segment includes a unique stone arch bridge.</i></p>
Ashuelot	Ashuelot - Confluence with the CT River in Hinsdale to Butterfield Pond in Washington	64.0	0.0	26.4	14.3	64		0	0	<p><i>Recreational-Segment contains 4 miles of continuous Class II-III rapids between Gilsum Gorge and Surry, and an area of Class V rapids south of Winchester.</i></p> <p><i>Geologic-Gilsum Gorge, a significant natural feature, contains numerous waterfalls and potholes.</i></p> <p><i>Wildlife-One of only three rivers in NH to support the federally endangered dwarf wedge mussel.</i></p> <p><i>Historic-Gilsum Stone Arch Bridge and Sawyer's Crossing Covered Bridge are listed in the National Register of Historic Places.</i></p> <p><i>(Note: This river supports American eel and dwarf wedgemussel).</i></p>
Ashuelot	Thompson Brook	4.1	0.0	3.8	0.2	0	0	0	0	
Ashuelot	Cannon Brook	1.8	0.0	1.8	1.8	0	0	0	0	
Ashuelot	Hayward Brook	3.8	0.0	3.8	2.8	0	0	0	0	
Ashuelot	White Brook	2.1	0.0	2.1	0.0	0	0	0	0	
Ashuelot	Whittemore Brook	2.7	0.0	2.7	2.3	0	0	0	0	
Ashuelot	Grassy Brook	5.5	0.0	5.5	3.7	0	0	0	0	
Ashuelot	Abbott Brook	4.1	0.0	4.1	0.0	0	0	0	0	
Ashuelot	Barney Brook	2.0	0.0	2.0	0.0	0	0	0	0	
Ashuelot	Richardson Brook	3.0	0.0	3.0	0.0	0	0	0	0	
Ashuelot	Cherry Brook	2.8	0.0	2.8	0.0	0	0	0	0	
Mascoma	Mascoma River	30.3	0.0	12.0	4.1	0	0	0	0	
Mascoma	Indian River	12.4	0.0	12.4	1.4	0	0	0	0	
Mascoma	Moose Brook	3.5	0.0	3.5	0.0	0	0	0	0	
Mascoma	Gulf Brook	2.8	0.0	2.8	0.0	0	0	0	0	
Mascoma	Haines Brook	2.4	0.0	2.4	0.0	0	0	0	0	
Mascoma	Orange Brook	5.1	0.0	5.1	0.0	0	0	0	0	
Mascoma	Straw Brook	3.6	0.0	3.6	0.0	0	0	0	0	
Mascoma	Marshall Brook	2.5	0.0	2.5	2.4	0	0	0	0	

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Mascoma	Pressey Brook	2.3	0.0	2.3	2.2	0	0	0	0	
Mascoma	Call Brook	2.5	0.0	2.5	2.5	0	0	0	0	
Mascoma	Indian Pond Brook	3.8	0.0	3.8	0.0	0	0	0	0	
Mascoma	Bean Brook	5.3	0.0	5.3	0.0	0	0	0	0	
Mascoma	Grant Brook	7.7	0.0	7.8	4.1	0	0	0	0	
Mascoma	Perkins Brook	1.6	0.0	1.6	0.0	0	0	0	0	
Mascoma	Meadow Brook	1.7	0.0	1.7	0.0	0	0	0	0	
Mascoma	Clough Brook	2.2	0.0	2.2	0.0	0	0	0	0	
Mascoma	Black Brook	2.8	0.0	2.8	0.0	0	0	0	0	
Pondicherry	Johns River	14.1	2.8	14.1	4.7	0	0	0	0	
Pondicherry	Stanley (Slide) Brook	2.1	0.3	2.1	1.0	0	0	0	0	
Pondicherry	Ayling Brook	2.1	0.8	2.1	1.6	0	0	0	0	
Pondicherry	Stag Hollow Brook	7.1	0.0	7.1	0.0	0	0	0	0	
Pondicherry	Israel River	21.2	0.0	8.7	0.0	0	0	0	0	
Pondicherry	South Branch Israel River	5.4	0.0	5.4	0.0	0	0	0	0	
Pondicherry	Red Brook	3.4	0.0	3.4	0.0	0	0	0	0	
Pondicherry	Appleby Brook	2.7	0.0	2.7	0.0	0	0	0	0	
Pondicherry	Cherry Mill Brook	21.0	0.0	7.0	0.0	0	0	0	0	
Pondicherry	The Mystic	1.2	0.0	1.2	0.0	0	0	0	0	
Pondicherry	Bear Brook	2.7	0.0	2.7	0.2	0	0	0	0	
Pondicherry	Carroll Stream	4.8	0.0	4.8	0.0	0	0	0	0	
Pondicherry	Carter Brook	2.6	0.0	2.6	0.0	0	0	0	0	
Pondicherry	Cherry Mountain Brook	2.5	0.0	2.5	0.0	0	0	0	0	
Pondicherry	Bog Brook	7.6	0.0	7.6	0.0	0	0	0	0	
Pondicherry	Chase Brook	3.5	0.0	3.5	0.0	0	0	0	0	
Blueberry Swamp	Simms Stream	9.6	0.0	9.5	0.0	0	0	0	0	
Blueberry Swamp	West Branch Simms Stream	3.4	0.0	3.4	0.0	0	0	0	0	
Blueberry Swamp	East Branch Simms Stream	5.3	1.8	5.3	3.5	0	0	0	0	
Blueberry Swamp	Cone Brook	3.5	0.0	3.5	0.0	0	0	0	0	
Blueberry Swamp	Lyman Brook	3.9	0.0	3.9	0.0	0	0	0	0	
Blueberry Swamp	Gore Brook	3.9	0.0	3.9	0.0	0	0	0	0	

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Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Sprague Brook	Roaring Brook	5.6	0.0	5.6	3.0	0	0	0	0	
Sprague Brook	Mirey Brook	5.3	0.0	5.3	0.0	0	0	0	0	
Sprague Brook	Brickyard Brook	2.6	0.0	2.6	0.1	0	0	0	0	
Sprague Brook	Tilsey Brook	3.1	0.0	3.1	1.1	0	0	0	0	
Sprague Brook	Jesse Brook	1.3	0.0	1.3	0.0	0	0	0	0	
<b>Massachusetts</b>										
Sprague Brook	Kidder Brook (MA)	1.6	0.0	1.6	0.0	0	0	0	0	
Westfield River	Westfield River, West Branch	16.9	0.2	16.9	7.3	7		0	0	Fish- American eel, Atlantic salmon stocking, Eastern brook trout, Wildlife-Priority Habitats of Rare Species
Westfield River	Westfield River, Middle Branch	17.6	0.0	17.6	3.1	11	0	0	0	Fish- American eel, Atlantic salmon stocking, Eastern brook trout Wildlife-Priority Habitats of Rare Species
Westfield River	Westfield River, East Branch	60.0	0.0	19.3	0.0	25		0	0	Fish- American eel, Atlantic salmon stocking, Eastern brook trout Wildlife-Priority Habitats of Rare Species
Westfield River	Fuller Brook	4.0	0.0	4.0	0.0	0	0	0	0	
Westfield River	Tuttle Brook	3.8	0.0	3.8	0.0	0	0	0	0	
Westfield River	Glendale Brook	5.5	0.0	5.5	0.0	0	0	0	0	
Westfield River	Factory Brook	7.5	0.0	7.5	0.0	0	0	0	0	
Westfield River	Coles Brook	5.5	0.0	5.5	5.5	0	0	0	0	
Westfield River	Depot Brook	5.3	0.0	5.3	0.0	0	0	0	0	
Westfield River	Savery Brook	3.0	0.0	3.0	0.0	0	0	0	0	
Westfield River	Watson Brook	2.2	0.0	2.2	0.0	0	0	0	0	
Westfield River	Shaker Mill Brook	6.7	0.0	6.7	0.0	0	0	0	0	
Westfield River	Yokum Brook	3.9	0.0	3.9	0.0	0	0	0	0	
Westfield River	Cushman Brook	2.3	0.0	2.3	0.0	0	0	0	0	
Westfield River	Roaring Brook	5.5	0.0	5.5	0.0	0	0	0	0	
Westfield River	Watts Stream	4.9	0.0	4.9	0.0	0	0	0	0	
Fort River	Fort River	11.9	3.0	11.9	5.6	0	0	0	0	
Fort River	Hop Brook	7.3	0.0	7.3	0.0	0	0	0	0	
Fort River	Amethyst Brook	4.8	0.0	4.8	0.0	0	0	0	0	
Fort River	Buffam Brook	2.3	0.0	2.3	0.0	0	0	0	0	
Fort River	Adams Brook	2.4	0.0	2.4	0.0	0	0	0	0	
Mill River	West Branch Mill River	5.3	0.0	5.3	0.0	0	0	0	0	



Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Mill River	East Branch Mill River	4.2	0.0	4.2	0.0	0	0	0	0	
Mill River	Bradford Brook	3.0	0.0	3.0	0.0	0	0	0	0	
Mill River	Beaver Brook	3.6	0.0	3.6	0.0	0	0	0	0	
Mill River	Unquomok Brook	2.1	0.0	2.1	0.0	0	0	0	0	
Mill River	Roberts Meadow Brook	3.4	0.0	3.4	0.0	0	0	0	0	
Mill River	Mill River	11.6	0.0	11.6	1.5	0	0	0	0	
Farmington	Upper Farmington River (also known as the West Branch)	39.2	0.0	19.6	1.2	14		0	0 <sup>3</sup>	<p><i>Recreation-Tens of thousands of people participate in fishing, boating, tubing, &amp; other recreational activities.</i></p> <p><i>Fish-High quality salmonid habitat. All migratory fish use this river. Steve Gephart called it the "Crown Jewel."</i></p> <p><i>Wildlife-Year-round bald eagle use. Major forest block and New England Cottontail Focus Area.</i></p> <p><i>Historic-Historic infrastructure, nationally recognized historic sites.</i></p> <p><i>Prehistory-Several prehistoric sites documented including major sites occupied year-round and the river may have been a major trade route.</i></p>
Farmington	Riska Brook	2.7	0.0	2.7	0.0	0	0	0	0	
Farmington	Taylor Brook	3.1	0.0	3.1	0.8	0	0	0	0	
<b>Connecticut and Massachusetts</b>										
Farmington	Upper Farmington River	38.0	0.0	19.6	1.2	14.0		14.0	14.0	<p><i>Recreation-Tens of thousands of people participate in fishing, boating, tubing, and other recreational activities.</i></p> <p><i>Fish-High quality salmonid habitat. All migratory fish use this river. Steve Gephart called it the "Crown Jewel."</i></p> <p><i>Wildlife-Year-round bald eagle use. Major forest block &amp; NEC Focus Area.</i></p> <p><i>Historic-Historic infrastructure, nationally recognized historic sites.</i></p> <p><i>Prehistory-Several prehistoric sites documented including major sites occupied year-round and the river may have been a major trade route.</i></p>

Existing and Proposed WSRs in the Connecticut River Watershed

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
<b>Connecticut</b>										
Farmington	Sandy Brook CT/MA	15.0	0.0	13.7	0.0	0	0	0	0	
Farmington	Doolittle Lake Brook	3.5	0.0	3.5	0.0	0	0	0	0	
Farmington	Slocum Brook CT/MA	3.4	0.0	3.4	0.0	0	0	0	0	
Farmington	Valley Brook CT/MA	6.4	0.0	6.4	0.0	0	0	0	0	
Farmington	Lower Farmington	43.2	0	4.7	0	6.0	0	0 <sup>4</sup>	0	
Farmington	Salmon Brook	2.4	0.0	2.4	1.4	0	0	0 <sup>4</sup>	0	
Farmington	East Branch Salmon Brook	11.8	0.0	11.8	0.0	0	0	0 <sup>4</sup>	0	
Farmington	West Branch Salmon Brook	12.6	0	0	0	0	0	0 <sup>4</sup>	0	
Farmington	Muddy Brook	7.4	0.0	7.4	0.0	0	0	0	0	
Farmington	Thorpe Brook	1.2	0.0	0.1	0.1	0	0	0	0	
Farmington	Belden Brook	2.5	0.0	2.5	0.0	0	0	0	0	
Farmington	Philo Brook	6.3	0.0	6.3	0.0	0	0	0	0	
Farmington	Hop Brook	6.3	0.0	6.3	0.0	0	0	0	0	
Farmington	Cherry Brook	8.6	0.0	8.6	0.0	0	0	0	0	
Maromas	Hubbard Brook	1.3	0.0	1.3	1.3	0	0	0	0	
Maromas	Reservoir Brook	1.8	0.0	1.8	0.4	0	0	0	0	
Maromas	Summer Brook	7.3	0.0	7.3	0.0	0	0	0	0	
Maromas	Harris Brook	1.4	0.0	1.4	0.0	0	0	0	0	
Maromas	Round Hill Brook	0.8	0.0	0.8	0.0	0	0	0	0	
Maromas	West Round Hill Brook	1.0	0.0	1.0	0.0	0	0	0	0	
Maromas	Long Hill Brook	4.3	0.0	4.3	0.0	0	0	0	0	
Salmon River	Blackledge River	15.9	0.0	15.9	0.0	0	0	0	0	
Salmon River	Foot Sawmill Brook	3.6	0.0	3.6	0.0	0	0	0	0	
Salmon River	Fawn Brook	8.8	0.0	8.8	0.0	0	0	0	0	
Salmon River	West Branch Fawn Brook	3.6	0.0	3.6	0.0	0	0	0	0	
Salmon River	Jeremy River	10.6	0.0	1.6	0.0	0	0	0	0	
Salmon River	Raymond Brook	5.6	0.0	5.6	0.0	0	0	0	0	
Salmon River	Judd Brook	5.2	0.0	5.2	0.0	0	0	0	0	
Salmon River	Meadow Brook	4.0	0.0	4.0	0.0	0	0	0	0	

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Salmon River	Gillette Brook	4.2	0.0	4.2	0.0	0	0	0	0	
Salmon River	Pine Brook (Babcock WMA)	3.2	0.0	3.2	0.0	0	0	0	0	
Salmon River	Moodus River	4.0	0.0	4.0	0.8	0	0	0	0	
Salmon River	Pine Brook (Salmon River)	7.5	0.5	7.5	3.5	0	0	0	0	
Salmon River	Salmon River	10.3	0.3	10.2	3.7	0	0	0	0	
Salmon River	Pocotopaug Creek	3.9	0.0	3.9	0.4	0	0	0	0	
Salmon River	Mine Brook	3.3	0.0	3.2	0.0	0	0	0	0	
Salmon River	Safstrom Brook	3.5	0.0	3.5	0.0	0	0	0	0	
<b>Whalebone Cove</b>	<b>Eightmile River</b>	<b>10.8</b>	<b>0.0</b>	<b>10.8</b>	<b>0.9</b>	<b>0</b>	<b>10.8</b>	<b>10.8</b>		<b>Watershed hydrology Water quality. Geology Unique species &amp; natural communities Watershed ecosystem Cultural landscape</b>
Whalebone Cove	Roaring Brook	5.7	0.0	5.7	0.0	0	0	0	0	
Whalebone Cove	Hemlock Valley Brook	5.0	0.0	5.0	0.8	0	0	0		
Whalebone Cove	Succor Brook	4.1	0.0	4.1	0.0	0	0	0		
Whalebone Cove	Early Brook	3.4	0.0	3.4	0.0	0	0	0		
Whalebone Cove	Big Brook	1.9	0.0	1.9	0.0	0	0	0		
Whalebone Cove	East Branch Eightmile River	8.0	0.0	8.0	0.0	4.0	4.0	8.0		
Whalebone Cove	Beaver Brook	11.6	0.0	11.6	0.0	0		1.9		
Whalebone Cove	Lieutenant River	2.8	0.0	2.8	0.0	0	0	0	0	
Whalebone Cove	Black Hall River	2.9	0.0	5.2	0.0	0	0	0	0	
Whalebone Cove	Joshua Creek	2.5	0.0	2.5	2.5	0	0	0	0	
Whalebone Cove	Harris Brook	4.5	0	4.5	0	0	0	3.9	3.9	
Whalebone Cove	Falls Brook	1.6	0	1.6	0	0	0	0.7	0.7	
Scantic River	Podunk River	13.7	0.0	***	2.3	0	0	0	0	
Scantic River	Newberry Brook	2.1	0.0	***	1.5	0	0	0	0	
Scantic River	Stoughton Brook	1.9	0.0	***	0.6	0	0	0	0	
Scantic River	Scantic River	37.1	0.0	***		0	0	0	0	

Existing and Proposed WSRs in the Connecticut River Watershed

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Scantic River	Connecticut River	4.2	0.0	***	4.2	0	0	0	0	
Pyquag	Beaver Brook	2.1	0.0	***	2.1	0	0	0	0	
Pyquag	Salmon Brook	7.1	0.0	***	0.1	0	0	0	0	
Pyquag	Hubbard Brook	5.5	0.0	***	1.6	0	0	0	0	
Pyquag	Connecticut River	8.7	0.0	***	8.7	0	0	0	0	
<b>Main Stem</b>										
<b>Quonatick - NH</b>	<b>Connecticut River - Fourth Connecticut Lake to Beecher Falls</b>	<b>29.0</b>	<b>0.0</b>	<b>0<sup>5</sup></b>	<b>0.0</b>	<b>No</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>Scenic-(Segment passes by and provides excellent views of Monadnock Mountain, a regionally unique example of an open low mountain. Possesses one of the highest ranges of views in the entire northeast.) Hydrologic-(A unique, sparsely developed, high-order river.)</b>
<i>Quonatick - NH/VT</i>	<i>Connecticut River - Beecher Falls to North Stratford</i>	<i>22.0</i>	<i>0.0</i>	<i>0<sup>5</sup></i>	<i>0.0</i>	<i>22.0</i>	<i>5</i>	<i>0</i>	<i>5</i>	<i>Hydrologic-(A unique sparsely developed high order river.) Scenic-(Segment passes by and provides excellent views of Monadnock Mountain, a regionally unique example of an open low mountain. Possess one of the highest ranges of views in the entire northeast.)</i>
<i>Quonatick - NH/VT</i>	<i>Connecticut River - North Stratford to Dalton</i>	<i>40.0</i>	<i>0.0</i>	<i>0<sup>5</sup></i>	<i>0.0</i>	<i>40.0</i>	<i>5</i>	<i>0</i>	<i>5</i>	<i>Hydrologic-(A unique, sparsely developed, high order river. One of the most significant examples of fluvial deposition in the northeast region.)</i>
<i>Quonatick - NH/VT</i>	<i>Connecticut River - Dalton to South Newbury</i>	<i>48.0</i>	<i>0.0</i>	<i>0<sup>5</sup></i>	<i>0.0</i>	<i>0.0</i>	<i>5</i>	<i>0</i>	<i>5</i>	
<i>Quonatick - NH/VT</i>	<i>Connecticut River - South Newbury to Confluence with Ompomanoosuc River</i>	<i>37.0</i>	<i>0.0</i>	<i>0<sup>5</sup></i>	<i>0.0</i>	<i>37.0</i>	<i>5</i>	<i>0</i>	<i>5</i>	<i>Hydrologic-(One of the last remaining sparsely developed, free-flowing segments of a high order river in the section.)</i>
<i>Quonatick - NH/VT</i>	<i>Connecticut River - Confluence with Ompomanoosuc River to Windsor</i>	<i>24.0</i>	<i>0.0</i>	<i>0<sup>5</sup></i>	<i>0.0</i>	<i>0.0</i>	<i>5</i>	<i>0</i>	<i>5</i>	
<i>Quonatick - NH/VT</i>	<i>Connecticut River - Windsor to Confluence with the Williams River at South Charlestown</i>	<i>24.0</i>	<i>0.0</i>	<i>0<sup>5</sup></i>	<i>0.0</i>	<i>24.0</i>	<i>5</i>	<i>0</i>	<i>5</i>	<i>Hydrologic-(One of three remaining sparsely developed free-flowing segments in this section.)</i>



Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI1	Miles of NRI in CPA	Total Miles of W&S2	Miles of W&S in CPA	Outstanding Remarkable Values
Quonatauck - NH/VT	Connecticut River - Confluence with the Williams River at South Charlestown to Route 123 bridge at Walpole	8.0	0.0	0 <sup>5</sup>	0.0	0.0	<sup>5</sup>		5	
Quonatauck - NH/VT	Connecticut River - Route 123 bridge at Walpole to 1 mile above Route 9 bridge	18.0	0.0	0 <sup>5</sup>	0.0	18.0	<sup>5</sup>	0	5	Hydrologic- (One of three remaining sparsely developed free-flowing segments of a unique high order river in this section.) Botanic- (Segment includes calcareous soils unique to this segment supporting rare plant species unusual to this section of the Connecticut River Valley.) Historic- (Segment includes the site of the first bridge over the Connecticut River, a toll bridge constructed in 1785 in Walpole.)
Quonatauck - NH/VT/MA	Connecticut River - 1 mile above Route 9 bridge to Schell Bridge	16.0	0.0	0 <sup>5</sup>	0.0	0.0	<sup>5</sup>	0	5	
Quonatauck - MA	Connecticut River - Schell Bridge to Turners Falls	9.0	0.0	0 <sup>5</sup>	0.0	9.0	<sup>5</sup>	0	5	Hydrologic- (An undeveloped, high order river segment.)
Quonatauck - MA/CT	Connecticut River - Turners Falls to I-91 Bridge in Windsor Locks	60.0	0.0	0 <sup>5</sup>	0.0	0.0	<sup>5</sup>	0	5	
Quonatauck - CT	Connecticut River - I-91 Bridge to Above Bissell Bridge	5.0	0.0	0 <sup>5</sup>	0.0	5.0	<sup>5</sup>	0	5	Hydrologic- (One of two remaining relatively undeveloped, free flowing high order river segments.) Recreation- (A unique proximity to high concentrations of urban populations in Hartford.) Fish- (River is an historic Atlantic Salmon fishery.)
Quonatauck - CT	Connecticut River - Bissell Bridge to Tylerville (Whalebone Cove CFA)	37.0	0.0	0 <sup>5</sup>	0.0	0.0	<sup>5</sup>	0	5	

Division/CPA/CFA	River Name	Total River Miles	Miles on Existing Refuge Lands	Miles of River in CPA	Miles of River in CFA	Miles included on NRI <sup>1</sup>	Miles of NRI in CPA	Total Miles of W&S <sup>2</sup>	Miles of W&S in CPA	Outstanding Remarkable Values
Quonatauck - CT	Connecticut River - Tylerville (Whalebone Cove CFA) to Essex	9.0	0.0	0 <sup>5</sup>	0.0	9.0	<sup>5</sup>	0	<sup>5</sup>	<p><i>Wildlife</i>-(Corridor includes coves and meadows which provide significant wildlife habitat in close proximity to urban areas.)</p> <p><i>Hydrologic</i>-(Segment is one of two remaining relatively undeveloped, free-flowing high order river segments in the southernmost portion of the New England Upland section.)</p> <p><i>Fish</i>-(River is an historic Atlantic Salmon fishery.)</p> <p><i>Scenic</i>-(Segment offers a variety of views related to the juxtaposition of land, land use, vegetation, and stream channel variation.)</p> <p><i>Geologic</i>-(Segment includes the significant Chapman Falls, cascading some 60 feet into a deep gorge called Devil's Hopyard.)</p>
Quonatauck - CT	Connecticut River - Essex to Mouth	6.0	0.0	0 <sup>5</sup>	0.0	0.0	<sup>5</sup>	0	<sup>5</sup>	

*Italics*=Included on the National Rivers Inventory.

**Bold**=Designated as a Federal Wild, Scenic, or Recreational River.

<sup>1</sup> Nationwide Rivers Inventory (<http://www.nps.gov/ncrc/programs/rtca/nri/index.html>)

<sup>2</sup> National Wild and Scenic Rivers System (<http://www.rivers.gov/index.php>)

<sup>3</sup> In 1994, 11 miles of the Upper Farmington River (also known as the West Branch) where found to be Eligible, but not Suitable for Wild and Scenic Designation. U.S. Department of Interior, National Park Service in Cooperation with The Farmington River Study Committee. 1995. Farmington Wild and Scenic river Study. Northeast Region. Boston, MA. 145pp (<http://www.farmingtonriver.org/ProjectsandReports/Reports/tabid/74/Default.aspx>).

<sup>4</sup> 36.5 miles of the Lower Farmington River, 11.4 miles of the East Branch Salmon Brook, 12.6 miles of West Branch Salmon Brook, and 2.4 miles of the Salmon Brook mainstem were found to be Eligible and Suitable for Wild and Scenic River status in 2011 (U.S. Department of Interior, National Park Service. 2011. Lower Farmington River and Salmon Brook Wild and Scenic River Study, Study Report and Environmental Assessment. Northeast Region, Boston, MA 134 pp) (<http://parkplanning.nps.gov/document.cfm?parkID=261&projectID=35651&documentID=48466>).

<sup>5</sup> No Conservation Partnership Areas are delineated on the Connecticut River main stem

Map F.1. Ashuelot River CPA – Wild and Scenic River Inventory.





Map F.2. Blueberry Swamp CPA – Wild and Scenic River Inventory.





Map F.3. Farmington River CPA – Wild and Scenic River Inventory.





Map F.4. Fort River CPA – Wild and Scenic River Inventory.



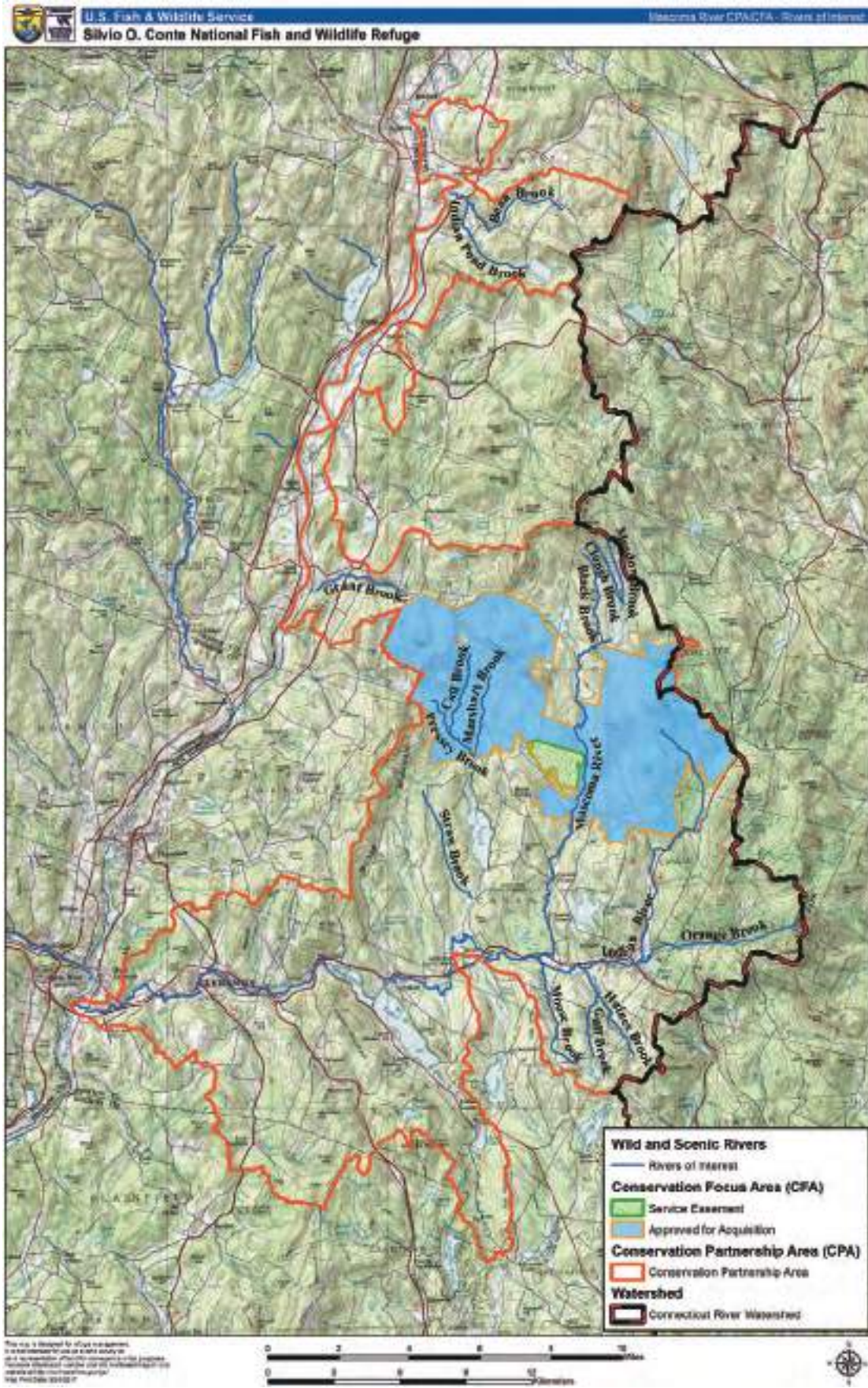


Map F.5. Maromas CPA – Wild and Scenic River Inventory.





Map F.6. Mascoma River CPA – Wild and Scenic River Inventory.



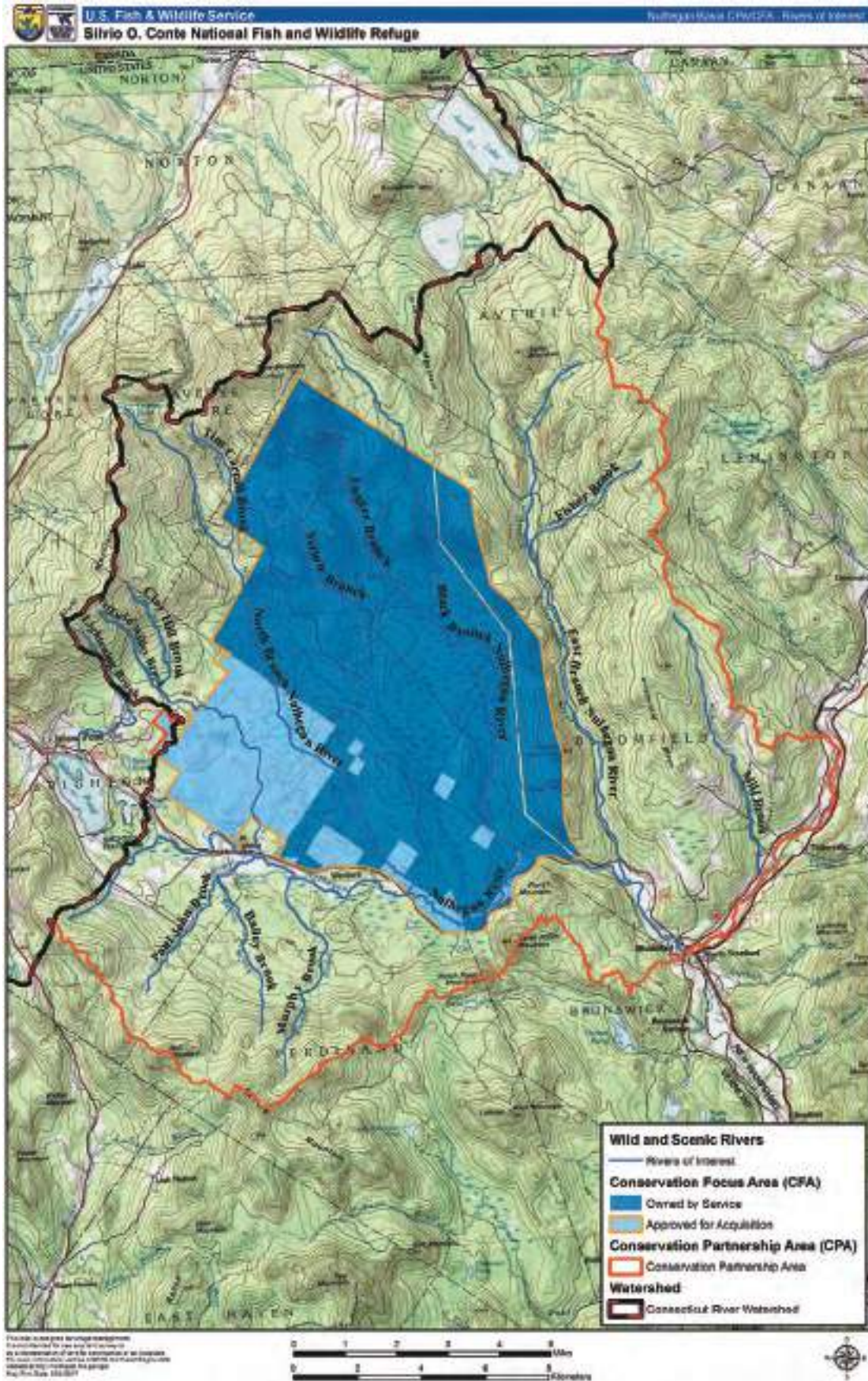


Map F.7. Mill River CPA – Wild and Scenic River Inventory.



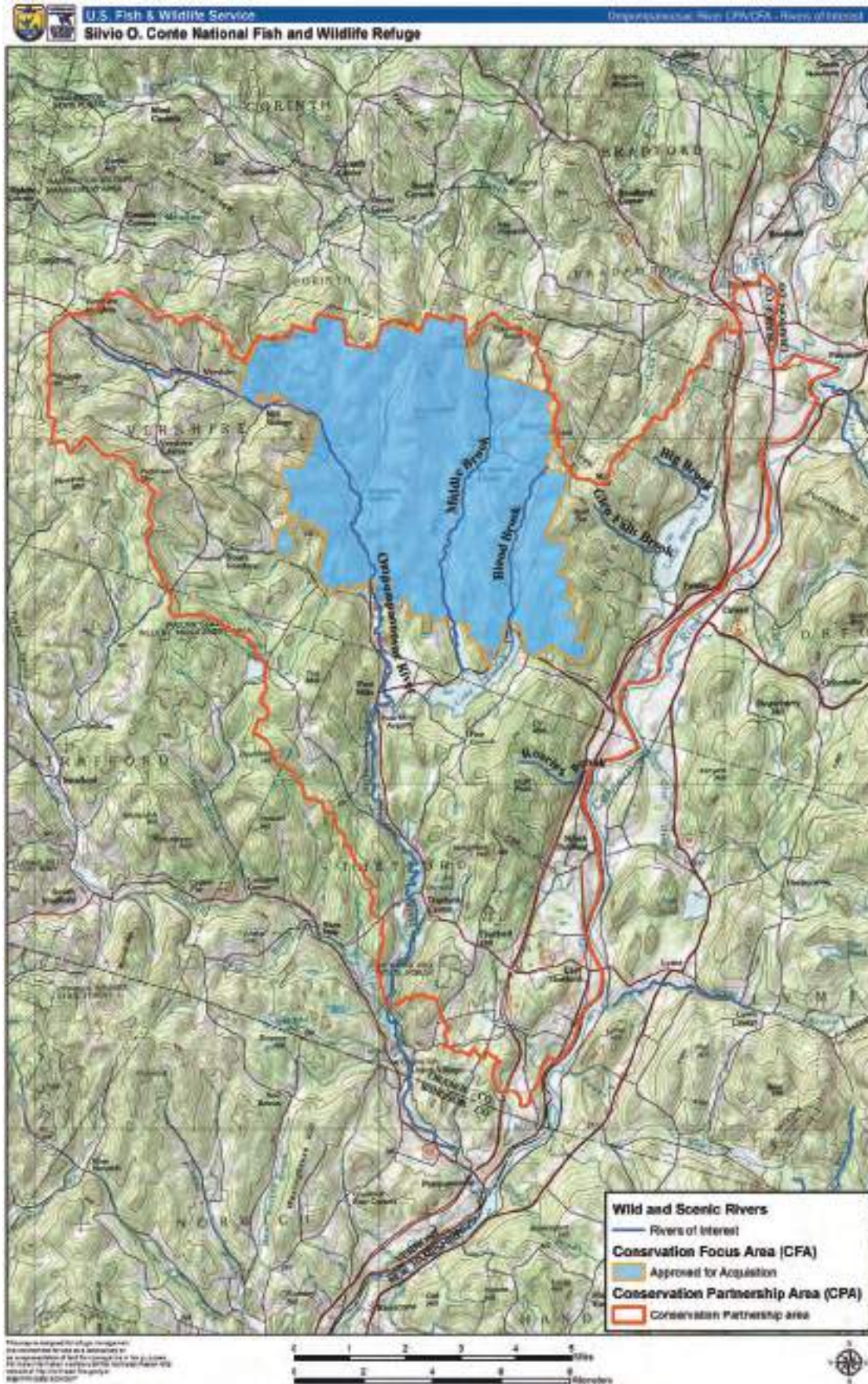


Map F.8. Nulhegan Basin CPA – Wild and Scenic River Inventory.





Map F.9. Ompompanoosuc River CPA – Wild and Scenic River Inventory.



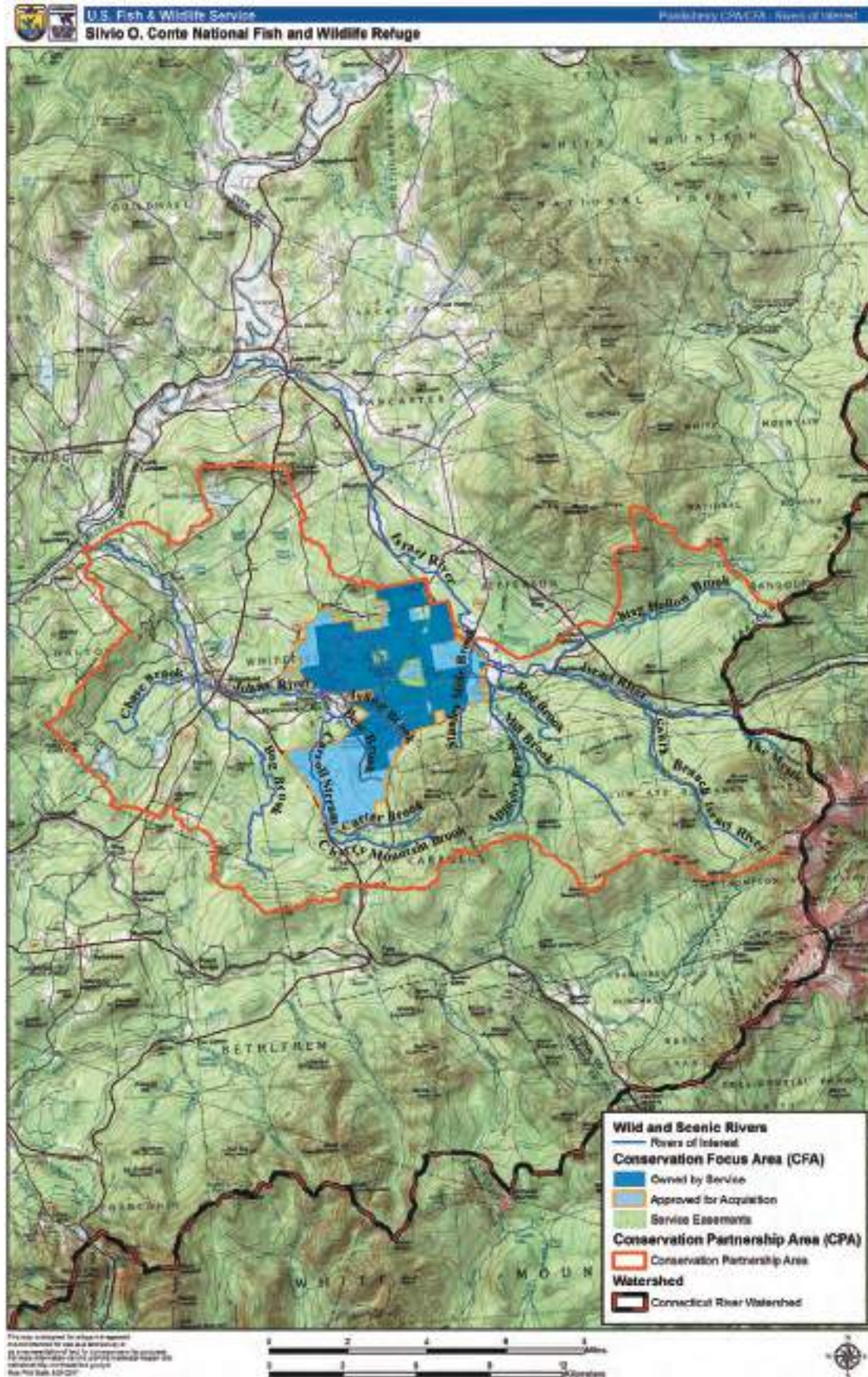


Map F.10. Ottauquechee River CPA – Wild and Scenic River Inventory.





Map F.11. Pondicherry CPA – Wild and Scenic River Inventory.





Map F.12. Pyquag CFA – Wild and Scenic River Inventory.





Map F.13. Salmon River CPA – Wild and Scenic River Inventory.



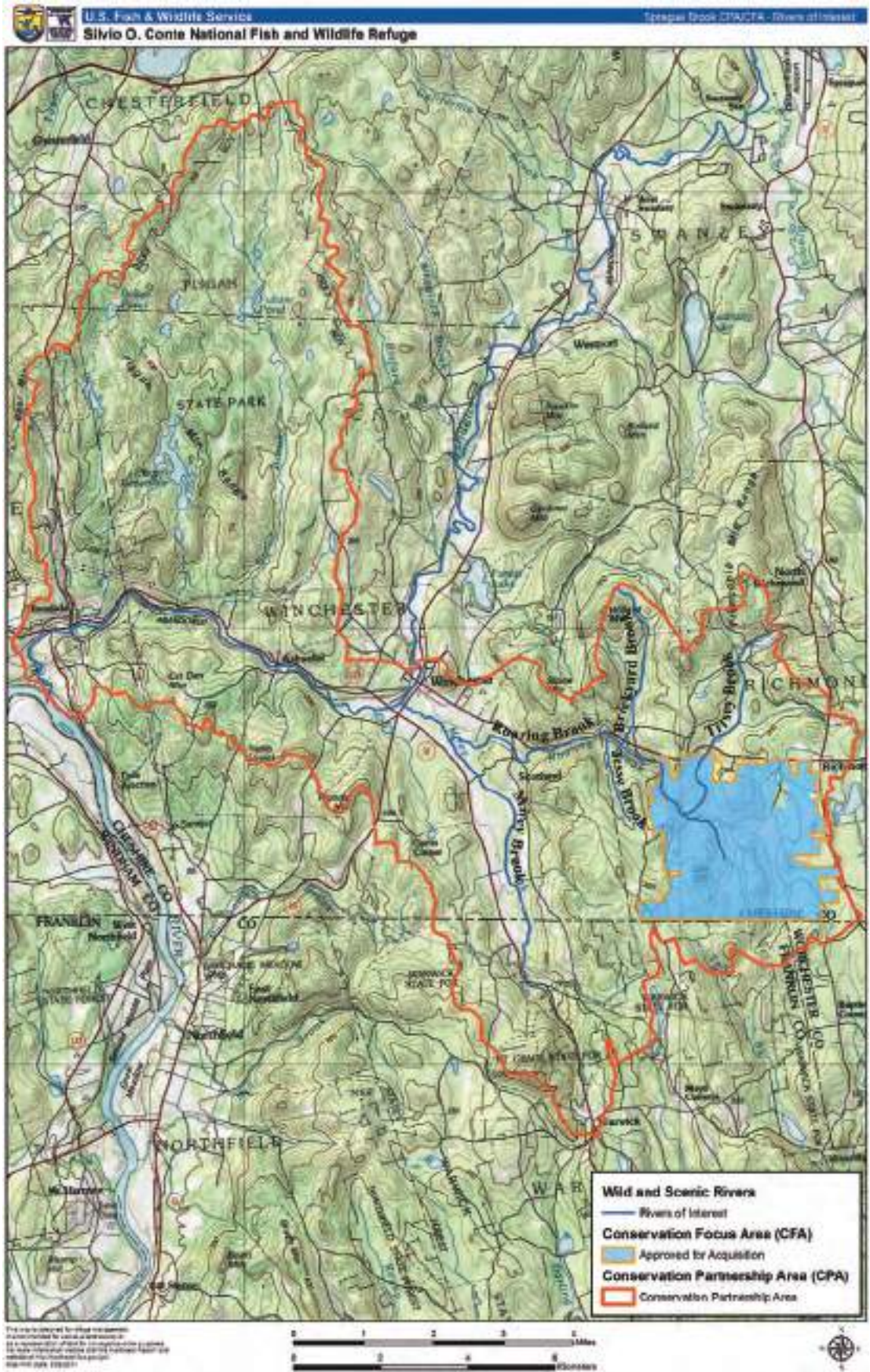


Map F.14. Scantic River CFA – Wild and Scenic River Inventory.





Map F.15. Sprague Brook CPA – Wild and Scenic River Inventory.





Map F.16. West River CPA – Wild and Scenic River Inventory.



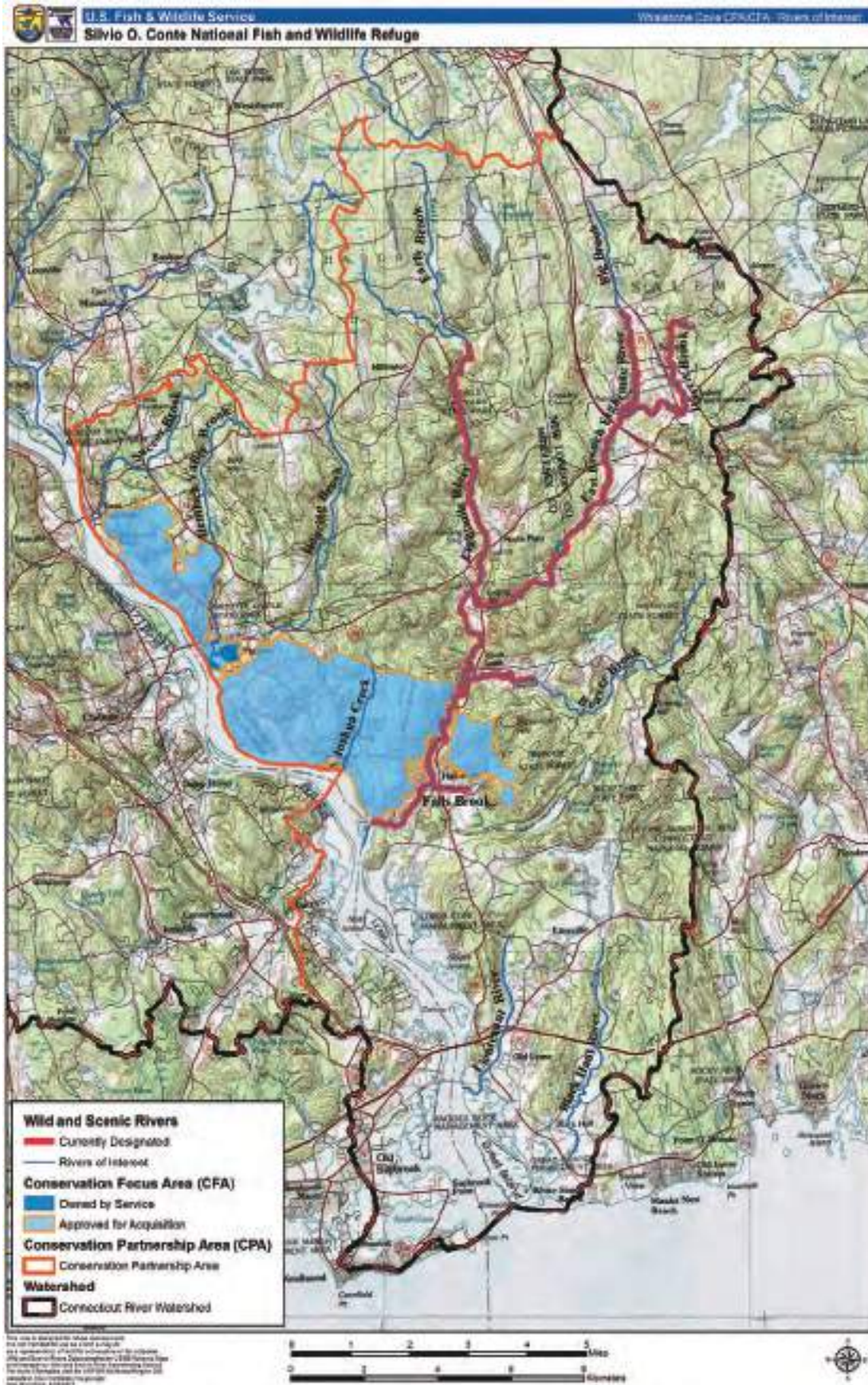


Map F.17. Westfield River CPA – Wild and Scenic River Inventory.



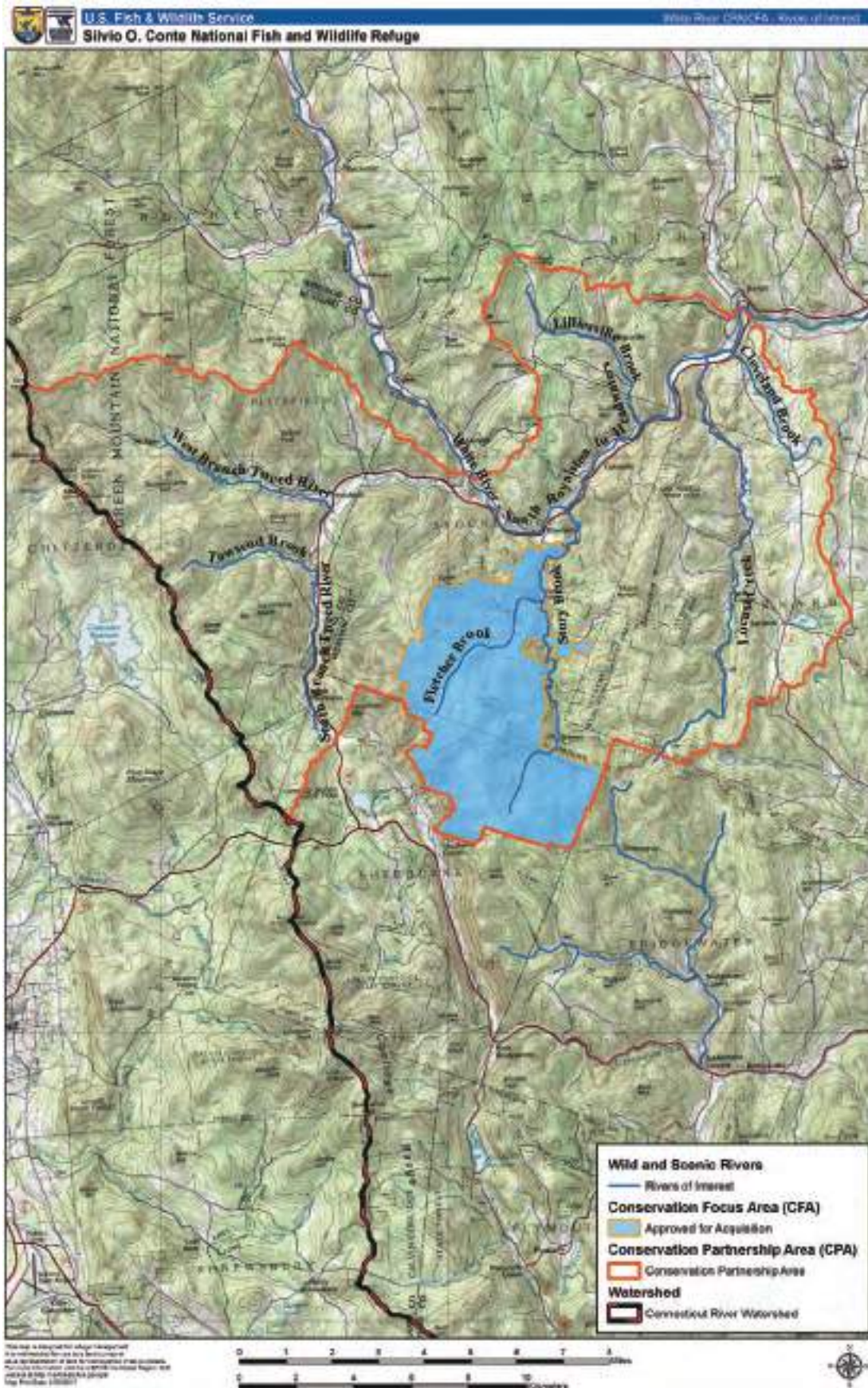


Map F.18. Whalebone Cove CFA – Wild and Scenic River Inventory.





Map F.19. White River CFA – Wild and Scenic River Inventory.





## Appendix G



USFWS

*Spruce grouse*

## **Refuge Operations Needs System (RONS) and Service Asset Maintenance Management System (SAMMS)**

- **Refuge Operation Needs System and Service Asset Maintenance Management System**





## Refuge Operation Needs System and Service Asset Maintenance Management System

The budget requests for Silvio O. Conte National Fish and Wildlife Refuge’s (Conte Refuge) listed in the Refuge Operating Needs System (RONS) and Service Asset and Maintenance Management System (SAMMS) databases include a wide variety of new staffing, projects, and maintenance needs. The RONS and SAMMS lists include priority projects and are periodically updated. Contact the refuge for the most current RONS and SAMMS lists.

**Table G.1. Existing and Proposed Staff Positions and Projects Under Alternative C (Service-preferred Alternative) for Silvio O. Conte National Fish and Wildlife Refuge\***

Station Priority Rank	Project/Staff Position Description	Currently in RONS	Estimated One-time cost	Running Base Cost	Total First Year Need	FTE†
<b>Staff Positions</b>						
1	Hire Private Lands/ Partnership Biologist	Yes		\$98,413	\$98,413	1.0
2	Hire WoW Express – Mobile Visitor Center Manager	Yes		\$98,413	\$98,413	1.0
3	Hire Maintenance Worker – Northern Divisions	Yes		\$77,650	\$77,650	1.0
4	Hire Forestry Technician	Yes		\$73,800	\$73,800	1.0
5	Hire Federal Wildlife Officer – Northern Divisions (costs represent increase from current half time position to full time)	No		\$42,267	\$42,267	0.5 to 1.0
6	Hire Federal Wildlife Officer – Southern Divisions (half time)	No		\$46,583	\$46,583	0.5
7	Hire Wildlife Refuge Manager (Trainee position)	No		\$81,337	\$81,337	1.0
8	Hire Wildlife Biologist – Southern Divisions	No		\$81,337	\$81,337	1.0
9	Hire Fisheries Biologist	Yes		\$117,955	\$117,955	1.0
10	Hire Park Ranger – Northern Divisions	No		\$73,800	\$73,800	1.0
11	Hire Maintenance Worker – Southern Divisions	No		\$77,650	\$77,650	1.0
12	Hire Park Ranger – Southern Divisions	Yes		\$98,413	\$98,413	1.0
13	Hire Administrative Assistant – Northern Divisions (Part-time)	No		\$30,168	\$30,168	0.5
14	Hire Administrative Assistant – Southern Divisions (Part-time)	No		\$33,249	\$33,249	0.5
15	Hire Supervisory Ecologist	No		\$117,955	\$117,955	1.0
16	Hire Wildlife Refuge Manager – Northern Divisions	No		\$107,024	\$107,024	1.0

*Refuge Operation Needs System and Service Asset Maintenance Management System*

<b>Station Priority Rank</b>	<b>Project/Staff Position Description</b>	<b>Currently in RONS</b>	<b>Estimated One-time cost</b>	<b>Running Base Cost</b>	<b>Total First Year Need</b>	<b>FTE†</b>
<b>Projects</b>						
<b>1</b>	Provide habitat management through invasive species control on multiple refuges	Yes	-	\$137,165	\$137,165	1.0
<b>2</b>	Develop mitigation for road impacts to wetlands	Yes	\$87,000	-	\$87,000	-
<b>3</b>	Wildlife, fish, and habitat surveys on the Conte Refuge Complex	Yes	\$85,000	\$50,000	\$187,549	-
<b>4</b>	Information kiosks at partner venues in the watershed (Conte Corners)	Yes	\$250,000	\$11,000	\$261,000	-
<b>5</b>	Brochures for the Conte Refuge Complex	Yes	\$60,000	-	\$60,000	-
<b>6</b>	Forest habitat management and restoration, climate change adaptation	No	\$285,000	\$131,000	\$526,098	

*\*Staff salaries based on position's full performance level step-6 at either the Hartford, CT (MA), or rest of US (VT) locality regions, plus benefit calculations of 32% (GS), 35% (WG), and 47% (GL). Staff position projects align with the proposed staffing chart for alternative C, the preferred alternative, and updates/replaces the preexisting RONS table.*

*† FTE= Full-time equivalent (i.e., full-time staff position)*

**Table G.2. Existing and Proposed Maintenance Projects Under Alternative C (Service-preferred Alternative) for Silvio O. Conte National Fish and Wildlife Refuge**

<b>Project Number</b>	<b>Project Description</b>	<b>Currently in SAMMS system?</b>	<b>Refuge Division or Unit</b>	<b>Estimated Cost</b>
Not Assigned Yet	Construct public access trails and visitor access infrastructure at various divisions following their establishment	No	Various Divisions	\$185,000 (each)
2011205446	Remove horse stable (Fort River Barn)	Yes	Fort River Division	\$176,8000
2008795634	Repair bridge over Logger Branch Tin and Eagle	Yes	Nulhegan Basin Division	\$106,000
2008861288	Repair visitor contact station entryway roof and install solar panels/arrays	Yes	Nulhegan Basin Division	\$88,000
2007728492	Rehabilitate Spigot Rail Trail (North Branch Trail)	Yes	Nulhegan Basin Division	\$58,400
Not assigned yet	Maintain and repair bridge network (5 bridges), including sandblasting, painting steel stringers, cleaning abutments of debris, re-decking, and maintaining side rails.	Yes	Nulhegan Basin Division	\$73,000
10024433	Rehabilitate public road network (5 miles total; replace culverts and clean roadside ditches)	Yes	Nulhegan Basin Division	\$125,000
Not assigned yet	Construct multiple visitor enhancements (informational kiosks, gravel parking areas, gates, ADA-compliant fishing access and rustic pedestrian trails)	Yes	Nulhegan Basin Division	\$70,000
05138661	Rehabilitate Cherry Pond Trail System	Yes	Pondicherry Division	\$5,000
05138663	Rehabilitate Cohos Trail	Yes	Pondicherry Division	\$13,000





## Appendix H



Ryan Hagerly/USFWS

*Banding birds at Nulhegan Basin Division*

## Staffing Charts

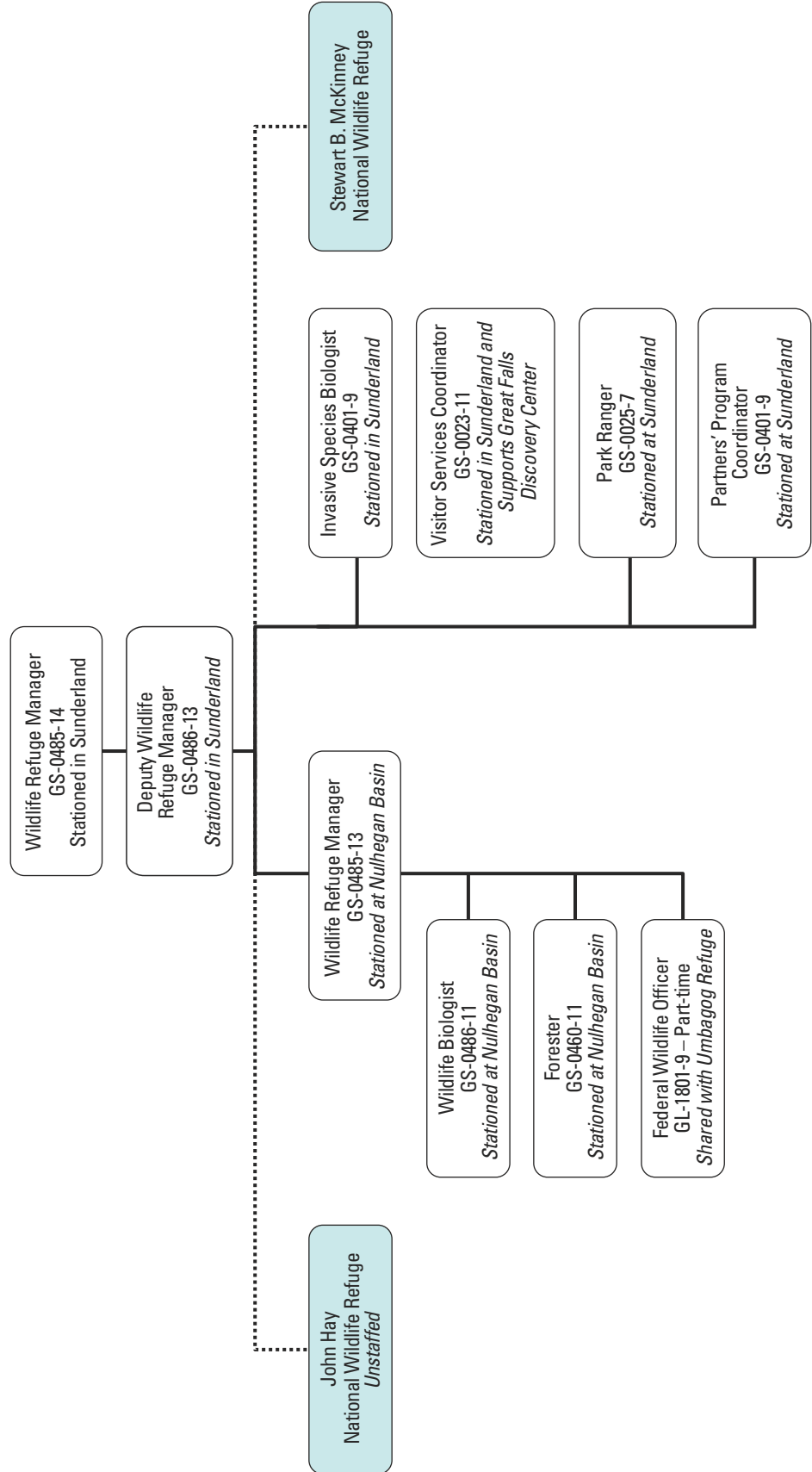
- **Alternative A—Current Staffing**
- **Proposed Staffing for Alternatives B and C**
- **Proposed Staffing for Alternative D**





**U.S. Fish and Wildlife Service  
Northeast Region  
Silvio O. Conte National Fish and Wildlife Refuge  
Alternative A — Current Staffing**

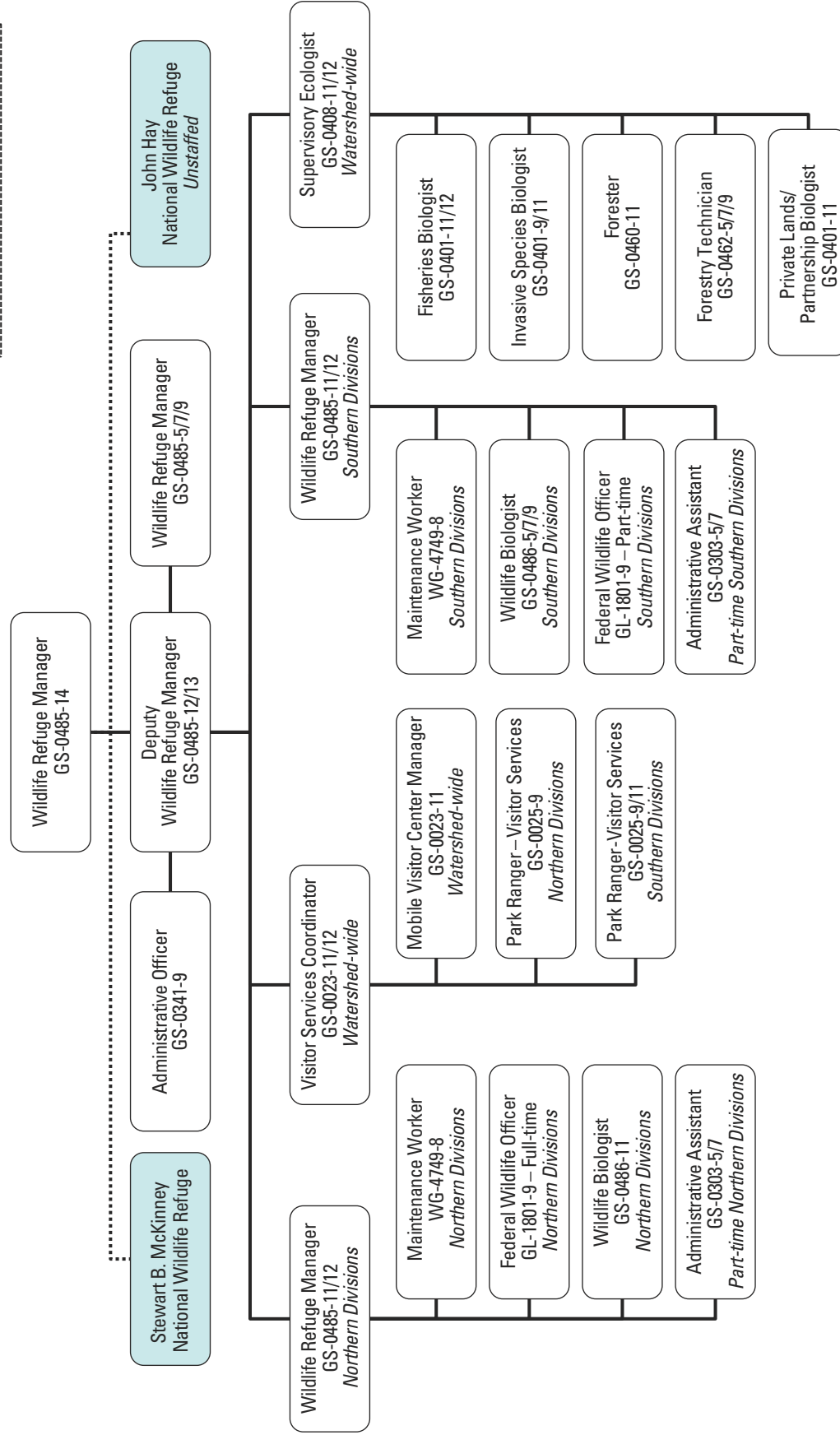
**Contractors, Temporary Staff, and Other Positions**  
Staff supplemented with temporary biological technicians, visitor services staff, and interns.





# U.S. Fish and Wildlife Service Northeast Region Silvio O. Conte National Fish and Wildlife Refuge Proposed Staffing for Alternatives B and C

**Contractors, Temporary Staff, and Other Positions**  
Staff supplemented with temporary biological technicians, visitor services staff, and interns.

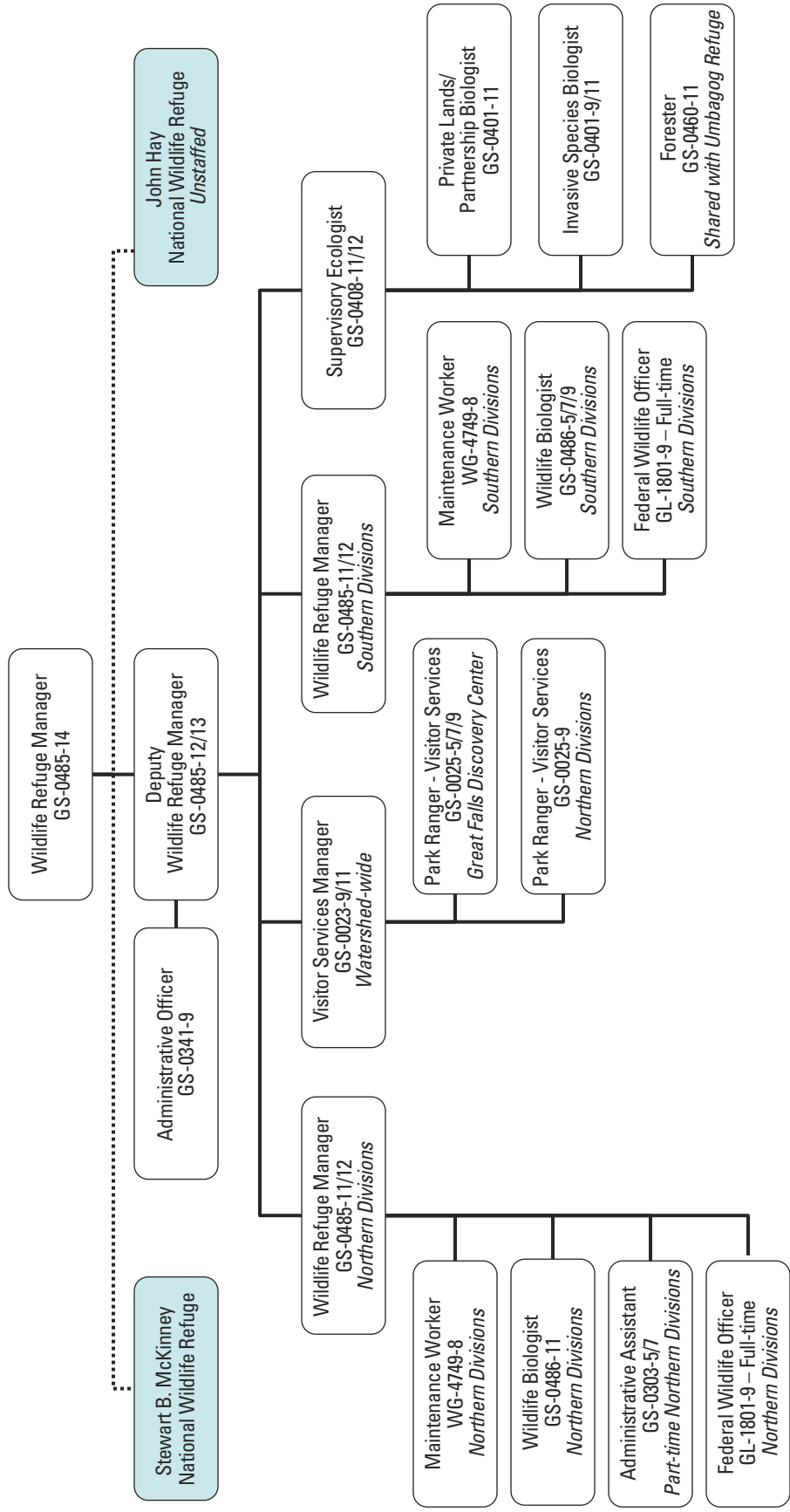






# U.S. Fish and Wildlife Service Northeast Region Silvio O. Conte National Fish and Wildlife Refuge Proposed Staffing for Alternative D

**Contractors, Temporary Staff, and Other Positions**  
Staff supplemented with temporary biological technicians, visitor services staff, and interns.





## Appendix I



Dave Govatski

*Cherry Pond sunrise*

# **U.S. Geological Survey Report: Economic Impacts of Current and Proposed Management Alternatives for the Silvio O. Conte National Fish and Wildlife Refuge**

- **Introduction**
- **Section I: Regional Economic Setting**
- **Section II: Current Trends, Objectives, and Potential Impacts of Land-Use Change**
- **Section III: Economic Impacts of Current and Proposed Management Activities**
- **Conclusion**
- **References Cited**







## United States Department of the Interior

United States Geological Survey

Fort Collins Science Center  
2150 Centre Ave., Building C  
Fort Collins, CO 80526

September 6, 2016

Nancy McGarigal  
U.S. Fish and Wildlife Service, Region 5  
Refuge Planning  
300 Westgate Center Drive  
Hadley, MA 01035

Dear Ms. McGarigal,

This letter is in response to your request for a review of the socioeconomic analysis that was prepared by the U.S. Geological Survey (USGS) for inclusion in the Silvio O. Conte National Fish and Wildlife Refuge Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS). The socioeconomic analysis prepared by the USGS was peer reviewed and subject to USGS Fundamental Science Practices. The USGS analysis was incorporated into the refuge's draft CCP/EIS, which was released for public review in August of 2015.

As a follow-up, we have reviewed the socioeconomic analysis included in the draft CCP/EIS. In the analysis, the USGS estimates the economic impacts of current refuge management. The analysis does not attempt to estimate the economic impacts of management alternatives, because there are many dynamic variables and uncertainties that will affect the long-term social and economic effects of conservation easement and fee title acquisitions in the watershed. The USGS socioeconomic analysis qualitatively describes the potential effects of the alternatives while admitting these uncertainties. The qualitative analysis of the alternatives that is included in the Draft CCP provides the highest possible accuracy given available data and uncertain future conditions. Although quantitative estimates of the effects of alternatives could be predicted, any such predictions would be highly speculative.

If you have any further questions, please contact me at [banowetzm@usgs.gov](mailto:banowetzm@usgs.gov).

Sincerely,

Michele Banowetz, Acting Center Director  
U.S. Geological Survey, Fort Collins Science Center

Cc: Catherine Cullinane-Thomas, USGS Fort Collins Science Center  
Rudy Schuster, USGS Fort Collins Science Center





## Economic Impacts of Current and Proposed Management Alternatives for the Silvio O. Conte National Fish and Wildlife Refuge

By Elizabeth Donovan, William Gascoigne, and Catherine Cullinane Thomas

*U.S. Geological Survey  
Fort Collins Science Center  
Fort Collins, Colorado*

### Introduction

The National Wildlife Refuge System Improvement Act of 1997 requires all units of the National Wildlife Refuge System to be managed under a Comprehensive Conservation Plan (CCP). The CCP must describe the desired future conditions of a refuge and provide long range guidance and management direction to achieve refuge purposes. The Silvio O. Conte National Fish and Wildlife Refuge (Refuge), composed of land area within the borders of the Connecticut River Watershed (Watershed), is in the process of developing a range of management alternatives to present in the Refuge CCP and Environmental Impact Statement (CCP/EIS). Those alternatives will be based on refuge purposes, the proposed refuge vision and management goals, and issues that were raised by other agencies, partners, or the public. The CCP for the Refuge must contain an analysis of expected effects associated with current and proposed refuge management strategies. The purpose of this study was to estimate the regional economic impacts associated with the final CCP/EIS proposed management alternatives.

For refuge CCP planning, a regional economic impact analysis provides a means of estimating how current management compares to the other three proposed management alternatives and how they affect the local economy. This type of analysis provides two critical pieces of information: 1) it illustrates a refuge's contribution to the local community; and 2) it can help in determining whether local economic effects are or are not a real concern in choosing among management alternatives.

The regional impact analysis is composed of three separate sections. Section I of the report presents a description of the various regional economies and select local communities that comprise the Watershed and specific management areas for the Refuge. Section II is a qualitative discussion regarding the potential economic and fiscal impacts from additional land acquisitions. Section III first describes the methods used to conduct a regional economic impact analysis, followed by an analysis of the final CCP management strategies that could affect the local economy. The refuge management activities of economic concern in this analysis are:

- Refuge purchases of goods and services within the local communities,
- Refuge personnel salary spending,
- Spending in the local communities by refuge visitors,
- Revenues generated from timber harvesting on the refuge, and
- Refuge land purchases and changes in local tax revenue.

Additionally, it is important to note that the economic value of a refuge encompasses more than just the direct impacts to the regional economy. Refuges also provide substantial nonmarket values (values for items not exchanged in established markets) such as maintaining endangered species, preserving wetlands, educating future generations, and adding stability to the ecosystem (Caudill and Henderson, 2003). The natural 'services' provided by the conserved landscape can be extremely valuable to one's well-being and to society in a more traditional economic sense. For instance, forests and other undisturbed landscapes naturally filter and regulate water that often ends up in the public water supply. This natural process can minimize the economic burden on

municipalities to treat water in accordance with national water quality standards. Such was the case with New York City, who in the 1990's notably invested between \$1 billion and \$1.5 billion in conserving and preserving landscapes in the Catskill Watershed. This investment was calculated to produce cost savings of \$6 billion-\$8 over 10 years, when compared to the alternative of building and maintaining a new treatment facility (Chichilnisky and Heal, 1998). A 2008 study done by Ingraham and Foster attempts to value the bundle of ecosystem services provided by the USFWS National Wildlife Refuges in the contiguous U.S. The authors determined the various habitats within the refuge system were providing services valued at \$32.3 billion (2011 dollars) per year, or an average of \$2,900 per acre per year (Ingraham and Foster, 2008). As the New York City example and this study indicate, these ecosystem service values can be substantial, and should be recognized when evaluating Refuge strategies and goals. However, quantifying individual ecosystem service values is beyond the scope of the economic impact analysis.

## **Section I: Regional Economic Setting**

The Refuge was established in 1997 to conserve, protect, and enhance the abundance and diversity of native plant, fish, and wildlife species and the ecosystems on which they depend throughout the 7.2 million acre Watershed. The Watershed spans from the US/Canada border in the north down to where the Connecticut River meets the Atlantic Ocean below Long Island Sound. It incorporates large areas of Vermont, New Hampshire, Massachusetts, and Connecticut, including lands in 25 counties. The Refuge has three cooperatively managed visitor centers: at the Great Northwoods Interpretive Center in Colebrook, New Hampshire; at the Montshire Museum of Science in Norwich, Vermont; and Great Falls Discovery Center near in Turners Falls, Massachusetts. The Refuge currently consists of seven Units (small tracts) and two Divisions parcels (large tracts): 33 acres of wetlands and a riverine sand spit that hosts a federally-listed beetle in Cromwell, Connecticut; a 4 acre island in Deerfield, Massachusetts; 30 acres at the base of Mt. Toby in Sunderland, Massachusetts; an 18 acre upland and wetland parcel in Westfield, Massachusetts; 140 acres on Mt. Tom in Holyoke, Massachusetts; 20 acres along the Connecticut River in Greenfield, Massachusetts; 283 acres which host a federally endangered plant in Putney, Vermont; 3,670 acres surrounding the Audubon Society of New Hampshire's Pondicherry Refuge in Jefferson, New Hampshire; and 26,381 acres in the Nulhegan Basin in Essex County, Vermont.

The Watershed has been described as a, "rich mosaic of farmland, forests, and compact communities that is for many, the essence of New England life (TPL, 2011)." The river itself is 410 miles long—the longest in all of New England—and supports important fish and wildlife species, while providing 70 percent of Long Island Sound's freshwater (TPL, 2011). It is also 1 of only 14 rivers in the nation that have been designated as American Heritage Rivers (CTRW Council, 2011). The Watershed contains a great diversity of habitats; ranging from tidal salt marshes in the southern portion to mature spruce and hardwood forests in the north.

In its entirety, the Watershed encompasses an area of over 11,000 square miles and contains nearly 400 towns and cities. The waters of the Connecticut River have played an important role in the Watershed's social and economic history. The river itself provided a source of energy to power mills, factories, and entire communities, irrigation water for working farmlands, and a means of transportation for the watershed's people and goods. The regional economy has evolved from the original agricultural colonists and small goods traders, to robust manufacturing production and supporting commodity extraction industries, to relying more on the services sector and travel and tourism spending. Currently, large urban centers within the southern counties of the Watershed serve as hubs to the greater New York City area with many residents employed in the service industry. Counties near the northern headwaters continue to promote a more rural way of life and are still highly dependent on manufacturing jobs.

Many of the towns within the Watershed are attempting to capture more of the valuable tourism market by hosting annual festivals and cultural events that attract crowds from beyond the community borders. Many of these events are centered on the historic, cultural, and economic makeup of the region. Area farmers and artisans



are once again finding local markets for their goods, while catering to buyers and their overall experience. Agritourism seems to be expanding at a considerable rate, with each state in the Watershed now having a website and interactive map just for these enterprises.

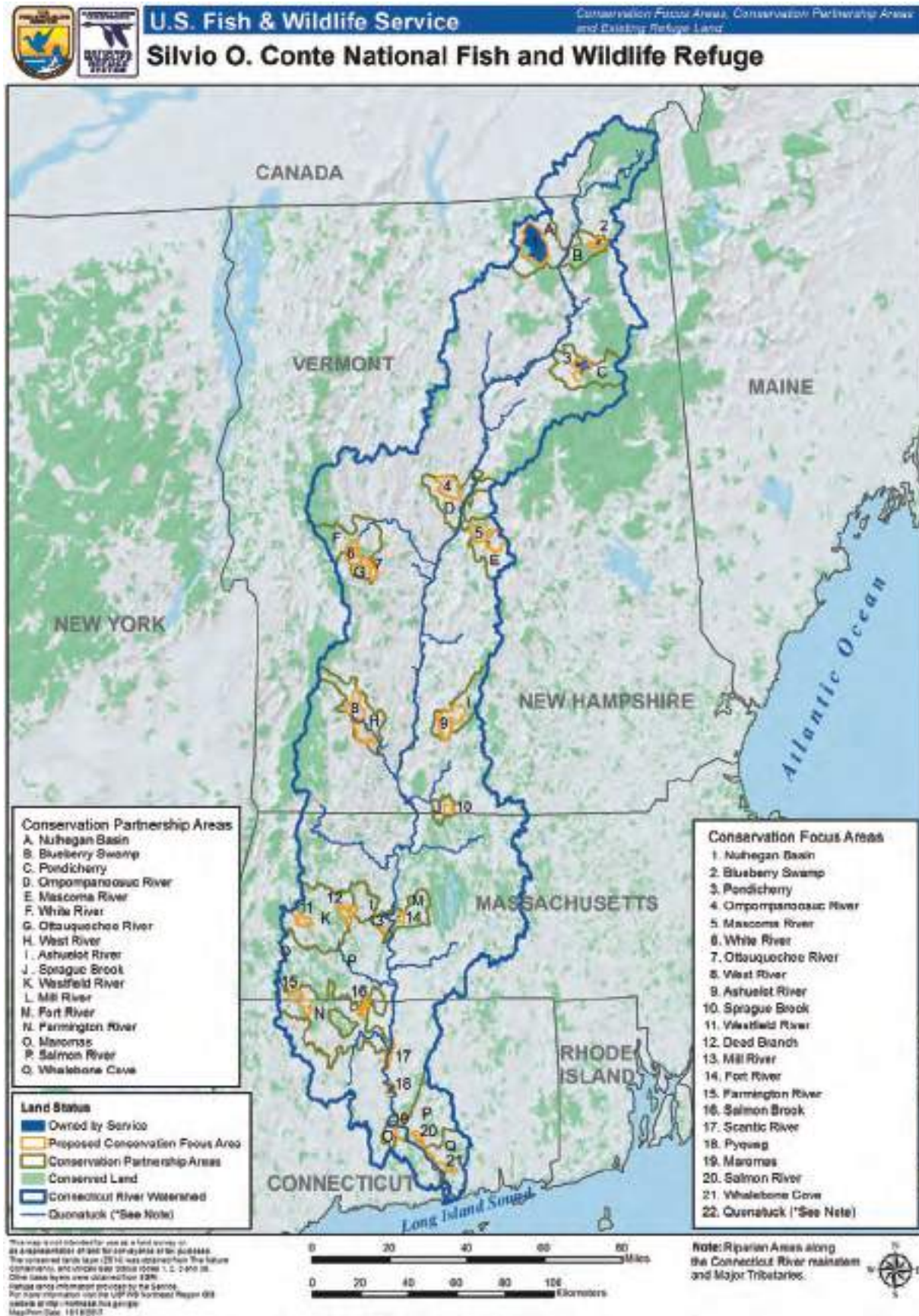
There are abundant recreation opportunities within the counties of the Watershed, and specifically on much of the tracts under Refuge management. Traditional activities on Refuge lands include fishing, hunting, cross-country skiing, wildlife observation, photography, and environmental education. Snowmobiling is very popular in various regions of the Watershed, and is permitted on Refuge land where appropriate and compatible. The Appalachian Trail meanders through the northern portion of the watershed, making its way through the impressive White Mountain National Forest in New Hampshire. The middle portion of the Watershed in Massachusetts is bordered by the Berkshire Mountains to the west, which have been attracting tourists and recreationists for decades. Towns in the southern portion near the mouth of the Connecticut River heavily promote recreation opportunities associated with saltwater experiences. While large tracts of the Watershed remain undeveloped, sprawling communities, particularly in the southern portion of the watershed, have begun to alter the dynamics in the region.

Given the vastness of the Watershed and extensive diversity within, this regional profile of the economic impact analysis is subdivided into six focal sub-regions that are specific only to the regional profile report. The sub-regions incorporate 11 counties that make up the bulk of the Watershed and are central to the Refuge's proposed land Conservation Focus Areas (CFA). These being:

1. *Northern Sub-Region*: Essex County, Vermont and Coos Country, New Hampshire
2. *White River Junction Sub-Region*: Orange County, Vermont, Windsor County, Vermont, and Grafton County, New Hampshire
3. *Tri-State Border Sub-Region*: Windham County, Vermont, Cheshire County, New Hampshire, and Franklin County, Massachusetts
4. *Greater Amherst Sub-Region*: Hampshire County, Massachusetts
5. *Greater Hartford Sub-Region*: Hartford County, Connecticut
6. *Southern Connecticut Sub-Region*: Middlesex County, Connecticut.

Individual demographic profiles are provided for each focal sub-region. Each sub-region profile addresses historic and current trends in the area, and highlights important demographic and economic statistics. The sub-region profiles are presented in order from north to south, starting with the Northern Sub-Region and ending with the Southern Connecticut Sub-Region. A few additional towns were included in each sub-region profile. The towns of management interest were determined under future consideration assuming growth in the Refuge's land acquisition program. The towns were chosen given their proximity to existing Refuge lands and/or lands proposed for acquisition under Alternatives B, C, or D. These towns are likely to be impacted by management and acquisition proposals, and thought to have the current infrastructure necessary to harness new visitors, staff members, and additional Refuge non-salary spending.

Figure I.1. Map of Silvio O. Conte Refuge.



### Northern Sub-Region

The Northern Sub-Region of the Watershed consists of Essex County, Vermont and Coos County, New Hampshire. Essex County, located in the northeast corner of Vermont, includes the Nulhegan Basin of the Refuge. The Nulhegan Basin Division recently built a new headquarters office and visitor contact station just outside of town of Island Pond, Vermont. The Basin is recognized for possessing high ecological values and is predominately forested with interspersed wetlands. Essex County maintains a rural way of life, with a density of only 10 people per square mile. The “Gateway to the Nulhegan Basin,” the village of Island Pond is rich with history, recreation opportunities, and community involvement. Island Pond has shifted from being predominantly timber-dependent to an economy where timber and agricultural employment is very minor (U.S. Census Bureau, 2009). Once a major railway junction and destination for timber industry leaders, the grand houses in the area are said to reflect the wealth of another era (Northeast Kingdom Travel and Tourism Association, Accessed August, 2011).

Coos County makes up the northern tip of New Hampshire and is also the least populated county in the state, despite being the largest in terms of land area. The county is home to both the Mohawk River and Pondicherry Divisions of the Refuge, and encompasses most of the northern portion of the White Mountains. The Mohawk River Division is located near Colebrook, New Hampshire, which is the location for the Great Northwoods Interpretive Center. This site is a rest area and information center that is run by the New Hampshire Department of Transportation. The Pondicherry Division is located near the towns of Whitefield, New Hampshire and Lancaster, New Hampshire. Colebrook, Lancaster and Whitefield have a deep history in New England’s railroad system. The towns also lend themselves to outdoor enthusiasts eager to brave the cold in the winter, or enjoy the temperate conditions of the summer.

### Population

Table I.1 gives the population estimates and trends for Vermont and New Hampshire, the two Northern Sub-Region counties, and the four towns of management interest. From 2000 to 2010, New Hampshire’s overall population saw an increase of 6.5 percent, while Coos was the only county in the state to report a decline in population (0.2 percent) during that same time period. Similarly, Vermont experienced steady growth over the last decade, while Essex was one of only three counties in the state to report a decline in population. The 2010 population of 6,306 makes Essex County the least populous county in the state of Vermont and all of New England. Looking at Figure I.2, the population in the two-county sub-region has been declining over the last two decades, with elevated rates of decline observed in recent years. Based on population forecasts from respective state departments, these county population trends are expected to level out over the next decade, with very minor growth by 2020. While Coos County documents a population over five times that of Essex, they both retain a population density under twenty residents per square mile—the lowest concentrations in the entire Watershed.

**Table I.1. Population Figures for Northern Sub-Region**

Northern Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Vermont	625,741	40	68	9,250	2.8	638,809
New Hampshire	1,316,470	39	147	8,968	6.5	1,470,000
Essex County (VT)	6,306	43.9	10	674	-2.4	6,318
Coos County (NH)	33,055	45.1	18	1,831	-0.2	33,369
<i>Towns of Interest</i>						
Island Pond, VT	723	46.8	161	4.5	-14.8	N/A
Colebrook, NH	2,141	45.4	52	41.0	-7.8	N/A
Lancaster, NH	3,264	37.1	64	51.0	-0.5	N/A
Whitefield, NH	2,125	47.5	61	34.7	4.1	N/A

Source: U.S. Census Bureau, 2010; New Hampshire Office of Energy and Planning, 2006; Vermont DOL, 2010a.

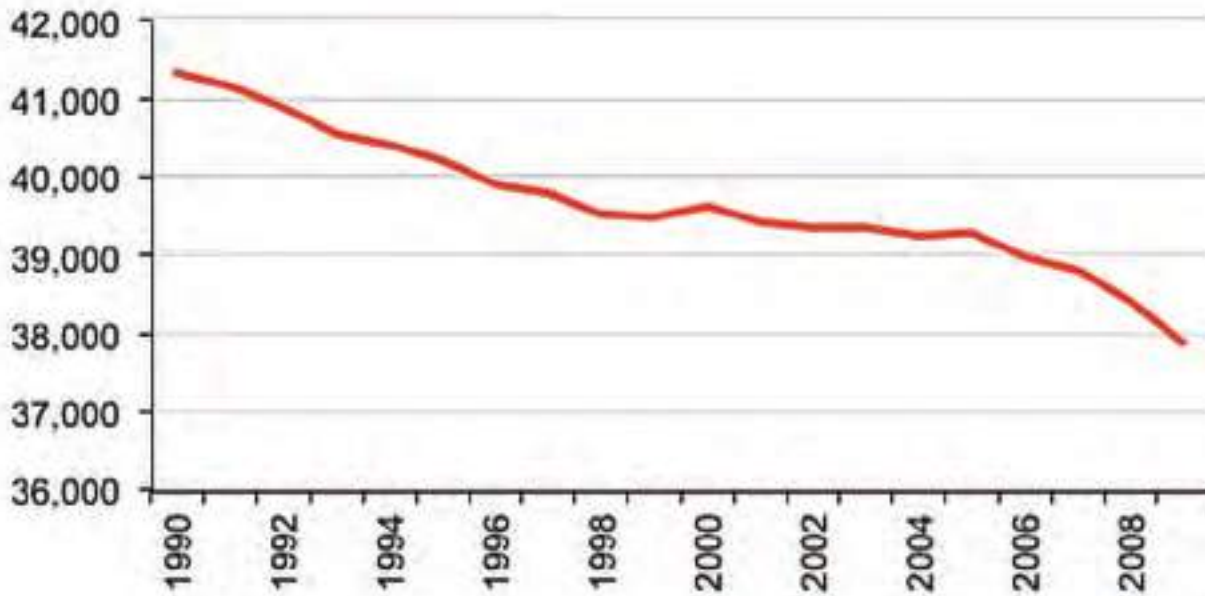
\*Note: Resident populations and median age estimates for Towns of Interest were pulled from U.S. Census Bureau’s 2005-2009 American Survey 5-year Estimates.



Island Pond, Vermont is a census-designated place within the larger town of Brighton, Vermont. Together, they have a population that is still under 2,000 residents. When compared to 2000 U.S. Census data, this area has experienced the largest decreases in overall population out of the four towns in the Northern Sub-Region profile. In contrast to the other three towns in the analysis, Whitefield, New Hampshire experienced moderate amounts of growth over the last decade.

The median age of the population within the two northern states has been increasing slightly as the post-war baby boom generation continues to age (New Hampshire Office of Energy and Planning, 2006). Both Essex and Coos County report higher median ages than respective state-wide estimates. The median age in the towns of Island Pond, Colebrook, and Whitefield all are above that of their respective counties.

Figure I.2. Population Trends for Northern Sub-Region, 1990-2008



Source: U.S. Department of Commerce, BEA, 2011a.

In 2010, the U.S. population consisted of 63.7 percent of white persons not of Hispanic or Latino origin (U.S. Census Bureau, 2010). Comparatively, Vermont’s resident population consisted of 94.3 percent, which currently ranks it as having the second highest proportion of white persons in the nation. New Hampshire shares a similar racial makeup, with 92.3 percent of the population designated as white people not of Hispanic or Latino origin. Essex and Coos County retain ethnicity proportions even higher than their respective state averages, with both at around 96 percent. These proportions are the highest out of the eleven counties included in the Watershed profile. Nearly 95 percent of the residents in the two Northern Sub-Region counties were born in the U.S. In both Essex and Coos County, around 84 percent of residents over the age of twenty-four are high school graduates and 16 percent have earned a bachelor’s or advanced degree (U.S. Census Bureau, ACS, 2009). Comparatively, 90 percent of the state-wide population for New Hampshire and Vermont has graduated from high school, and 32 percent have received advanced degrees.

### Regional Employment and Income

The Northern Sub-Region maintains a rural way of life that has personal and professional ties to its residents. While natural commodity industries have a longstanding presence in the area, the service sector and tourism industry continue to expand. Many of the local economies within the Northern Sub-Region are said to be at an “inflection point,” in which they are losing traditional manufacturing jobs and gaining new ones through increased tourism and recreation (New Hampshire Office of Energy and Planning, 2006). According to the North East



State Foresters Association, the value of forest-based manufacturing shipments made up almost 64 percent of annual revenues from New Hampshire's forest in 2001. By 2005, the share of those revenues had dropped to just over 53 percent. Forest-related recreation and tourism had contributed about 36 percent of the revenues in 2001 and grew to over 46 percent in the same time period (NEFA, 2007). Table I.2 gives median household income, unemployment rates, and the percent of the population living in poverty for Vermont and New Hampshire, the two Northern Sub-Region counties, and four communities of interest.

**Table I.2. Income, Employment, and Poverty Rates in the Northern Sub-Region**

	Median Household Income (2009 \$s)	Percent Unemployed			Percent below Poverty (2009)
		2000	2009*	2010*	
US	50,221	4.0	9.9	9.4	14.3
Vermont	51,284	2.7	6.6	5.6	11.5
New Hampshire	63,033	2.7	6.4	5.3	8.6
<b>Northern Sub-Region</b>					
Essex County (VT)	40,046	3.7	10.9	7.9	16.9
Coos County (NH)	42,786	3.7	9.1	8.4	14.5
<b>Towns of Interest</b>					
Island Pond, VT	22,019	5.1	N/A	N/A	N/A
Colebrook, NH	29,643	3.1	N/A	8.9**	N/A
Lancaster, NH	53,292	2.7	7.1	5.6**	N/A
Whitefield, NH	39,211	3.5	N/A	7.0**	N/A

Source: U.S. Bureau of Labor Statistics, 2011; U.S. Census Bureau, ACS, 2009; U.S. Census Bureau Quickfacts, 2009; New Hampshire ELMIB, 2010; Vermont DOL, 2010b; (\*) Denotes unemployment rates as of December of that year; (\*\*) Denotes estimates made using the Wolfram Alpha Computational Knowledge Engine, 2011.

Median household income in 2009 for Essex County, Vermont was \$40,046, which is the lowest in the entire Watershed and more than \$10,000 lower than the Vermont state median. The median household income in Coos County of \$42,786 is slightly higher; however it is more than \$20,000 less than the New Hampshire state average. Unemployment figures are presented in Table I.2 for the years 2000, 2009, and 2010, given the recent recession and economic volatility. All counties within the Watershed experienced unemployment levels under 4 percent at the start of the decade. However, by 2009 unemployment rates were above 9 percent in both Northern Sub-Region counties, with Essex County reaching the highest level of unemployment at 10.9 percent. While Essex and Coos County continue to experience relatively high unemployment, rates in both counties were on the decline by the end of 2010. The percentage of the population in Coos and Essex County living below the poverty line in 2009 was slightly greater than the national average (14.3) and were the two highest rates out of the eleven counties included in the larger Watershed profile. Unemployment rates for the four selected communities of interest are on par with those at the county level. As of December, 2010, the town of Lancaster, New Hampshire maintained the lowest rate of unemployment, at 5.6 percent.

Table I.3 gives the employment breakdown by industry for the counties in the Northern Sub-Region. The largest employer in both counties is the education services, health care and social assistance sector, which accounts for more than 20 percent of total employment. The manufacturing and retail sectors round out the top three, respectively. The percent of the total workforce employed in the manufacturing and retail industries in Essex and Coos County are the highest among all counties within the Watershed.

Table I.3. Employment by Industry in Northern Sub-Region Counties

Full-Time and Part-Time Employment	Northern Sub-Region	
	Essex County	Coos County
Civilian employed pop. (16 years and over)	3,107	15,369
<b>Percent of Employment by Industry</b>		
Agriculture, forestry, fishing and hunting, and mining	4.4	2.9
Construction	8.6	8.7
Manufacturing	18.3	13.6
Wholesale trade	0.7	1.6
Retail trade	14.7	12.7
Transportation and warehousing, and utilities	5.4	4
Information	1.2	1.6
Finance and insurance, and real estate	2.7	4.3
Professional, scientific, and management, admin. and waste mgmt. Services	4.4	4.5
Education services, health care, and social assistance	22.9	24.5
Arts, entertainment, and recreation, and accommodation and food services	6.7	12
Other services, except public administration	3.9	4.5
Public administration	6.1	5.1

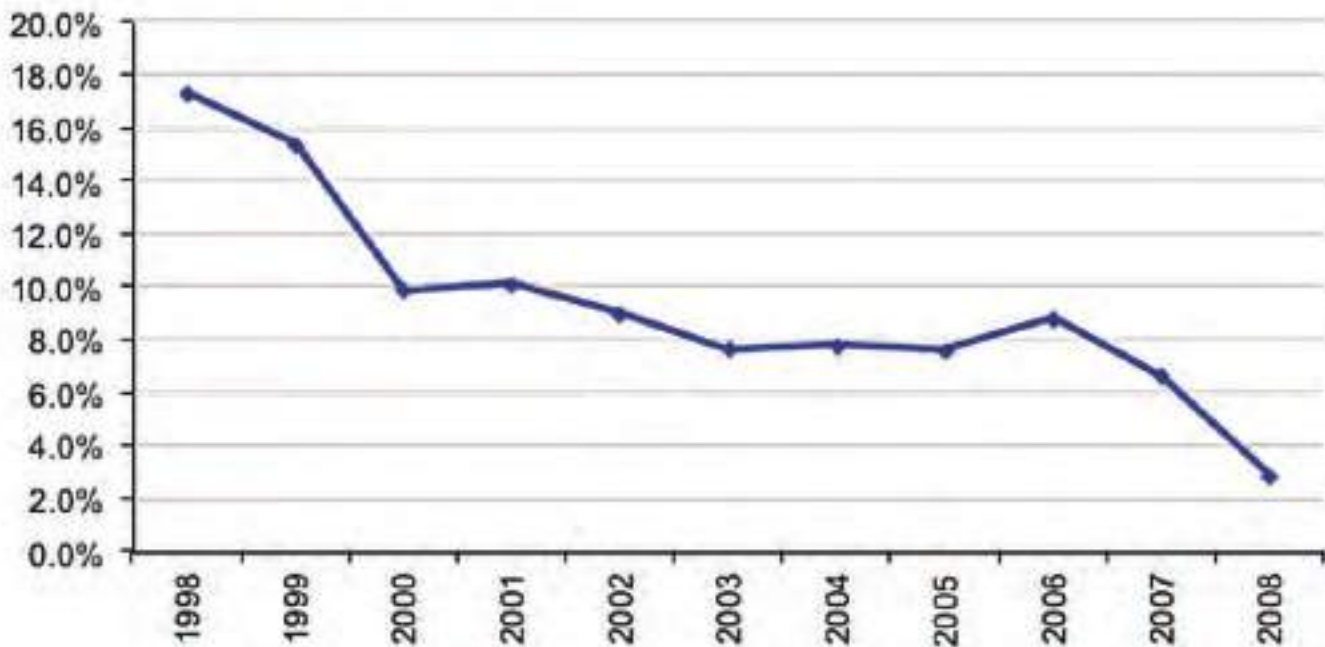
Source: U.S. Census, ACS, 2009.

### Commodity Industries

#### Timber

There is a long standing history of timber harvesting in the Watershed, especially in the northern states of Vermont and New Hampshire. Huge log drives down the Connecticut River remain iconic images of the region and its residents. The expansive timber production in the area gave way to timber-related industries, such as saw mills, pulp/paper mills, and wood-product manufacturers. However, these once dominant industries have been in sharp decline. In 1998, timber-related jobs represented 17.3 percent of total employment in the two-county Northern Sub-Region. By 2008, this figure was down to 2.9 percent (see Figure I.3). The total number of timber-related jobs in the Northern Sub-Region is estimated at under 600, including both private employment and independent proprietors (U.S. Dept of Commerce, 2010a,b). This industry has especially been hit hard in Coos County in recent years. There has been the closure of the Groveton Paperboard mill in March 2006, leaving 108 workers unemployed, then two months later Fraser Paper closed their pulp mill within the county, affecting another 250 area workers, and again with the December 2007 closure of the Wausau Paper Mill that employed 303 people (New Hampshire ELMIB, 2007).

Figure I.3. Percent of Total Private Employment in Timber Industries, Northern Sub-Region



Source: U.S. Dept. of Commerce, Census Bureau. 2010a

In 2009, 1.17 million cords of wood were harvested in New Hampshire forests (NEFA, 2011). This is a significant reduction from 2005 levels, which is consistent with the economic recession. In 2009, New Hampshire private landowners received over \$30 million from timber sales, and forest-based manufacturing's estimated contribution to the state's economy was \$1.15 billion in output, 8,160 jobs, and a payroll of around \$384 million per year to the state's economy (NEFA, 2011). In 2005, Vermont forest-based manufacturing was estimated to have contributed nearly \$1.0 billion in value of shipments to the economy, or 9.3 percent of the state's total manufacturing sales (NEFA, 2007).

#### Agriculture

Each of the counties and towns of interest in the Northern Sub-Region have historic ties to agriculture and both Vermont and New Hampshire continue to embrace investment in their state's agriculture sector. In the summer of 2011, Governor Shumlin of Vermont introduced the newly enacted House Bill 287 that creates a grant program for area producers and processing facilities, which is engineered to sustain and grow jobs in agriculture. The Bill begins the process of addressing barriers and opportunities identified through Vermont's Farm to Plate Strategic Plan—a 10-year plan to strengthen the state's food system. The Farm to Plate Strategic Plan currently estimates Vermont's food system generates \$2.7 billion annually in total economic output, employing over 55,500 people at nearly 11,000 private sector businesses across the state (Vermont Sustainable Jobs Fund, 2011). The New Hampshire Department of Agriculture (among others) recently funded a similar research effort looking into the economic contribution of their food system. The report titled, "Home Grown," estimates New Hampshire's local food system—including local agriculture (e.g. farming), food manufacturing, food support services (e.g. food distributors), and food retailers (e.g. supermarkets and restaurants)—annually contributes \$3.3 billion in gross state product, or 5.7 percent of New Hampshire's \$58 billion economy (Magnusson et al, 2010).

Table I.4 gives the number of farming operations, farm size, acres of farmland, and the value of agricultural products produced in New Hampshire and Vermont and each of the focal counties in the sub-region, while Figure 4 graphically displays employment in natural commodity industries for Coos and Essex Counties, the county region and the US. The state of Vermont has more than double the amount of farmland acreage than any of the other three states in the Watershed, with a commodity market value of around \$670 million per year. Essex County experienced a substantial increase (35 percent) in its farmland acres from 2002-2007. This growth is the largest percent increase out of any county in the Watershed. USDA Census data also reveals the number of agricultural enterprises in New Hampshire increased by over 800 during that time period. Coos County, similar to the other two New Hampshire counties included in the larger Watershed profile, experienced a 15 percent increase in farmland acreage compared to 2002 figures.

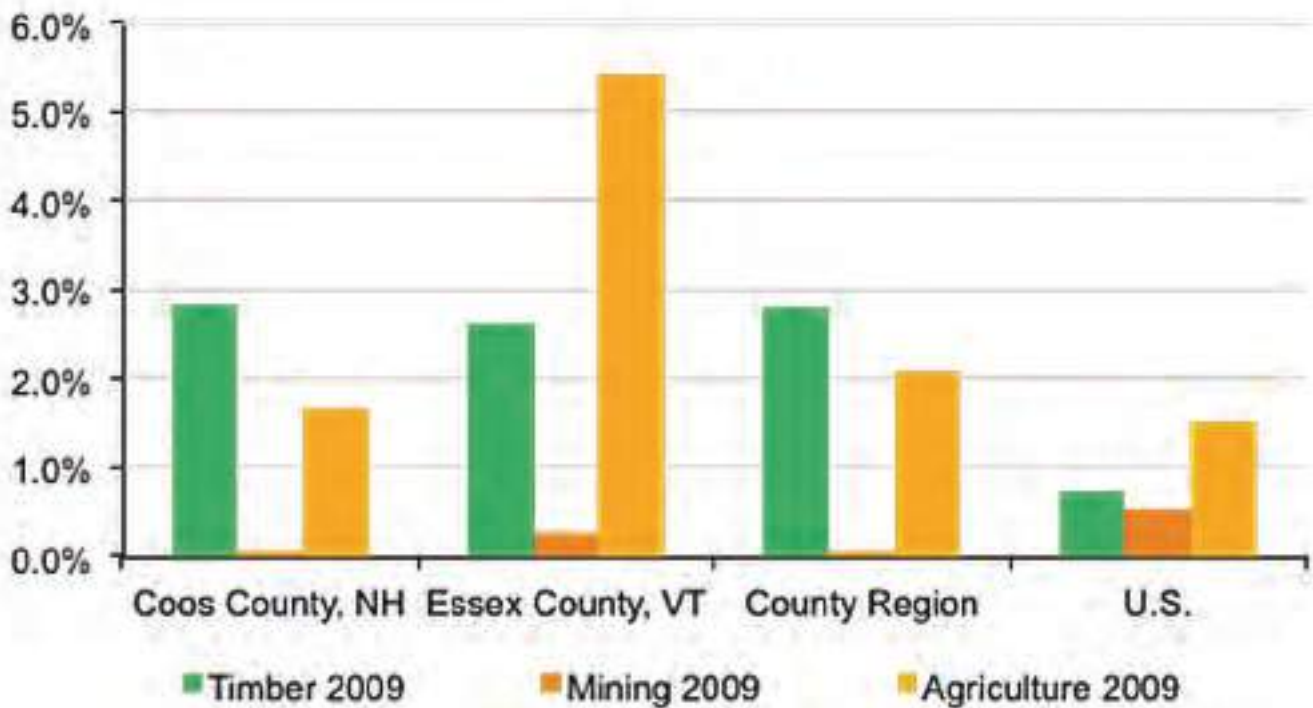
**Table I.4. Farming in the Northern Sub-Region**

Agriculture in the Northern Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Vermont	6,984	177	1,233,313	-0.93	673,713,000
New Hampshire	4,166	113	471,911	6.08	199,051,000
Essex County (VT)	94	284	26,732	34.75	12,147,000
Coos County (NH)	262	194	50,895	15.44	13,003,000

Source: USDA, Ag. Census. 2002, 2007.

While farmland statistics are not provided at the community level, there is a farming history within the communities of interest. Colebrook, New Hampshire was known historically for its excellent soil, and was even titled the “Potato Capital of New Hampshire” in the 1874 Gazetteer. Lancaster, New Hampshire shared similar notoriety, helping supply area mills and railroad stations with grains and starches. While this industry and accompanying employment is nowhere near its historic levels, these communities continue to embrace their farming heritage.

**Figure I.4. Commodity Industries in Northern Sub-Region, Percent of Total Employment.**



Source: U.S. Dept. of Commerce, BEA. 2011b.

\* Note: Data for timber and mining are from County Business Patterns which excludes proprietors, government, and railroad. Data for agriculture are from Bureau of Economic Analysis. The latest year for each data source may vary due to different data release schedules.

**Recreation and Tourism-Related Industries**

The travel and tourism industry continues to be a significant and growing contributor to the local and regional economies within the Watershed. Total direct spending from annual travel and tourism in the northern states of Vermont and New Hampshire is estimated at nearly \$6 billion; this spending supports nearly 12 percent of the total workforce in Vermont (Economic & Resources Policy, Inc., 2007; Goss, 2011). The growing tourism industry in Coos County has been supported by the natural beauty of the area and access to public lands for recreating, including a National Forest, designated wilderness, and various state parks within the county’s boundaries.



Recreation activities occurring on lands under Refuge management include hunting, fishing, snowmobiling, canoeing, photography, and wildlife viewing. Other popular recreation activities that bring large amounts of visitors to the area include downhill and cross-country skiing. Details about the economic contribution associated with wildlife viewing, hunting, and fishing in Vermont and New Hampshire are provided in Table I.5.

**Table I.5. Recreation Estimates and Expenditures in Vermont and New Hampshire**

Recreation Estimates	Residents and Non-Residents	Vermont	New Hampshire
Fishing	# of Anglers	114,000	230,000
	Total Expenditures	63,749,000	172,413,000
	Trip-Related	40,535,000	88,581,000
	Equipment and Other (\$)	23,214,000	83,832,000
Hunting	# of Hunters	73,000	61,000
	Total Expenditures	189,707,000	74,467,000
	Trip-Related	20,928,000	17,665,000
	Equipment and Other (\$)	168,779,000	56,802,000
Wildlife Watching	Total Participants	468,000	710,000
	Total Expenditures	122,841,000	273,769,000
	Trip-Related	58,219,000	116,136,000
	Equipment and Other (\$)	64,622,000	157,633,000

Source: USFWS National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, 2006.

### Land Use and Ownership

The two-county Northern Sub-Region is about 90 percent forested (NASA MODIS, 2006). In 2000, estimated residential land accounted for 11.1 percent of the total land area in Essex County, Vermont and 13.6 percent of the total land area in Coos County, New Hampshire. These residential percentages are almost entirely classified as 'exurban,' in which average lot sizes are between 1.7 and 40 acres (Headwaters Economics EPS-HDT Toolkit and Report, 2011). While these percentages are the smallest in the entire Watershed, they represent a 36 percent and 20.4 percent increase from 1980 and 2000, respectively (Theobald, 2005). Coos County is made up of roughly 20 percent federal lands, while Essex County contains less than 7 percent federal lands. Table I.6 reveals the breakdown of landownership for the two counties.

**Table I.6. Land Ownership (acres) in the Northern Sub-Region**

	Coos County, NH	Essex County, VT	County Region
Total Area	1,170,136	430,700	1,600,836
Private Lands	857,822	315,768	1,173,590
Federal Lands	244,255	28,159	272,414
State Lands	55,479	84,372	139,851
City, County, Other	12,580	2,402	14,982

Source: Conservation Biology Institute, 2006, 2008 (As cited by Headwater Economics EPS-HDT, 2011).

In a 2008 real estate transaction, the Plum Creek Timber Co. purchased an expansive 86,212 acre land track that covers parts of 14 towns in Essex County. Before this sale, the state of Vermont and Freeman Foundation purchased easements on this property to guarantee traditional uses of the land for logging and recreation (Sutkowski, 2008).

To date, the Refuge has acquired and conserved just over 35,000 acres throughout the Watershed, almost exclusively through fee-acquisitions. The largest conserved land tract—26,381 acres—is found in the Nulhegan Basin located in Essex County, Vermont. The Refuge currently owns approximately 7,200 acres in Coos County, New Hampshire. Additional lands in the riparian area along the Connecticut River, as well as adjoining lands near the present Divisions, have been identified for their high ecological value and potential acquisition. For a comprehensive discussion on the Refuge’s land acquisition program and the potential economic impacts of federal fee acquisitions and conservation easements, please reference Section II.

**White River Junction Sub-Region**

The White River Junction (WRJ) Sub-Region of the Watershed consists of Orange County, Vermont, Windsor County, Vermont, and Grafton County, New Hampshire. The sub-region is located in the middle portion of Vermont and New Hampshire’s co-boundary. The area houses the Refuge’s cooperatively managed Montshire Museum of Science in Norwich, Vermont. The Montshire Museum has gained tremendous notoriety in the northeast and beyond, and now typically sees 150,000 visitors each year. Windsor County is the largest county in the state in terms of land area (U.S. Census Bureau, 2010). Grafton County is home to two large colleges and has been rated as a great rural place to live (Progressive Farmer, 2006). The county cites low unemployment (despite relatively slow economic growth), favorable cost of living, and accessibility the White Mountain National Forest (Grafton County Economic Development Council, 2011). The Dartmouth Hitchcock Medical Center and four other local hospitals, along with supporting medical firms, have had a strong influence on employment (UNH Cooperative Extension, 2010). These favorable traits have helped lead to one of the largest population increases (in percentage terms) found within the entire Watershed.

Four communities are also highlighted in the WRJ Sub-Region profile. These being: Bradford, Vermont; Woodstock, Vermont; Hanover, New Hampshire; and Lebanon, New Hampshire. Bradford is a relatively small Vermont town that is dissected by many rivers and streams that are tributaries to the larger Connecticut River. These sources of water provided the foundation for farming, milling, and manufacturing to take root early in the town’s history. Today, the town relies on the adjacent water sources and natural beauty of the area to attract visitors year-round. The other three towns in the profile lie further south, with Woodstock the furthest west. Woodstock is a quintessential New England town with beautiful Colonial homes and churches, a quaint main street supporting small-scale shops and bread and breakfast establishments, and is dissected with a free-stone river that is dotted with wooden covered bridges. Hanover and Lebanon are larger communities located near the state border in New Hampshire and continue to experience population growth. They are largely dependent on the prestigious Dartmouth College and its various campuses and centers for both employment and as a market for local goods and services.

**Population**

Table I.7 gives the population estimates and trends for Vermont and New Hampshire, the three WRJ Sub-Region counties, and the four towns of interest. Over the last decade, New Hampshire’s overall population increased by 6.5 percent. Vermont experienced more moderate growth, documenting close to a 3 percent increase in the state’s total population during the same time period. The two-county sub-region experienced steady growth throughout the 1990’s, yet has been tapering off for most of the 2000s (see Figure I.5). The population growth observed in Grafton County, New Hampshire (9 percent) exceeds that of the state. Orange County’s growth rate over the last ten years is in line with that of Vermont’s, while Windsor County’s population shrunk by 1.3 percent. The 2010 population of 28,936 in Orange County, Vermont makes it the least populated County in the WRJ Sub-Region. However, the population densities across the three counties are fairly similar. Population densities ranging from 42-58 people per square mile reveal the rural character of the WRJ Sub-Region. Population trends for New Hampshire and Vermont, and the three counties included sub-region profile, are expected to continue over the next decade.

**Table I.7. Population Figures for WRJ Sub-Region**

White River Junction Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Vermont	625,741	40.6	68	9,250	2.8	638,809
New Hampshire	1,316,470	39.6	147	8,968	6.5	1,470,000
Orange County (VT)	28,936	42.3	42	692	2.5	29,730

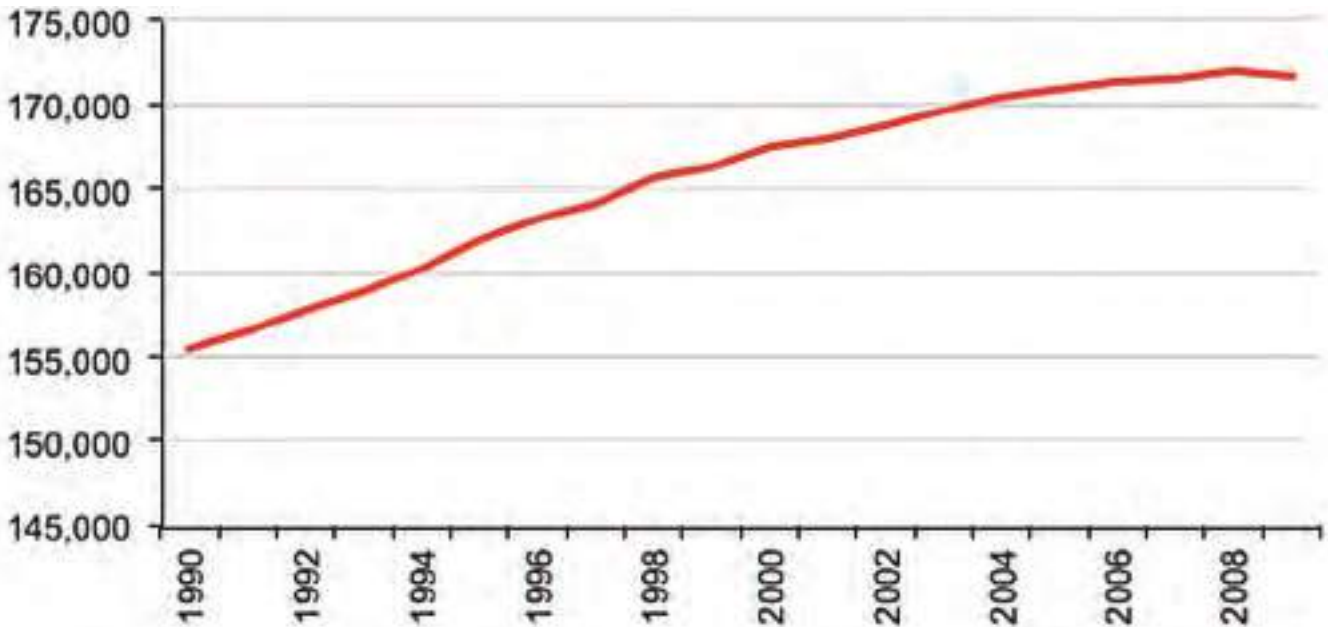
White River Junctio Sub- Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Windsor County (VT)	56,670	44.5	58	971	-1.3	55,515
Grafton County (NH)	89,118	39.6	51	1,750	9.0	95,109
Towns of Interest						
Bradford, VT	2,663	49.5	89	29.9	1.7	N/A
Woodstock, VT	3,148	47.9	71	44.6	-2.6	N/A
Hanover, NH	11,098	21.9	221	50.2	2.2	N/A
Lebanon, NH	12,762	36.9	308	41.4	1.5	N/A

Source: U.S. Census Bureau, 2010; New Hampshire Office of Energy and Planning, 2006; Vermont DOL, 2010a.

\*Note: Resident population and median age estimates for Towns of Interest were pulled from U.S. Census Bureau's 2005-2009 American Community Survey 5-yr. Estimates.

The two Vermont towns in the profile (Bradford and Woodstock) both have populations lower than 3,500 and median ages above 47. They are in more rural areas of the Watershed. Hanover and Lebanon, on the other hand, both have populations above 11,000 and median ages below 40, with Hanover reporting a median age of 21.9 years old (U.S. Census Bureau, ACS, 2009). This statistic is reflective of the significant local student population in the area. Hanover and Lebanon reported population growth of 2.2 percent and 1.5 percent, respectively. This continued growth has been aided by the presence of Dartmouth College and many of the supporting firms in the area (UNH Cooperative Extension, 2010).

Figure I.5. Population Trends for the WRJ Sub-Region, 1990-2008



Source: U.S. Department of Commerce, BEA, 2011a.

In 2010, the U.S. population consisted of 63.7 percent of white persons not of Hispanic or Latino origin (U.S. Census Bureau, 2010). Comparatively, Vermont's resident population consisted of 94.3 percent, which currently ranks it as having the second highest proportion of white persons in the nation. New Hampshire shares a similar

racial makeup, with 92.3 percent of the population designated as white people not of Hispanic or Latino origin. This is the same percentage recorded at the county-level for Grafton, New Hampshire. Orange and Windsor Counties in Vermont each have percentages of white persons around 95 percent. Close to 96 percent of residents in each of the three WRJ Sub-Region counties were born in the U.S. The two states and three sub-region counties all document around 90 percent of their respective populations over the age of twenty-four having a high school degree, and between 28 to 34 percent having earned a bachelor's or advanced degree (U.S. Census Bureau, ACS, 2009).

### Regional Employment and Income

The WRJ Sub-Region maintains a rural way of life. Natural commodity industries have a longstanding presence in the area, yet their dominance continues to decline. Concurrently, the service sector and tourism industry continue to expand (U.S. Census Bureau, ACS, 2009). Table I.8 displays the median household income, unemployment rates, and percentages of those living in poverty for the WRJ Sub-Region counties, communities of interest, and their respective states.

**Table I.8. Income, Unemployment, and Poverty Rates in the WRJ Sub-Region**

	Median Household Income (2009 \$s)	Percent Unemployed			Percent below Poverty (2009)
		2000	2009*	2010*	
US	50,221	4.0	9.9	9.4	14.3
Vermont	51,284	2.7	6.6	5.6	11.5
New Hampshire	63,033	2.7	6.4	5.3	8.6
Orange County (VT)	51,011	2.2	6.2	5.5	10.8
Windsor County (VT)	51,066	2.1	5.9	5.2	10.5
Grafton County (NH)	52,691	2.4	5.5	4.2	10.3
<i>Towns of Interest</i>					
Bradford, VT	51,071	2.9	8.1	7.1	N/A
Woodstock, VT	76,184	2.0	5.3	4.9	N/A
Hanover, NH	99,053	2.4	3.4	2.3	N/A
Lebanon, NH	57,982	1.7	4.2	2.9	N/A

*Source: U.S. Bureau of Labor Statistics, 2011; U.S. Census Bureau, ACS, 2009; U.S. Census Quickfacts, 2009; New Hampshire ELMIB, 2010; Vermont DOL, 2010b. (\*) Denotes unemployment rates as of December of that year.*

The 2009 Median household income in Vermont was on par with the national median of \$50,221, as were the two Vermont counties included in the sub-region profile. In contrast, the state of New Hampshire reported a median household income of \$63,033. This state-wide figure is more than \$10,000 higher than that recorded in Grafton County, New Hampshire. The town of Hanover in Grafton County however, reported one of the highest median incomes in the Watershed at \$99,053. One can infer that Dartmouth professors, administrators or others associated with the prestigious school contribute heavily to this figure. Unemployment figures are presented in Table I.8 for the years 2000, 2009, 2010 given the recent volatility in the economy. The three counties in the WRJ Sub-Region have documented unemployment figures below the New Hampshire and Vermont state averages since 2000. In late 2010, unemployment figures in the three counties were nearly 4 percent lower than the national



average. The four towns of management interest also had unemployment rates below 3 percent in the year 2000. Bradford, Vermont experienced the highest spike in unemployment at the height of the recession in late 2009 at just over 8 percent. Unemployment rates in each of the four towns were on the decline by the end of 2010. The towns of Hanover and Lebanon currently maintain the lowest unemployment rates out of any town examined in the larger Watershed profile.

Table I.9 gives the employment breakdown by industry for the counties in the WRJ Sub-Region. The largest employer in each of the three counties is the educational services, and health care and social assistance industry; accounting for more than 30 percent in Orange and Grafton Counties, and 25 percent in Windsor County. The second largest employer for all three counties is the retail trade industry, ranging from 10 to 13 percent.

**Table I.9. Regional Employment by Sector in the WRJ Sub-Region**

Full-Time and Part-Time Employment for White River Junction Sub-Region by Industry	WRJ Sub-Region		
	Orange County	Windsor County	Grafton County
Civilian employed pop. (16 years and over)	15,370	29,715	44,389
Percent of Employment by Industry (percent)			
Agriculture, forestry, fishing and hunting, and mining	5.3	2.5	1.9
Construction	9.4	9.2	8.7
Manufacturing	9.7	9.7	9.3
Wholesale trade	2.5	2.6	1.6
Retail trade	10.3	11.2	12.7
Transportation and warehousing, and utilities	2.9	4.1	2.8
Information	1.5	2.1	1.4
Finance and insurance, and real estate	4.7	4.8	4.5
Professional, scientific, and mgmt., admin. and waste mgmt. services	8.8	9.5	7.1
Education services, health care, and social assistance	30.4	25.3	33.1
Arts, entertainment, and recreation, and accomd. and food services	5.5	10.1	11.0
Other services, except public administration	3.9	4.9	3.7
Public administration	5.1	3.8	2.1

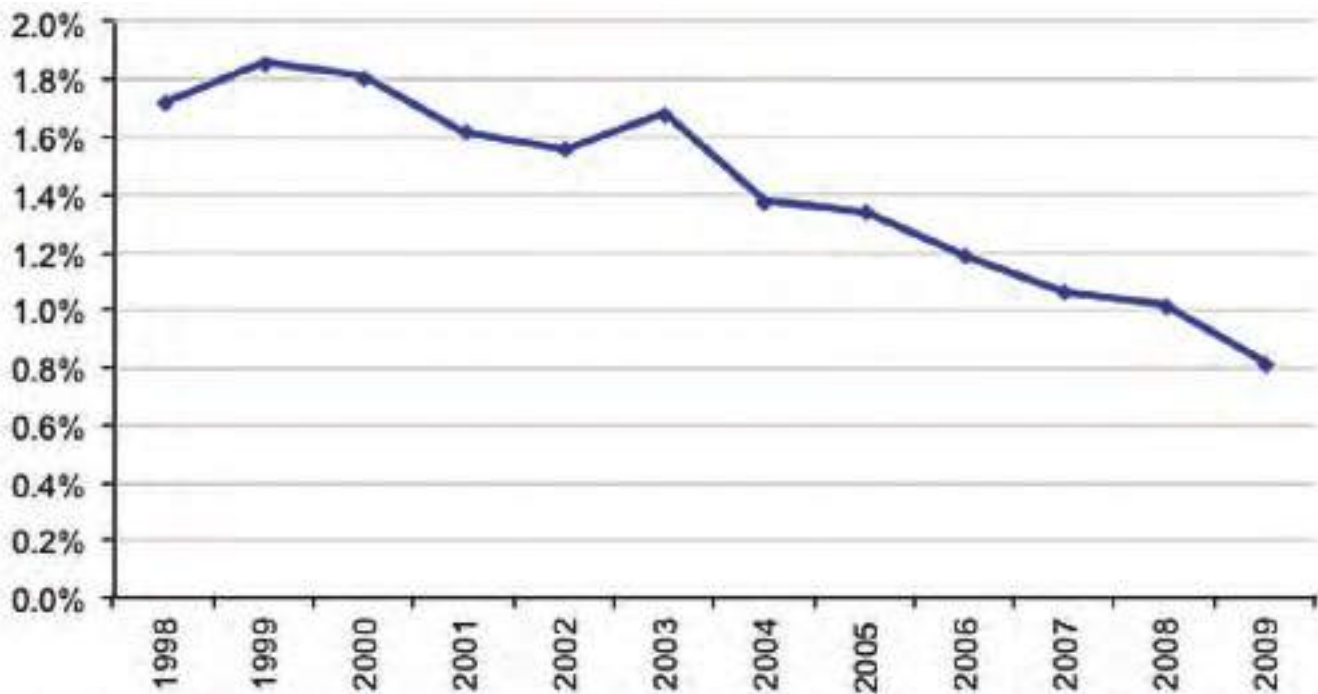
Source: U.S. Census Bureau, ACS, 2009.

### Commodity Industries

#### Timber

There is a long standing history of timber harvesting and wood-product manufacturing in the northern states of Vermont and New Hampshire. However, as was the case in the Northern Sub-Region, these once dominant industries have been in sharp decline. In 1998, timber-related jobs represented 1.7 percent of total employment in the three-county WRJ Sub-Region. By 2008, this figure was down to 0.8 percent (see Figure I.6) (U.S. Dept of Commerce, 2010a). In 2010, the total number of timber-related jobs in the WRJ Sub-Region is estimated at 735, including both private employment and independent proprietors (U.S. Dept of Commerce, 2010a, b).

Figure I.6. Percent of Total Private Employment in Timber in the WRJ Sub-Region, 1998-2009



Source: U.S. Dept. of Commerce, Census Bureau. 2010a

In 2009, 1.17 million cords of wood were harvested in New Hampshire forests (NEFA, 2011). This is a significant reduction from 2005 levels, which is consistent with the economic recession. New Hampshire landowners received over \$30 million from timber sales, and forest-based manufacturing’s estimated (2009) contribution to the state’s economy was \$1.15 billion in output, 8,160 jobs, and a payroll of around \$384 million a year (NEFA, 2011). Vermont recorded similar figures in 2005, which have also likely declined in the last few years. Based on 2005 figures, Vermont forest-based manufacturing is estimated at contributing nearly \$1.0 billion in value of shipments to the economy, or 9.3 percent of the state’s total manufacturing sales (NEFA, 2007). Windsor County was responsible for the most timber harvesting in the state in 2007, with 17 sawmills in the area relying on this activity (VT DOL, 2010a).

*Agriculture*

Table I.10 reveals the number of farming operations, farm size, acres of farmland, and the value of agricultural products produced in Vermont and New Hampshire and each of the focal counties in the sub-region. The state of Vermont has more than double the amount of farmland acreage than any of the other states in the region, with a commodity market value of over \$670 million per year. While New Hampshire has far less land in agricultural production, USDA Census data reveals the number of agricultural enterprises in the state increased by over 800 during 2002-2007. In 2007, there were just less than 300 thousand acres of farmland within the three counties of the WRJ Sub-Region. In comparison to the other two counties, Grafton County experienced the largest percent increase in farmland acres from 2002-2007, at 16.5 percent.

Table I.10. Farming in the WRJ Sub-Region

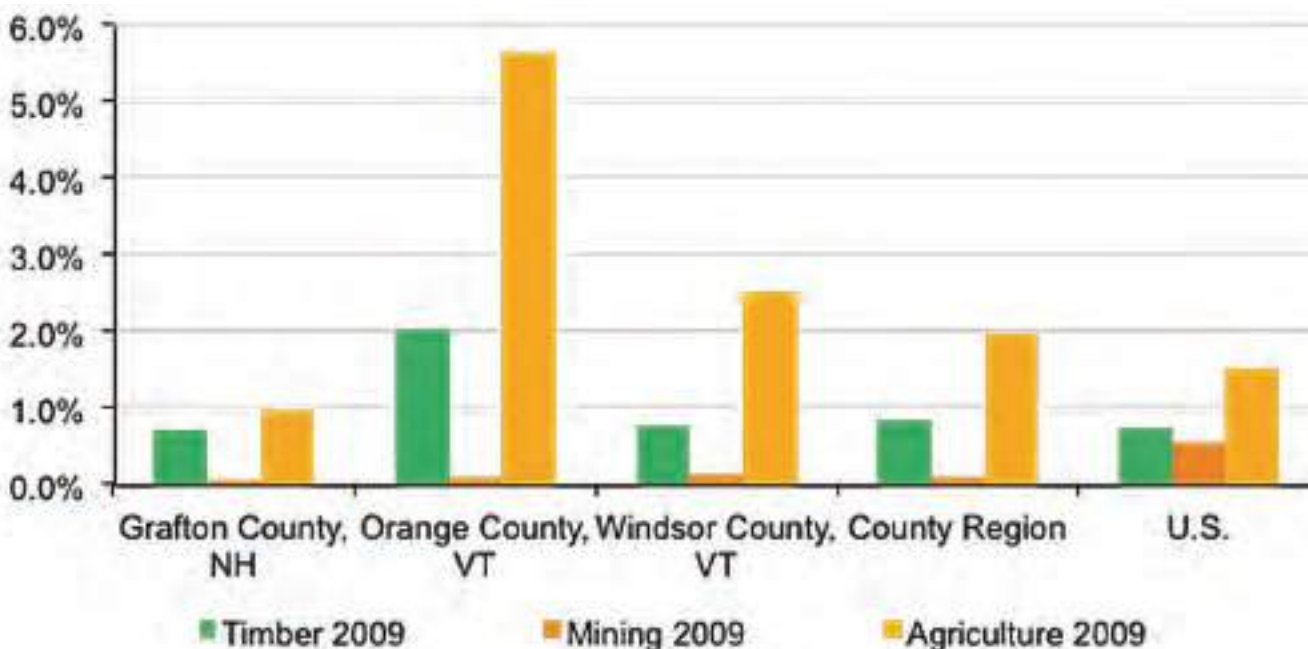
Agriculture in the WRJ Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Vermont	6,984	177	1,233,313	-0.93	673,713,000
New Hampshire	4,166	113	471,911	6.08	199,051,000
Orange County (VT)	683	149	101,645	-7.94	43,292,000

Agriculture in the WRJ Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Windsor County (VT)	767	125	95,972	6.69	24,978,000
Grafton County (NH)	552	181	99,964	16.52	34,393,000

Source: USDA, *Ag. Census, 2002; 2007.*

Orange County has the highest market value of agricultural products sold out of the three counties, and relies much more heavily on the agricultural industry for employment compared to the sub-region as a whole (BEA, 2011b). Figure I.7 shows the breakdown of employment by commodity industry. Unlike other regions, agricultural employment is larger than timber in each county, while mining is again a minimal contributor to employment in the region.

Figure I.7. Commodity Sectors in WRJ Sub-Region, Percent of Total Employment



Source: U.S. Dept. of Commerce, BEA, 2011b.

\* Note: Data for timber and mining are from *County Business Patterns* which excludes proprietors, government, and railroad. Data for agriculture are from *Bureau of Economic Analysis*. The latest year for each data source may vary due to different data release schedules.

As noted in the Northern Sub-Region profile, both Vermont and New Hampshire are working to strengthen their food system and abilities to meet local demands with locally produced products. New grant and loan programs have been put in place to try and retain productive working lands and lessen the financial barriers for beginning farmers (American Farmland Trust, 2011).

### Recreation and Tourism-Related Industries

The travel and tourism industry continues to be a significant and growing contributor to the local and regional economies within the Watershed. Total direct spending from annual travel and tourism in the northern states of Vermont and New Hampshire is estimated at nearly \$6 billion (Economic & Resources Policy, Inc., 2010; Goss, 2011). This spending supports nearly 17 percent of the total private workforce in the WRJ Sub-Region (BEA, 2011b). As with other parts of the Northeast, towns within the Watershed are expanding opportunities associated with recreation and tourism. Many of the quaint towns in the sub-region host annual festivals and

cultural events aimed at attracting crowds from beyond the community borders. A majority of these events are centered on the historic cultural and economic makeup of the region, and supported by the beauty of the natural landscape. The WRJ Sub-Region is home to designated national historic districts and a national scenic byway. The town of Woodstock is centered by a storybook New England village with beautiful late Colonial and Victorian architecture, covered bridges, and a main street with quaint shops and bed and breakfast establishments. Woodstock and many of the towns in the region rely heavily on those visiting and passing through on to other northern attractions. With the strong presence of agriculture and tourism in the region, especially in Orange County, agritourism seems to be expanding at a considerable rate.

Recreation opportunities abound within the counties of the WRJ Sub-Region as they do in much of the Watershed. To the west is the Mt. Carmel State Forest and eastern range of the Green Mountains. The Connecticut River in the region is enjoyed both leisurely and those seeking an adventure. Additional lands acquired by the Refuge would provide further opportunities to locals and non-local visitors. Traditional activities on lands under Refuge management include fishing, hunting, wildlife observation, photography, and environmental education. Snowmobiling is a very popular activity in this region and would be permitted on lands under Refuge management. The economic contribution of the snowmobile industry in Vermont alone has grown to an estimated \$550 million (Watson, 2003). Details about the economic contribution associated with wildlife viewing, hunting, and fishing in Vermont and New Hampshire are provided in Table I.5 in the previous sub-region profile.

As touched on in the Northern Sub-Region profile, some of the most popular activities in Vermont and New Hampshire do not fall into the category of traditional recreation. Nearly half of all Vermont and New Hampshire residents participate in hiking and a third participate in kayaking and canoeing (Outdoor Industry Foundation, 2003). Water-based recreation (boating, fishing, and swimming) on all New Hampshire rivers, streams, lakes and ponds is said to have contributed \$1.2 billion in 2003, and \$109 million in Vermont in 2004 (Shapiro and Kroll, 2003). New Hampshire and Vermont recently developed a partnership and released the Connecticut River Recreation Management Plan in 2009 that discusses, among other things, how to encourage businesses to capture the outdoor recreation market while protecting the fragile ecological systems of the river and surrounding areas.

#### Land Use and Ownership

Similar to the Northern Sub-Region, a vast majority (91 percent) of the landscape in the WRJ Sub-Region is classified as forest (NASA MODIS, 2006). Rural Grafton County with its designated White Mountain National Forest ranked the highest at 95 percent forested. In 2000, residential land was estimated at 34.3 percent in Orange County, 47.2 percent in Windsor County, and 40.1 percent in Grafton County. These residential percentages are almost entirely classified as ‘exurban,’ where average lot sizes can range from 1.7 to 40 acres (Headwaters Economics EPS-HDT, 2011; Theobald, 2005). When compared to 1980 levels, residential acres (in 2000) represented increases of 55 percent, 19.8 percent, and 23.6 percent, respectively.

Grafton County’s total land area of 1.1 million acres is more than the combined acreage of Windsor and Orange County. Grafton County’s 356,061 acres of Federal land also dwarfs Windsor and Orange County’s 29,168 and zero acres, respectively. A vast majority of these federal acres are under the management of the U.S. Forest Service. Table I.11 gives the general breakdown of total land ownership by county.

**Table I.11. Land Ownership (acres) in WRJ Sub-Region**

	Orange County, VT	Windsor County, VT	Grafton County, NH	County Region
<b>Total Area</b>	442,432	624,855	1,119,017	2,186,305
<b>Private Lands</b>	427,622	545,381	733,230	1,706,233
<b>Federal Lands</b>	0	29,168	356,061	385,229
<b>State Lands</b>	9,635	44,808	26,876	81,319
<b>City, County, Other</b>	3,838	5,490	2,850	12,178

Source: Conservation Biology Institute, 2006, 2008. (As cited by Headwaters Economics EPS-HDT Report)

To date, the Refuge has acquired and conserved just over 35,000 acres throughout the Watershed, almost exclusively through fee-acquisitions. The Refuge currently does not own any acreage in the WRJ Sub-Region; however large tracts in Orange and Grafton County have been identified for their high ecological value and acquisition potential. For a comprehensive discussion on the potential impacts of Federal fee acquisitions and conservation easements, please reference Section II.



### Tri-State Border Sub-Region

The Tri-State Border (TSB) Sub-Region of the Watershed consists of Windham County, Vermont, Cheshire County, New Hampshire, and Franklin County, Massachusetts. Currently, there is a 285-acre parcel in Windham County, and three relatively small land units equating to 55 acres in Franklin County, that are under Refuge ownership and management. Additional lands near the junction of the three state borders have been identified for potential acquisition and others solely for their ecological significance. The Refuge's flagship cooperative center—Great Falls Discover Center—in partnership with the Massachusetts Department of Conservation and Recreation and a number of other partners, is located in nearby Turners Falls, Massachusetts.

Four additional communities of management interest are highlighted in the TSB Sub-Region profile. These being: Brattleboro, Vermont; Keene, New Hampshire; Winchester, New Hampshire; and Greenfield, Massachusetts. Brattleboro is Windham County's largest township, and like many other noted communities in Vermont, it is rich in the arts, rooted in agriculture, and teeming with summer and winter recreation opportunities. The town of Keene, accounts for nearly 30 percent of Cheshire County's entire population and serves as the geographic and socio-economic center of the county (UNH Extension, 2010). Historically, Keene was known for its textile mills which held contracts with the U.S. Government throughout the Civil War, World War I, and World War II (Miller, 2003). Today, Keene is home to two colleges and is a center for insurance, education and tourism, while still retaining the Victorian architecture from its mill town era. Winchester, NH is a smaller town located just 13 miles south of the larger town of Keene. It, too, has historic ties to the textile industry and now retains a rural way of life with adjacent parks and preserves. Greenfield is also its respective county's largest city and is noted for a vibrant downtown that continues to see considerable infrastructure investment. Such investments are expected to add to population growth in the near term.

### Population

Table I.12 gives the population estimates and trends for Vermont, New Hampshire, and Massachusetts, the three TSB Sub-Region counties, and the four towns of interest. Each of the three states experienced growth in their total population from 2000 to 2010, with New Hampshire documenting the highest increase at 6.5 percent. Cheshire County, New Hampshire and Franklin County, Massachusetts have similar populations with just over 70,000 residents. However, Franklin County is the least populated county in the state of Massachusetts. Windham County is home to 30,000 fewer residents, yet is one of the more populous Vermont counties in the Watershed. Population densities for the counties reflect their contrast in population size as they have fairly similar land areas. Total population for the three-county sub-region has been increasing relative to 1990 levels, yet has experienced some decline in the past few years (see Figure I.8). Based on population forecasts from respective state departments, moderate population increases are expected for Cheshire and Franklin County over the next decade, with slight declines expected in Windham County.

**Table I.12. Population Figures for TSB Sub-Region**

Tri-State Border Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Vermont	625,741	40.6	67.65	9,250	2.8	638,809
New Hampshire	1,316,470	39.6	146.80	8,968	6.5	1,470,000
Massachusetts	6,547,629	38.5	738	4,845	3.1	6,767,712
<i>Tri-State Border Region</i>						
Windham County (VT)	44,513	43.6	56	798	0.7	42,585
Cheshire County (NH)	77,117	40	104	739	4.5	84,672
Franklin County (MA)	71,372	42.8	102	702	-0.2	78,452

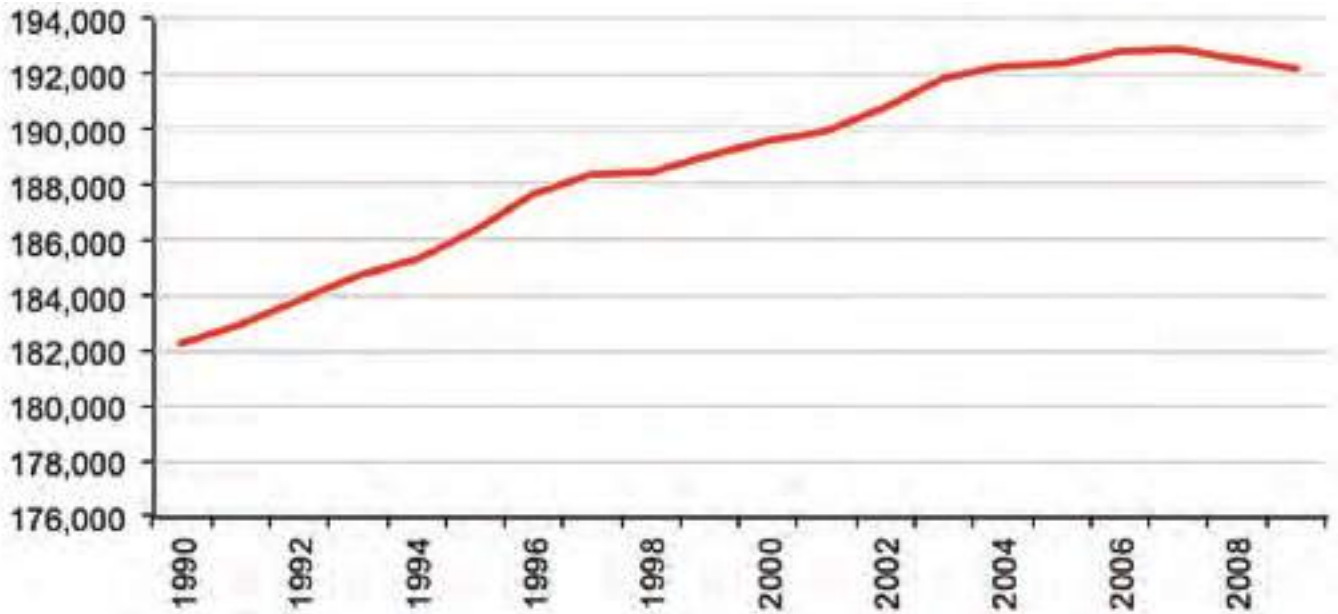
Tri-State Border Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
<i>Towns of Interest</i>						
Brattleboro, VT	11,633	44.9	359	32.4	-3.1	N/A
Greenfield, MA	17,862	41.5	816	21.9	-1.7	N/A
Keene, NH	22,539	32.6	599	37.6	-0.1	N/A
Winchester, NH	4,283	40.8	77	55.5	3.2	N/A

Source: U.S. Census Bureau, 2010; New Hampshire Office of Energy and Planning, 2006; Vermont DOL, 2010a; MISER, 2003.

\* Note: Source for Resident population and median age estimates for Towns of Interest: U.S. Census Bureau's 2005-2009 American Community Survey 5-yr. Estimates.

The towns of Brattleboro, Keene, and Greenfield have experienced slight declines in their population over the last decade, while remaining the most populous cities in their respective counties. Winchester was the only town of the four to experience a growth in population over the last ten years. With only 77 people per square mile, Winchester is much more rural when compared to the other population densities in the several hundred. The town of Keene maintains a median age of 32 years, which is eight years younger than any other town in the sub-region profile. This statistic is likely representative of the large student population in the county.

Figure I.8. Regional Population Trends in TSB Sub-Region, 1990-2008



Source: U.S. Department of Commerce, BEA, 2011a.

In 2010, the U.S. population consisted of 63.7 percent of white persons not of Hispanic or Latino origin (U.S. Census Bureau, 2010). Comparatively, Vermont's resident population consisted of 94.3 percent, which currently ranks it as having the second highest proportion of white persons in the nation. New Hampshire shares a similar racial makeup with that of Vermont, with 92.3 percent of the population designated as white people not of Hispanic or Latino origin. While, the state of Massachusetts documents a lower percentage of white residents (76.1percent), all three counties included in the TSB Sub-Region profile note percentages above 92 percent. Over 96 percent of the residents in each of the three counties were born in the U.S. Education attainment figures in all three counties are also above the national average. In Windham, Cheshire, and Franklin County, 90 percent of the residents over the age of twenty-four are high school graduates and 30 percent have earned a bachelor's or advanced degree (U.S. Census Bureau, ACS, 2009).

### Regional Employment and Income

The TSB Sub-Region continues to sustain a fairly rural way of life, especially when compared to regions further south in the Watershed. Like many of the communities along the Connecticut River, towns in this area were historically known for their manufacturing capabilities. While this sector of the economy is nowhere near its historic levels, it is still a major economic engine for the area. Table I.13 gives median household income, unemployment rates, and the percentage of the population living below the poverty line in the TSB Sub-Region.

**Table I.13. Income, Unemployment, and Poverty Rates**

	Median Household Income (2009 \$s)	Percent Unemployed			Percent below Poverty (2009)
		2000	2009*	2010*	
US	50,221	4.0	9.9	9.4	14.3
Vermont	51,284	2.7	6.6	5.6	11.5
New Hampshire	63,033	2.7	6.4	5.3	8.6
Massachusetts	64,496	2.7	8.5	8.0	10.3
<i>TSB Sub-Region</i>					
Windham County (VT)	46,465	2.4	6.1	5.3	12.3
Cheshire County (NH)	55,719	2.7	6.0	5.1	9.6
Franklin County (MA)	52,185	2.5	8.6	7.6	10.3
<i>Towns of Interest</i>					
Brattleboro, VT	38,301	2.7	6.2	5.2	N/A
Greenfield, MA	45,188	2.7	8.5	7.6	N/A
Keene, NH	51,375	2.6	5.4	4.7	N/A
Winchester, NH	40,821	4.6	N/A	6.5**	N/A

Source: U.S. Bureau of Labor Statistics, 2011; U.S. Census, ACS, 2009; U.S. Census Quickfacts, 2009; New Hampshire ELMIB, 2010; Vermont DOL, 2010b; Massachusetts EOLWD, 2010; U.S. Census Bureau, 2000.

(\*) Denotes unemployment rates as of December of that year. (\*\*) Denotes estimates made using the Wolfram Alpha Computational Knowledge Engine, 2011.

As of 2009, the three counties in the TSB Sub-Region all reported median incomes below their respective state-wide medians. Furthermore, each of the towns included in this profile reported median incomes below their respective county-wide medians. The (2009) median household income in Brattleboro, Vermont, \$38,301, is the lowest out of any town examined in the Watershed profile. Unemployment rates are presented for the years 2000, 2009, and 2010 given the economic volatility in recent years. At the start of the decade in year 2000, all three counties reported unemployment below 3 percent. By the end 2009, unemployment in the sub-region was above 6 percent, with Franklin documented the highest rate at 8.6 percent. Unemployment rates in the towns of interest remained below the national average throughout the recession and were declining in all areas by the end of 2010. Keene, New Hampshire endured the best in terms of unemployment throughout the volatility of the last decade.

Table I.14 gives the employment breakdown by industry for the three counties of interest. The largest employer in all three counties is the educational services, health care, and social assistance industry, accounting for between 24.8 percent and 31.3 percent of the workforce. Manufacturing was the second largest employer in Cheshire and Franklin Counties, while retail was the second largest in Windham County.

Table I.14. Employment by Industry in the TSB Sub-Region

Full-Time and Part-Time Employment by Sector	TSB Sub-Region		
	Windham County	Cheshire County	Franklin County
Civilian employed pop. (16 years and over)	23,401	40,874	37,729
Percent of Employment by Industry (percent)			
Agriculture, forestry, fishing and hunting, and mining	2.0	1.0	2.1
Construction	8.8	7.3	6.6
Manufacturing	8.9	15.2	13.4
Wholesale trade	4.0	4.5	2.2
Retail trade	11.7	14.6	10.8
Transportation and warehousing, and utilities	4.7	3.6	4.9
Information	1.7	2.1	2.9
Finance and insurance, and real estate	5.5	5.1	3.9
Professional, scientific, and mgmt., admin. and waste mgmt. services	7.3	7.3	6.5
Education services, health care, and social assistance	26.7	24.8	31.3
Arts, entertainment, and recreation, and accomd. and food services	11.0	7.8	6.9
Other services, except public administration	4.8	3.9	4.4
Public administration	2.8	2.7	4.1

Source: U.S. Census Bureau, ACS, 2009.

Brattleboro, Keene, and Greenfield remain the prominent city centers within their respective counties. These towns have historic ties to industries such as textiles and agriculture. While production practices may have ceased, these towns now lean on the cultural history and natural attractions of the area to attract visitors. Greenfield especially has been the site of considerable infrastructure investment. Proposed projects include a solar farm installation on the city's capped landfill (which would be the largest in all of New England), as well as a regional transit center and proposed Amtrak service along the Burlington-New York-Washington corridor (Town of Greenfield, Accessed 2011). If approved, these projects could contribute significant economic activity and attract new residents in the future.

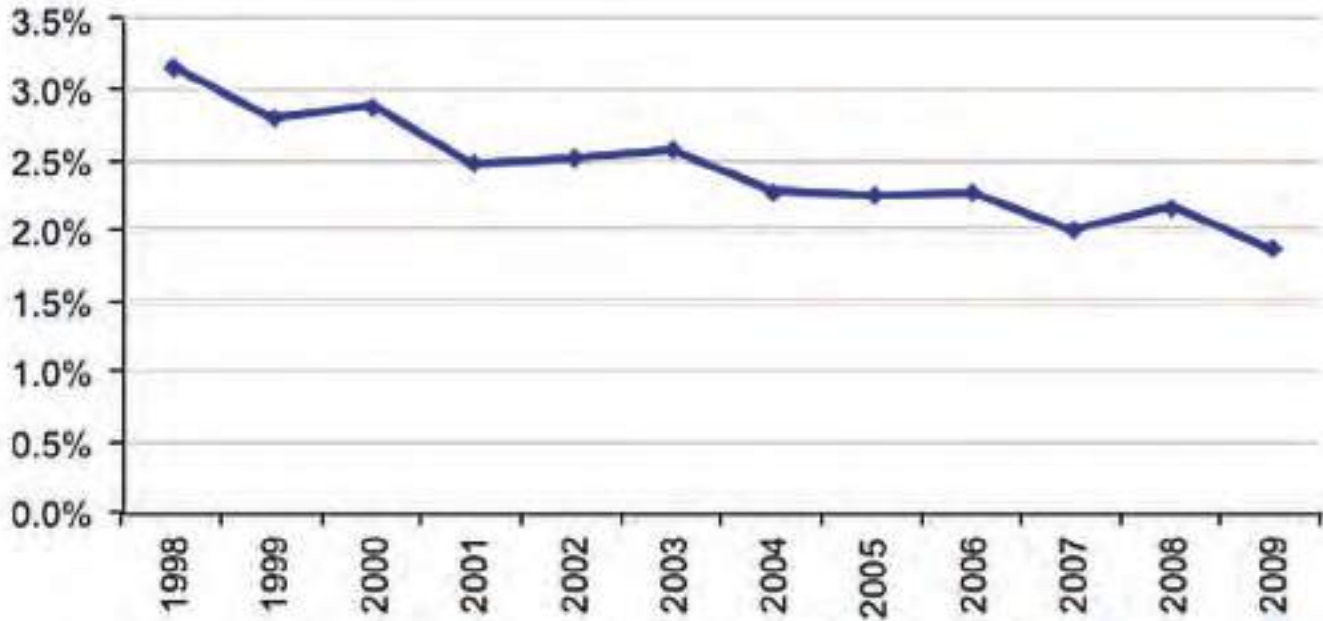
### Commodity Industries

#### Timber

There is a long standing history of timber harvesting in the Watershed, especially in the northern states of Vermont and New Hampshire. The expansive timber production in the area gave way to timber-related industries, such as saw mills, pulp/paper mills, and wood-product manufacturers. However, these once dominant industries have been in sharp decline. In 1998, timber-related jobs represented 3.2 percent of total employment in the three-county region. By 2009, this figure was down to 1.9 percent (see Figure I.9). The total number of timber-related jobs in the Tri-State Border Sub-Region is estimated at 1,345, including both private employment and independent proprietors (U.S. Dept. of Commerce, 2010a, b).



Figure I.9. Percent of Total Private Employment in Timber in the TSB Sub-Region, 1998-2009



Source: U.S. Dept. of Commerce, 2010a

As previously noted in the sub-region profiles prior, 1.17 million cords of wood were harvested in New Hampshire forests in 2009 (NEFA, 2011). This is a significant reduction from 2005 levels, which is consistent with the recent economic recession. New Hampshire landowners received over \$30 million from timber sales, and forest-based manufacturing's estimated (2009) contribution to the state's economy was \$1.15 billion in total output, 8,160 jobs, and a payroll of around \$384 million per year to the state's economy (NEFA, 2011). Vermont recorded similar figures in 2005, which have also likely declined in the last few years. In 2005, Vermont forest-based manufacturing is estimated to have contributed nearly \$1.0 billion in value of shipments to the economy, or 9.3 percent of the state's total manufacturing sales (NEFA, 2007). In 2008, Windham County was the top-ranking timber harvesting county in Vermont, with 15 supporting sawmills (Vermont DOL, 2010a). Massachusetts has experienced similar reductions in production and processing. In 1993 there were 94 confirmed active sawmills; by 2005 there were only 49, which were producing roughly 49 million board feet (Damery et al., 2006). Individually, Franklin County, Massachusetts has six registered sawmills and two portable bandmills (Damery et al., 2006).

#### Agriculture

Table I.15 reveals the number of farming operations, average farm size, acres of farmland, and the value of agricultural products produced in the three states and three focal counties that make up the TSB Sub-Region. The state of Vermont has more than double the amount of farmland acreage than any of the other states in the Watershed, with an annual commodity market value of \$673 million. This is nearly \$200 million more than Massachusetts' agricultural value, and over three times that of New Hampshire. USDA Census data reveal the number of agricultural enterprises in New Hampshire increased by over 800 from 2002 to 2007. Additionally, the three New Hampshire counties examined in the Watershed (Coos, Grafton, and Cheshire) all experienced increases in farmland acres of 15 percent or higher from 2000 to 2007. Windham County, Vermont was the only county in the sub-region to experience a decline in farmland acres during this time period. As of 2007, the three-county TSB Sub-Region encompassed 178,000 acres of active farmland.

Table I.15. Farming in the TSB Sub-Region

Agriculture in the TSB Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Vermont	6,984	177	1,233,313	-0.9	673,713,000
New Hampshire	4,166	113	471,911	6.1	199,051,000
Massachusetts	7,691	67	517,879	-0.1	489,820,000

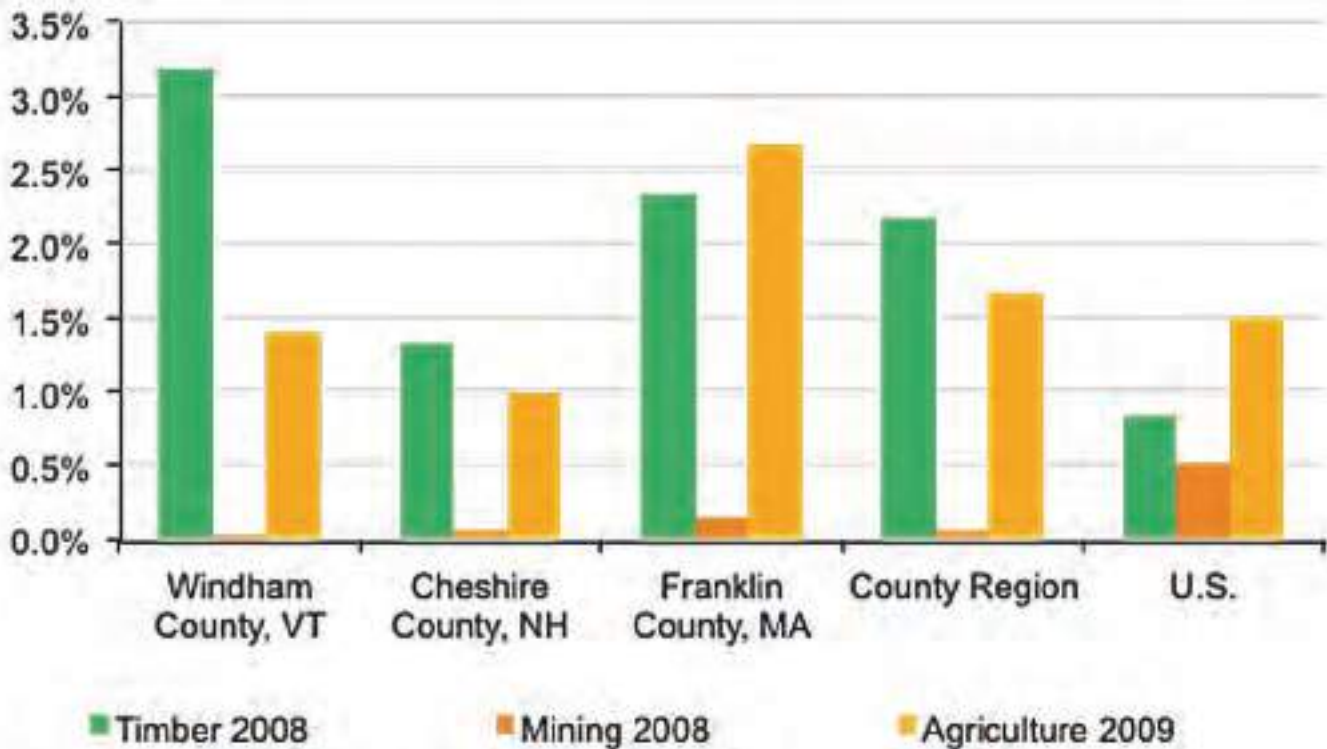
Agriculture in the TSB Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Windham County (VT)	428	119	50,764	-17.6	21,408,000
Cheshire County (NH)	419	115	48,241	16.9	15,406,000
Franklin County (MA)	741	107	79,465	7.0	56,844,000

Source: USDA, Ag Census, 2002, 2007.

As noted in the previous sub-region profiles, Vermont and New Hampshire are investing resources to strengthen their food systems and abilities to meet local demands with locally produced products. The state of Massachusetts seems to share these ambitions with Governor Patrick recently announcing the establishment of the Massachusetts Food Policy Council, who is set with advancing the goals of bringing healthy, local foods to all residents in the Commonwealth (*Mass.gov*, 2011). Farmers in Massachusetts are recognizing and establishing local outlets for their products. For instance, the state has seen almost a 250% increase in the number of farmers markets between 2007 and 2010 alone (Agricultural Day Priority Issues, 2011).

Figure I.10 displays the breakdown of employment by commodity industry in the TSB Sub-Region. Windham County, Vermont has the highest percentage of timber employment across the three counties, while Franklin County, Massachusetts has the highest percentage of agricultural employment. The TSB Sub-Region as a whole maintains a higher percentage of total employment in the timber and agricultural industries than the national average.

Figure I.10. Commodity Industries in the TSB Sub-Region, Percent of Total Employment



Source: U.S. Dept of Commerce, BEA. 2011b.

\* Note: Data for timber and mining are from County Business Patterns which excludes proprietors, government, and railroad. Data for agriculture are from Bureau of Economic analysis. The latest year for each data source may vary due to different data release schedules.

### Recreation and Tourism-Related Industries

The travel and tourism industry continues to be a significant and growing contributor to the local and regional economies within the Watershed. Total direct spending from annual travel and tourism in the northern states of Vermont and New Hampshire is estimated at nearly \$6 billion (Economic & Resources Policy, Inc., 2010; Goss, 2011). In 2009, total direct spending from annual travel and tourism in Massachusetts was estimated at \$14.4 billion (Massachusetts Department of Travel and Tourism, 2010). This area of spending is said to support nearly 12 percent of the total workforce in Vermont, and is tied to over 120 thousand jobs in the state of Massachusetts. Many of the towns within the TSB Sub-Region are attempting to capture more of this valuable market by hosting annual festivals and cultural events. For instance, the town of Keene is notorious for hosting the annual Pumpkin Festival which is estimated to have between 50-80,000 attendees (Keene Pumpkin Festival, 2011). The smaller town of Winchester, New Hampshire has continued to host the annual Pickle Festival that has the ambiance of an old-fashioned town fair. There are many other events in the region that lean on the area's historic and cultural roots. Area farmers and artisans are once again finding local markets for their goods, while catering to buyers and their overall experience. Agritourism seems to be expanding at a considerable rate, with each state in the Watershed now having a website and interactive map just for these enterprises. In Massachusetts alone, there are over 400 enterprises registered in the state's agritourism brochure with a significant concentration of them located within the Watershed (MA Dept. of Ag. Resources, 2011).

There are abundant recreation opportunities within the TSB Sub-Region. Traditional activities on lands under Refuge ownership and management include fishing, hunting, wildlife observation, photography, and environmental education. Snowmobiling is a popular winter recreation activity that is often allowed on lands under Refuge ownership. The economic contribution of the snowmobile industry in Vermont alone has grown to an estimated \$550 million (Watson, 2003). Details about the economic contribution associated with wildlife viewing, hunting, and fishing in Vermont, New Hampshire and Massachusetts are provided in Table I.16.

**Table I.16. Recreation Estimates and Expenditures for Vermont, New Hampshire, and Massachusetts**

Recreation Estimates	Residents and Non-Residents	Vermont	New Hampshire	Massachusetts
<b>Fishing</b>	# of Anglers	114,000	230,000	497,000
	Total Expenditures	63,749,000	172,413,000	769,631,000
	Trip-Related	40,535,000	88,581,000	297,312,000
	Equipment and Other (\$)	23,214,000	83,832,000	472,319,000
<b>Hunting</b>	# of Hunters	73,000	61,000	73,000
	Total Expenditures	189,707,000	74,467,000	70,824,000
	Trip-Related	20,928,000	17,665,000	36,675,000
	Equipment and Other (\$)	168,779,000	56,802,000	34,149,000
<b>Wildlife Watching</b>	Total Participants	468,000	710,000	1,919,000
	Total Expenditures	122,841,000	273,769,000	754,965,000
	Trip-Related	58,219,000	116,136,000	148,779,000
	Equipment and Other (\$)	64,622,000	157,633,000	606,186,000

Source: USFWS National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, 2006.

As mentioned previously, some of the most popular activities in Vermont and New Hampshire do not fall into the category of traditional recreation. Nearly half of all Vermont and New Hampshire residents participate in hiking and a third participate in kayaking and canoeing (Outdoor Industry Foundation, 2003). Water-based recreation (boating, fishing, and swimming) on all New Hampshire rivers, streams, lakes and ponds is said to have contributed \$1.2 billion in 2003, and \$109 million in Vermont in 2004 (Shapiro and Kroll, 2003). New Hampshire and Vermont recently developed a partnership and released the Connecticut River Recreation Management Plan

in 2009 that discusses, among other things, how to encourage businesses to capture the outdoor recreation market while protecting the fragile ecological systems of the river and surrounding areas.

**Land Use and Ownership**

Similar to the Northern and WRJ Sub-Regions, a vast majority (95 percent) of the landscape in the TSB Sub-Region is classified as forest (NASA MODIS, 2006). Land classified as residential (in 2000) was estimated at 50 percent in Windham County, 47 percent in Cheshire County, and 49 percent in Franklin County (Theobald, 2005). These residential percentages are almost entirely classified as ‘exurban,’ where average lot sizes can range from 1.7 to 40 acres, and allude to the region’s relatively rural landscape (Headwaters Economics EPS-HDT, 2011). When compared to 1980 levels, the classified residential acres in year 2000 represented increases of 107 percent, 50 percent, and 21 percent in the three counties, respectively.

The three counties included in the TSB Sub-Region are fairly similar in terms of total land area. A vast majority of their lands are also in private ownership (88 percent or over). Nearly all of the 37,121 federally owned acres in the sub-region are located within Windham County, however, both Franklin and Cheshire County have a fair amount of public land owned by the state. Table I.17 gives the breakdown of land ownership across the three counties.

**Table I.17. Land Ownership (acres) in the TSB Sub-Region**

	Windham County, Vermont	Cheshire County, New Hampshire	Franklin County, Massachusetts	County Region
<b>Total Area</b>	510,425	466,313	463,589	1,440,327
<b>Private Lands</b>	460,867	439,062	407,989	1,307,918
<b>Federal Lands</b>	37,087	0	34	37,121
<b>State Lands</b>	5,793	20,860	52,684	79,337
<b>City, County, Other</b>	6,535	6,392	2,882	15,808

*Source: Conservation Biology Institute, 2006, 2008 (As cited by Headwaters Economics EPS-HDT Report, 2011).*

To date, the Refuge has acquired and conserved just over 35,000 acres throughout the Watershed, almost exclusively through fee-acquisitions. Within the TSB Sub-Region, the Refuge owns three smaller parcels in Franklin County amounting to 55 acres, and an additional 283 acre tract in Windham County. Additional lands in the TSB Sub-Region have been identified for the high ecological value and acquisition potential. The identified acres are located predominantly in the riparian areas along the Connecticut River and in the adjacent floodplains. For a comprehensive discussion on the potential impacts of federal fee acquisitions and conservation easements, please reference Section II.

**Greater Amherst Sub-Region**

The Greater Amherst Sub-Region of the Watershed consists exclusively of Hampshire County, Massachusetts. Hampshire County, located in west-central Massachusetts, includes the Fort River Division of the Refuge. The Division currently occupies 197 acres within an approved Refuge boundary of 2,200 acres. The acquired division lands about the Fort River, which is an influential tributary to the larger Connecticut River. The county also includes the Mill River Division of the Refuge which currently occupies 257 acres adjacent to the Connecticut River; and has an approved Refuge boundary of 2,000 acres. Hampshire County has rich soils and makes up the middle portion of what has been referred to as “Pioneer Valley.” The fertile soil and adjacent water source of the Connecticut River laid the ground work for early agricultural production. The river also provided a source of power that allowed area towns to boom with manufacturing jobs in the 19<sup>th</sup> and 20<sup>th</sup> centuries. Today, Hampshire County is notable for the presence within its borders of the “Five Colleges”, comprising the University of Massachusetts flagship campus and four well-known private colleges (Hampshire County, 2011).



Four Massachusetts' communities are also highlighted in the Greater Amherst Sub-Region profile. These include: Hadley, Northampton, Lee, and Westfield. Lee, Massachusetts, just over the Hampshire County boundary in Berkshire County, is one of the area towns deeply rooted in manufacturing. The town was once home to 25 operating paper mills, yet today only one papermaking facility remains still in operation (CPBIS, 2011; Town of Lee, 2011). However, the historic sites and architecture from the early time period, along with the natural beauty of the surrounding watershed have made this area a year-round tourist destination for more than 50 years. The towns of Hadley, Northampton, and Westfield all seem to cater to the large collegiate student population in the area. The region has become known as the "happy valley" due to the eclectic art and music communities, progressive ideas, prestigious colleges and large student population.

### Population

Table I.18 gives the population estimates and trends for the state of Massachusetts, Hampshire County, and the four towns of interest in the Greater Amherst Sub-Region. Both the state of Massachusetts and Hampshire County have experienced moderate growth in population between 3-4 percent over the last ten years. These population growth trends are expected to continue over the next decade. The 2010 population of 158,080 makes Hampshire County one of the least populated counties in Massachusetts. The population density in Hampshire County, 299 persons per square mile, is less than a third as dense as the entire state. The median age of the county, 36.8, is the youngest out of all of the eleven counties examined in the Watershed. This may account for the considerable student population in the county. The only town included in the Greater Amherst Sub-Region profile to post positive growth in the last ten years is the largest city included, Westfield, Massachusetts, just over the border in Hampden County. The three other communities in the profile document moderate declines of less than 4 percent.

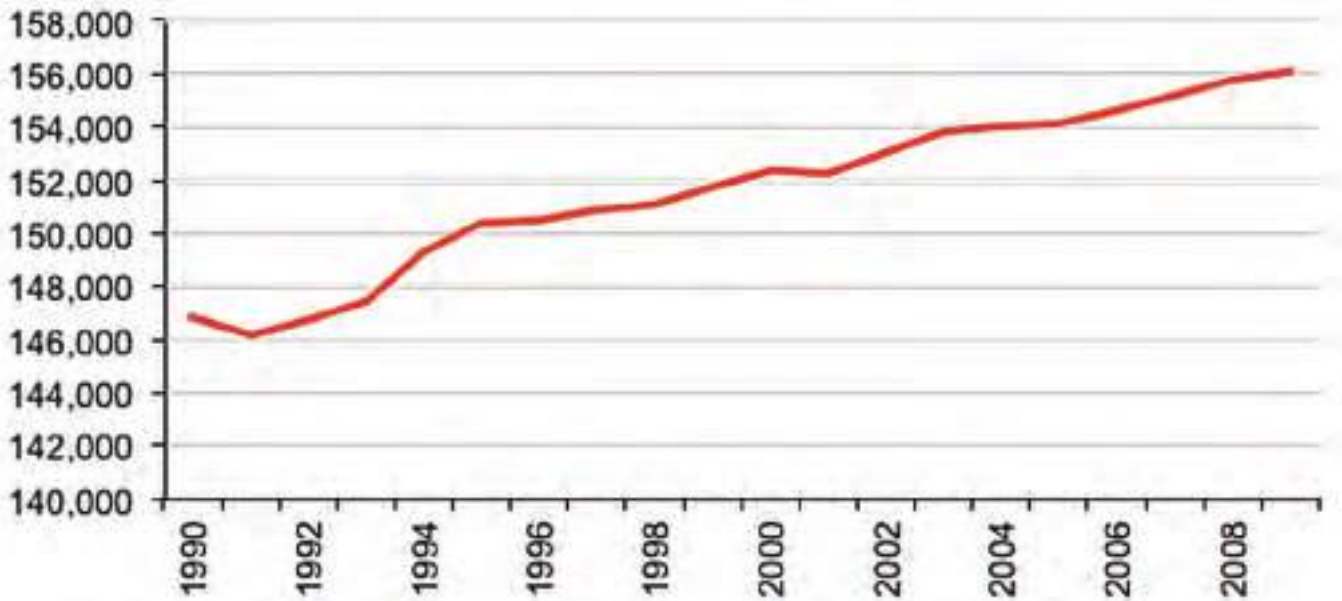
**Table I.18. Population Figures for the Greater Amherst Sub-Region**

Greater Amherst Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Massachusetts	6,547,629	38.5	835	7,840	3.1	6,767,712
<b>Greater Amherst Sub-Region</b>						
Hampshire County (MA)	158,080	36.8	299	529	3.8	173,181
<b>Towns of Interest</b>						
Hadley, MA	4,740	49.0	192	24.7	-1.1	N/A
Northampton, MA	28,548	38.9	214	27	-1.5	N/A
Lee, MA	5,774	43.7	802	35.6	-3.5	N/A
Westfield, MA	41,373	37.4	875	47.3	3.1	N/A

Source: U.S. Census Bureau, 2010; MISER, 2003.

\* Note: Resident population and median age estimates for Towns of Interest were pulled from U.S. Census Bureau's 2005-2009 American Community Survey 5-yr. Estimates.

Figure I.11. Regional Population Trends in the Greater Amherst Sub-Region, 1990-2008



Source: U.S. Department of Commerce, BEA, 2011a.

In 2010, the U.S. population consisted of 63.7 percent of white persons not of Hispanic or Latino origin (U.S. Census Bureau, 2010). Comparatively, Massachusetts’s population consisted of 76.1 percent white people (U.S. Census Bureau, 2010). Hampshire County reported figures well above the state demographic, with 86.2 percent of residents consisting of white people not of Hispanic or Latino origin. While this proportion is still well above the national average, it ranks Hampshire County second in the entire Watershed profile only to Hartford County, Connecticut. The majority of residents in Hampshire County, 90.7 percent, were born in the United States. Additionally, 91.7 percent of Hampshire County residents 25 years of age and older are high school graduates and 40.5 percent have earned a bachelor’s or advanced degree (U.S. Census Bureau, ACS, 2009). These percentages of education attainment are the highest among the eleven counties included in the Watershed profile.

**Regional Employment and Income**

The Greater Amherst Sub-Region, like much of the Watershed, was characterized by its farms, working forests, and manufacturing towns. At the center of the Pioneer Valley, the area has long been famous for its fertile soils and beautiful scenery. Subsequently, it has been a very popular year-round tourist destination for quite some time. The region maintains much of its rural character still today, while also being known now for its relatively liberal cities that are home to large student populations. Table I.19 gives estimates for median household income, unemployment, and the percentage of the population living in poverty.

Table I.19. Income, Unemployment, and Poverty Rates

	Median Household Income (2009 \$)	Percent Unemployed			Percent below Poverty (2009)
		2000	2009*	2010*	
US	50,221	4.0	9.9	9.4	14.3
Massachusetts	64,496	2.7	6.6	5.6	10.3
<b>Greater Amherst Sub-Region</b>					
Hampshire County (MA)	57,293	2.2	7.1	6.6	11.3
<b>Towns of Interest</b>					
Hadley, MA	62,731	2.1	7.0	7.2	N/A

	Median Household Income (2009 \$s)	Percent Unemployed			Percent below Poverty (2009)
		2000	2009*	2010*	
Northampton, MA	51,018	2.1	5.9	5.7	N/A
Lee, MA	48,860	2.5	7.0	6.5	N/A
Westfield, MA	52,425	2.7	8.2	7.9	N/A

Source: U.S. Bureau of Labor Statistics, 2011; U.S. Census Bureau Quickfacts, 2009; U.S. Census Bureau, ACS, 2009-adjusted estimates; Massachusetts EOLWD, 2010. (\*) Denotes unemployment rates as of December of that year.

In 2009, Massachusetts recorded a state-wide household median income of \$64,496; roughly \$14,000 higher than the national median. The median household income in Hampshire County is over \$7,000 less than the state average. Out of the four communities examined in the sub-region, the town of Hadley documents the highest median household income, while the town of Lee notes the least. All four communities have median household income levels below that of the state.

Unemployment figures are presented in Table I.19 for the years 2000, 2009, and 2010, given the recent recession and economic volatility. In 2000, Hampshire County and the state as a whole reported relatively low unemployment rates of 2.2 percent and 2.7 percent, respectively. At the height of the recession in late 2009, the unemployment rate in county tipped 7 percent. By the end of 2010, the rate had declined to 6.6 percent. The town of Westfield documented the highest unemployment in both 2009 and 2010 when compared to the other towns in the profile. Furthermore, Hampshire County reported poverty figures slightly above the state average, with 11.9 percent of the total county population living at or below the poverty line.

Table I.20 gives the employment breakdown by industry for Hampshire County. The largest employer in the county is, overwhelmingly, education, healthcare and social assistance services. This sector accounts for almost 39 percent of total employment in the county. The second largest employer is the retail trade industry, with 10.6 percent of total employment. Rounding out the top three is the arts, entertainment and recreation industry, accounting for 8.6 percent of total employment in the county. Hampshire County's dependence on the education, healthcare and social assistance services is the highest in the Watershed. This is not all that surprising with the county being home to five major college campuses that house a combined student population of over 35,000.

**Table I.20. Employment by Industry in Greater Amherst Sub-Region**

Full-Time and Part-Time Employment	Greater Amherst Sub-Region
	Hampshire County
Civilian employed pop. (16 years and over)	80,804
Percent of Employment by Industry (percent)	
Agriculture, forestry, fishing and hunting, and mining	0.8
Construction	4.9
Manufacturing	7.9
Wholesale trade	2.4
Retail trade	10.6
Transportation and warehousing, and utilities	3.7
Information	2.1
Finance and insurance, and real estate	4.6
Professional, scientific, and mgmt., admin. and waste mgmt. services	8.0
Education services, health care, and social assistance	38.8

Full-Time and Part-Time Employment	Greater Amherst Sub-Region
	Hampshire County
Arts, entertainment, and recreation, and accom. and food services	8.6
Other services, except public administration	3.8
Public administration	3.7

Source: U.S. Census Bureau, ACS, 2009.

**Commodity Industries**

As noted, Hampshire County is in the center of the Pioneer Valley, which is historically known to have some of the most fertile soil and unspoiled forests in all of New England (Pioneer Planning Valley Commission, 2012). The commodity industries, however, have been in decline. Looking at both U.S. Census and Bureau of Economic Analysis data, commodity sector employment is estimated to only account for 0.8-2.46 percent of total employment in the County. Paper-product manufacturing has been especially hit hard, which has had subsequent impacts on timber harvesting companies. In 1993 there were 94 confirmed active sawmills in Massachusetts. As of 2005 there were only 49, which were producing roughly 49 million board feet (Damery et al., 2006). Only seven sawmills and two portable bandmills were registered within Hampshire County in 2005. The town of Lee was a prominent paper mill town in the region, yet has witnessed a drastic decline in its manufacturing. In 1857 there were 25 paper mills operating in Lee town limits. Today, there is only 1 small papermaking facility still in operation; the most recent closure coming in 2008 that put 170 people out of work (CPBIS, 2011; Thompson, 2007).

Much of Hampshire County has roots in agriculture. While the landscape has seen a lot of change over the last century, especially in areas along the Connecticut River; farming operations have maintained a presence in the County. Table I.21 provides the number of farms, total acreage, and the value of agricultural products sold in 2007 at the county and state level.

**Table I.21. Farming in the Greater Amherst Sub-Region**

Agriculture in the Greater Amherst Sub-Region	# of Farms (2007)	Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Massachusetts	7,691	67	517,879	-0.1	489,820,000
Hampshire County	711	74	52,756	3.9	38,617,000

Source: USDA, Ag. Census, 2002; 2007

In 2007, Massachusetts’ total agricultural production was estimated to have an annual market value of close to \$500 million. Agriculture statistics for Hampshire County are fairly proportional; accounting for about 10 percent of total farm acreage in the state, just less than 10 percent of the total number of farms, and about 8 percent of the total annual product value. The county documented roughly a 4 percent increase in farmland acres from 2002-2007.

While farmland statistics are not provided at the community level, the towns along the Connecticut River in this region have historic ties to agriculture. Hadley’s agricultural history ranges from broomcorn in the 1700s, tobacco and vegetables in the 1800s, to unofficially being named the asparagus capital of the world in the 1900s (Moore, 2007). However, towns such as Hadley have seen much of their farmland give way to new housing and road expansion associated with the nearby universities and the influx of faculty and students. While expanding, towns in this region such as Northampton have become sites for restaurants that feature the use of local ingredients. Area farm markets are held multiple times a week (Pioneer Planning Valley Commission, 2012). This increase in local demand and accompanying outlets could lead to more agricultural production in the region.

**Recreation and Tourism-Related Industries**

The travel and tourism industry continues to be a significant and growing contributor to the local and regional economies within the Watershed. Total direct spending from annual travel and tourism in Massachusetts in



2009 was estimated at \$14.4 billion, supporting over 120 thousand jobs in the state (Massachusetts Department of Travel and Tourism, 2010). Of these state figures, Hampshire County was estimated to have experienced \$96 million in total direct spending, 830 jobs, and contributed \$7.8 million to state and local revenue (Massachusetts Department of Travel and Tourism, 2010). Many of the towns within this region of the Watershed are attempting to capture more of this valuable market by hosting annual festivals and cultural events that attract crowds from beyond the community borders. Many of these events are centered on the historic cultural and economic makeup of the region. The town of Northampton has the longest continuously running agricultural fair in the nation (Williamstown Chamber of Commerce, Accessed 2011). Area farmers and artisans are once again finding local markets for their goods, while catering to buyers and their overall experience. Agritourism seems to be expanding at a considerable rate, with Massachusetts having a website and interactive map/brochure with over 400 registered enterprises (MA Dept. of Ag. Resources, 2011).

There are abundant recreation opportunities within Hampshire and surrounding counties. The foothills of the Berkshire Mountains to the west offer up great outdoor experiences. Traditional activities taking place on Refuge lands include fishing, hunting, wildlife observation, photography, and environmental education. Details about the economic contribution associated with wildlife viewing, hunting, and fishing in Massachusetts are provided in Table I.16 in the previous sub-region profile. Other popular activities not accounted for below include a wide variety of water-based recreation. The Connecticut River is popular for both motorized and non-motorized boating and swimming.

### Land Use and Ownership

A large majority (85 percent) of the landscape in Hampshire County is classified as forest (NASA MODIS, 2006). Additionally, 8 percent is classified as mixed cropland, which is relatively high when compared to the other counties in the larger Watershed analysis. Land classified as residential makes up 65 percent of the total land area in the county (Theobald, 2005; Headwaters Economics EPS-HDT Report, 2011). This represents a 15 percent increase over 1980 levels. A majority of this residential land is classified as 'exurban,' which accounts for lot sizes ranging from 1.7 to 40 acres. Table I.22 displays the breakdown of land ownership in Hampshire County. An overwhelming majority (89.9 percent) of the land in Hampshire County is privately owned. Less than 1 percent of the land is in Federal ownership.

**Table I.22. Land Ownership (acres) in Greater Amherst Sub-Region**

	Hampshire County, MA
<b>Total Area</b>	348,921
<b>Private Lands</b>	313,419
<b>Federal Lands</b>	2,740
<b>State Lands</b>	25,918
<b>City, County, Other</b>	6,844

*Source: Conservation Biology Institute, 2006 (As cited by Headwaters Economics EPS-HDT Report, 2011).*

To date, the Refuge has acquired and conserved just over 35,000 acres throughout the Watershed, almost exclusively through fee-acquisitions. Of that total, just over 600 acres are located within Hampshire County. In addition, localized areas around the city of Northampton, Handley, and Amherst have been identified for their high ecological value and possible acquisition potential. An additional, larger tract has been identified in the western portion of the county. For a comprehensive discussion on the potential impacts of federal fee acquisitions and conservation easements, please reference Section II.

### Greater Hartford Sub-Region

The Greater Hartford Sub-Region within the Watershed consists exclusively of Hartford County, Connecticut. Hartford County, located in the north-central part of the state, is the location of the proposed Pyquag Division of the Refuge. This division consists of 4,085 acres that is yet to be established. The area spans a floodplain that contains freshwater marshes, floodplain forests, and agricultural lands. Hartford County is the most populous county in the Watershed profile and maintains the highest population density. The county is home to the capital city of the state, Hartford. Hartford (city) is recognized to be very dependent on the insurance and financial industries, and has been hard hit by the recent recession. By the end of 2010, the county as a whole had the highest unemployment rate out of the eleven counties included in the Watershed profile.

Three additional Connecticut communities are highlighted in the Greater Hartford Sub-Region profile given the potential influence of Refuge management. These being: East Hartford, Wethersfield, and Windsor Locks. East Hartford and Wethersfield are relatively urban areas that are part of the Greater Hartford Metropolitan Area (1.2 million residents). The town of Windsor Locks serves as a major distribution point due to the presence of the Bradley International Airport. The town is also known for its production of aerospace products as well as paper goods (Town of Windsor Locks, 2014). Cultural and historical museums are abundant in the towns and attract visitors eager to learn about the early years of life in New England.

**Population**

Table I.23 gives the population estimates and trends for the state of Connecticut, Hartford County, and the three towns of interest in the Greater Hartford Sub-Region. The 2010 population of 894,014 makes Hartford County the second most populous in Connecticut, and the most populated in the larger Watershed profile. The population density in Hartford County—1,216 persons per square mile—is more than 2.5 times the next highest density noted in the eleven-county Watershed profile and is considerably higher than the state average of 738 persons per square mile. The population in the county has been steadily increasing for most of the past fifteen years (see Figure I.12).

**Table I.23. Population Figures for Greater Hartford Sub-Region**

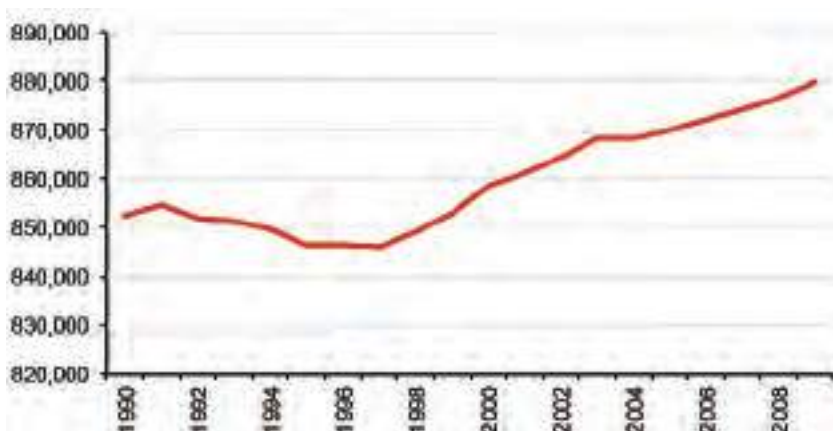
Greater Hartford Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Connecticut	3,574,097	39	738	4,845	4.9	3,613,583
<b>Greater Hartford Sub-Region</b>						
Hartford County (CT)	894,014	39.2	1,216	735	4.3	873,647
<b>Towns of Interest</b>						
East Hartford, CT	48,627	37.8	2,587	18.8	-1.9	49,145
Wethersfield, CT	25,788	44.1	1,969	13.1	-1.8	25,626
Windsor Locks, CT	12,422	41.7	1,321	9.4	3.1	13,434

Source: U.S. Census Bureau, 2010; Connecticut State Data Center, 2007.

\* Note: Resident populations and median age estimates for Towns of Interest were pulled from U.S. Census Bureau’s 2005-2009 American Survey 5-year Estimates. Population projections were calculated by the Connecticut State Data Center in 2007 and therefore might be inconsistent with 2010 estimates and recent population change figures.

The town of Windsor Locks is the least populated town of the three examined, yet experienced a population growth near 3 percent over the last decade. Both East Hartford and Wethersfield documented moderate declines near 2 percent over that same time period. All three towns have population densities over 1,300 people per square mile, making them far more urban than most other areas examined in the Watershed.

Figure I.12. Regional Population Trends for Hartford County, Connecticut 1980-2008



Source: U.S. Department of Commerce, BEA, 2011a.

In 2010, the U.S. population consisted of 63.7 percent of white persons not of Hispanic or Latino origin (U.S. Census, 2010). Comparatively, Connecticut's state-wide population consisted of 71.2 percent white people. Hartford County lies closer to the national demographic, with 66.1 percent of its population consisting of white people not of Hispanic descent. This demographic for Hartford County is also 20 percent less than any other county in the larger Watershed profile. The majority of residents in Hartford County, 86.5 percent, were born in the U.S. Furthermore, nearly 87 percent of the residents over the age of twenty-four in Hartford County are high school graduates, and close to 33 percent have earned a bachelor's or advanced degree (U.S. Census Bureau, ACS, 2009). These percentages of education attainment are slightly higher than the national average, yet slightly lower than the state-wide average.

### Regional Employment and Income

The Greater Hartford Sub-Region is more urban than other regions in the analysis and tends to rely less on agriculture and natural commodities than it does the service and retail industries. The capital city of Hartford is even referred to as the "Insurance Capital of the World," as it is home to some of the nation's largest insurance companies (City of Hartford, 2011). Table I.24 shows the median household income, unemployment rates, and percent of the population living in poverty in the state of Connecticut, Hartford County, and the communities of interest.

Table I.24. Income, Unemployment, and Poverty Rates

	Median Household Income (2009 \$s)	Percent Unemployed			Percent below Poverty (2009)
		2000	2009*	2010*	
US	50,221	4.0	9.9	9.4	14.3
Connecticut	68,294	2.3	8.4	8.6	9.3
Hartford County (CT)	64,045	2.5	9.1	9.1	10.1
<i>Towns of Interest</i>					
East Hartford	48,747	3.4	10.7	10.6	N/A
Wethersfield	70,525	2.2	8.3	8.4	N/A
Windsor Locks	64,110	2.0	9.7	7.8	N/A

Source: U.S. Bureau of Labor Statistics, 2011; U.S. Census Bureau Quickfacts, 2009. U.S. Census Bureau, ACS, 2009; Connecticut Department of Labor, 2010. (\*) Denotes unemployment rates as of December of that year.

Median household income for Hartford County in 2009 was an estimated \$64,045. This figure is roughly \$4,000 less than the state median, however \$14,000 higher than the national median. There is even more disparity within the three communities of interest in the sub-region. The town of East Hartford reported a median household income of \$48,747 in 2009, while the town Wethersfield reported a median of \$70,525; a difference of nearly \$22,000.

Unemployment figures are presented in Table I.24 for the years 2000, 2009 and 2010, given the recent recession and economic volatility. In 2000, prior to the economic downturn, Hartford County reported relatively low unemployment at 2.5 percent. The county experienced a large spike in 2009 during the financial crisis. By the end of 2010, unemployment in the county remained above 9 percent. This is not entirely surprising as much of the county's economy is supported by service and retail industries that are largely dependent on consumer spending. One note is that the only two counties in the Watershed that did not report a decline in unemployment from 2009-2010 were Hartford, Connecticut and Middlesex, Connecticut—the two most populated counties with the highest median incomes. Of the three communities examined, Windsor Locks has been able to recover the most since the peak of the recession in 2009. By the end of 2010, the unemployment rate in Windsor Locks was down to 7.8 percent. East Hartford has fared the worst, with unemployment at the end December, 2010 still above 10 percent. This ranks above the national average and is the highest rate observed out of any of the towns examined throughout the Watershed.

Table I.25 gives the employment breakdown by industry for Hartford County. The largest employer in the county is the educational, healthcare, and social assistance services, accounting for 24 percent of employment. Finance, insurance and real estate, manufacturing, and retail trade account for 12.4 percent, 11.8 percent and 10.8 percent of employment, respectively. Major businesses and employers in the area include Pratt & Whitney, Coca-Cola, the University of Connecticut, Connecticut Departments of Correction and Motor Vehicles, and the Bradley International Airport. The communities included in this profile are in close proximity to Hartford and house many commuters. They have been gearing portions of their business development around commuters in the region. In turn, local economies within the area are growing more dependent on service and retail industries.

**Table I.25. Employment by Industry in the Greater Hartford Sub-Region**

Full-Time and Part-Time Employment	Greater Hartford Sub-Region
	Hartford County
Civilian employed pop. (16 years and over)	432,283
<i>Percent of Employment by Industry (percent)</i>	
Agriculture, forestry, fishing and hunting, and mining	0.2
Construction	5.5
Manufacturing	11.8
Wholesale trade	2.9
Retail trade	10.8
Transportation and warehousing, and utilities	4.1
Information	2.5
Finance and insurance, and real estate	12.4
Professional, scientific, and mgmt., admin. and waste mgmt. services	9.7
Education services, health care, and social assistance	24.0
Arts, entertainment, and recreation, and accom. and food services	7.1
Other services, except public administration	4.5
Public administration	4.4

Source: U.S. Census Bureau, ACS, 2009.



### Commodities, Recreation, and Tourism

The commodity sectors (Timber, Agriculture, and Mining) only make up 0.73 percent of the total jobs in Hartford County. Timber is the largest component of commodity sector employment in Hartford County; however only accounts for 0.38 percent of total jobs (BEA, 2011). Farm acres, number of farms, and the market value of agricultural products produced are displayed in Table I.26 for the county and state level.

**Table I.26. Farming in the Greater Hartford Sub-Region**

Agriculture in the Greater Hartford Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	Percent Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Connecticut	4,916	83	405,616	13.6	551,553,000
Hartford County	790	68	53,504	6.6	133,582,000

Source: USDA, Ag. Census, 2002; 2007.

The state of Connecticut is home to just over 400,000 acres of active farmland, with an annual market value of agricultural products close to \$551 million. This ranks Connecticut as having the least amount of farmland acres out of the four states in the Watershed, yet is ranks second in the total market value of agricultural products sold (only to Vermont). Hartford County accounts for about 13 percent of the farmland in Connecticut, but almost 25 percent of the market value of agricultural products sold.

The travel and tourism industry continues to be a significant and growing contributor to the local and regional economies throughout the Watershed. Travel and tourism in Connecticut is estimated to contribute \$8 billion to the gross state product annually, which supports 110,000 jobs, or 6.5 percent of the state's workforce (McMillen, 2006). In addition, it is estimated tourism expenditures contribute \$1.1 billion in state and local revenue (McMillen, 2006). Travel and tourism account for around 11 percent of the total jobs in Hartford County, with most coming from the accommodation and food services industry (BEA, 2011b). Much of the tourism in Hartford County is centered on the history of the area and surrounding Watershed. With some of the oldest towns in the country, visitors have their choice of visiting multiple museums and various exhibits, while observing the colonial architecture scattered about.

While much more urban than other sub-regions examined in the Watershed, Hartford County still provides many recreation opportunities. Lands acquired by the Refuge traditionally allow recreation activities such as fishing, hunting, wildlife observation, photography, and environmental education to take place. Details about the economic contribution associated with wildlife viewing, hunting, and fishing in the state of Connecticut are provided in Table I.27.

**Table I.27. Recreation Estimates and Expenditures in Connecticut**

Recreation Estimates	Residents and Non-Residents	Connecticut
<b>Fishing</b>	# of Anglers	302,000
	Total Expenditures	243,552,000
	Trip-Related	130,742,000
	Equipment and Other (\$)	112,810,000
<b>Hunting</b>	# of Hunters	38,000
	Total Expenditures	68,530,000
	Trip-Related	5,991,000
	Equipment and Other (\$)	62,539,000

Recreation Estimates	Residents and Non-Residents	Connecticut
<b>Wildlife Watching</b>	Total Participants	1,170,000
	Total Expenditures	509,432,000
	Trip-Related	53,025,000
	Equipment and Other (\$)	456,407,000

Source: USFWS National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, 2006.

**Land Use and Ownership**

As noted earlier, Hartford County is the most populous county in the overall Watershed profile and maintains the highest population density. In 2010, 72.7% of private land was considered residential (Headwater Economics EPS Tool, 2011). Out of the 480,160 acres in the county, 264,000 (55 percent) are considered forest, and 139,246 (29 percent) are noted as an urban land use. Hartford County currently has 91 percent of its land in private ownership, with no documented land in federal ownership (Table I.28).

**Table I.28. Land Ownership (acres) in the Greater Hartford Sub-Region**

	Hartford County, Connecticut
<b>Total Area</b>	480,160
<b>Private Lands</b>	436,813
<b>Federal Lands</b>	-
<b>State Lands</b>	26,965
<b>City, County, Other</b>	16,382

Source: Conservation Biology Institute, 2008 (As cited by Headwater Economics EPS-HDT Report, 2011).

To date, the Refuge has acquired and conserved just over 35,000 acres throughout the Watershed, almost exclusively through fee-acquisitions. The Service has proposed plans to purchase what will be the Pyquag Division of the Refuge, through fee acquisition titles with willing sellers. This division is designed around 4,085 acres and encompasses a floodplain that contains freshwater marshes, floodplain forests, and agricultural lands. The proposed land area for the division edges up to the towns of Wethersfield, Glastonbury, and Rock Hill, and is about 7 miles directly south of metropolitan Hartford. For a comprehensive discussion on the potential economic impacts of federal fee acquisitions and conservation easements, please reference Section II.

**Southern Connecticut Sub-Region**

The Southern Connecticut Sub-Region of the Watershed consists of Middlesex County, Connecticut. Middlesex County, located in the south-central part of the state, is the southernmost county in the Watershed, with its southern tip bordering the Long Island Sound. The Salmon River Division of the Refuge is located within the county, encompassing 285 acres that were acquired in 2009. An additional 2,550 acres in the surrounding area have been approved for purchase from willing sellers. The management area includes an extensive freshwater tidal marsh important to migratory waterfowl and anadromous fish species. Settlements and ports within the county were established during colonial times, as explorers traversed up the Connecticut River. The colonial history is apparent and embraced in many parts of the county still today. The county prides itself as a great place to live, work, and recreate, and currently maintains the highest median household income out of any county in the Watershed.

Four Connecticut communities are also examined in the Southern Connecticut Sub-Region profile. These being: East Hampton, Chester, Old Lyme, and Old Saybrook. The towns are in close proximity to the Salmon River Division and have the potential to be influenced by management decisions. Rich with history, all the towns date back to the 1600s and have original roots in farming and early manufacturing in Connecticut. The town Chester has a “picturesque Main Street” with shops and restaurants, but does everything it can to maintain its small

town way of life and natural amenities (Town of Chester, 2011). Old Lyme is a community still rich in the arts, being home to many famous artists and now the location for a fine arts institution and multiple museums. It is a growing 'bedroom' community for people working in the larger urban areas within and even outside the state (Old Lyme, 2011). Both Old Lyme and Old Saybrook are located near the outflow of the Connecticut River into Long Island Sound. The nearby access to both waterways has made it an area with great recreation opportunities and a destination that attracts several thousand vacationers in the summer months each year.

### Population

Table I.29 gives the population estimates and trends for the state of Connecticut, Middlesex County, and towns of interest in the Southern Connecticut Sub-Region of the Watershed. Both the state of Connecticut and Middlesex County have experienced a steady growth in total population over the last decade. Figure I.13 reveals the population growth in Middlesex County has been consistent since 1990. The 2010 population of 165,676 makes Middlesex County the second-most populous county in the larger Watershed profile. The population density in Middlesex County, 449 persons per square mile, is considerably lower than the state average of 738 persons per square mile. According to state department estimates, these population trends are expected to continue in the coming years (Connecticut State Data Center, 2007).

**Table I.29. Population Figures for the Southern Connecticut Sub-Region**

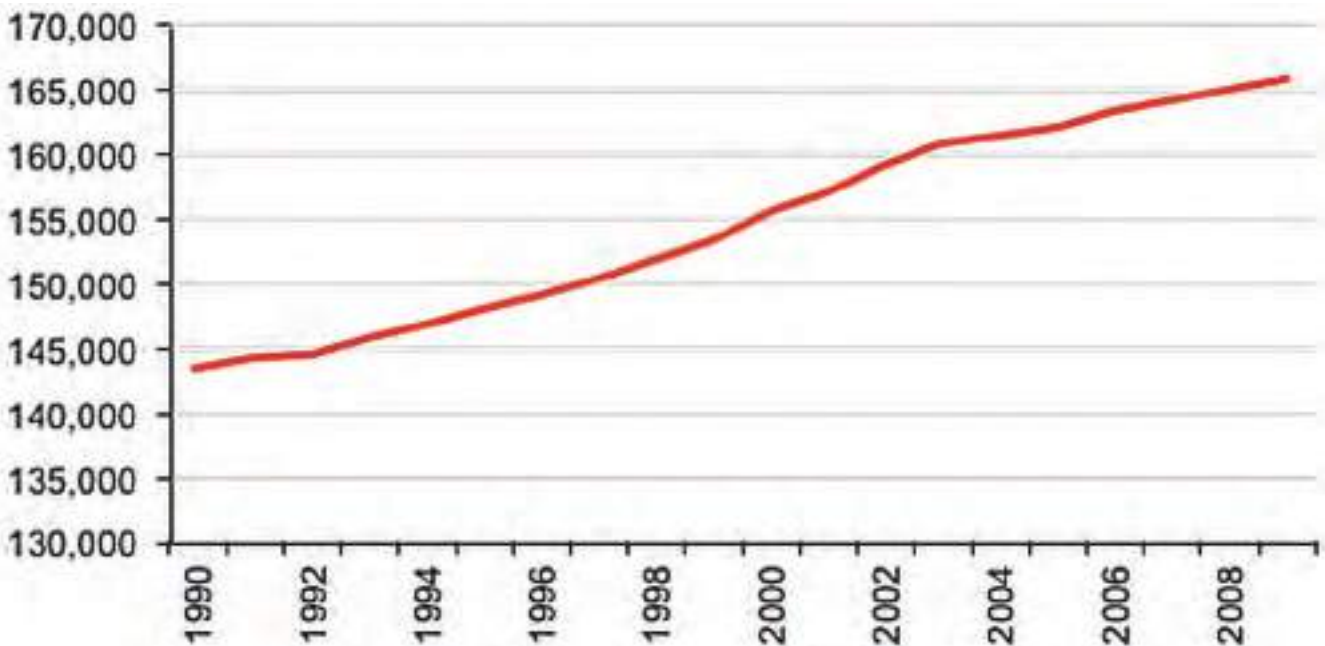
The Southern Connecticut Sub-Region	Population (2010)	Median Age	Persons per Square Mile	Land Area (Square Miles)	Percent Change in Population 2000-2010	Population Projection in year 2020
Connecticut	3,574,097	39	738	4,845	4.9	3,613,583
<b>Southern Connecticut Sub-Region</b>						
Middlesex County (CT)	165,676	41.3	449	369	6.8	174,950
<b>Towns of Interest</b>						
Chester, CT	3,829	45	228	16.8	2.2	3,908
East Hampton, CT	12,507	41.7	340	36.8	-6.3	11,762
Old Lyme, CT	7,419	47.1	258	28.8	0.2	N/A
Old Saybrook, CT	10,517	48.6	487	21.6	1.4	10,352

Source: U.S. Census Bureau, 2010; Connecticut State Data Center, 2007.

\* Note: Resident population and median age estimates for Towns of Interest were pulled from U.S. Census Bureau's 2005-2009 American Community Survey 5-yr. estimates. Population projections were calculated by the Connecticut State Data Center in 2007 and therefore might be inconsistent with 2010 estimates and recent population change figures.

The towns of Chester, Old Lyme, and Old Saybrook all experienced moderate population growth (under 3 percent) over the last ten years. In contrast, East Hampton documented a 6.3 percent decline in population over the same time period. Three of the four communities of interest all maintain median ages of 45 years or higher, with Old Saybrook being the highest at almost 49 years of age.

Figure I.13. Population Trends for Southern Connecticut Sub-Region 1990-2008



Source: U.S. Department of Commerce, BEA, 2011a.

In 2010, the U.S. population consisted of 63.7 percent of white persons not of Hispanic or Latino origin (U.S. Census Bureau, 2010). Comparatively, Connecticut’s population consisted of 71.2 percent white people. Middlesex County has a larger disparity from the national average, with 86.4 percent white persons not of Hispanic or Latino origin. The majority of residents in the county, 92.7 percent, were born in the U.S. Education attainment figures for the resident population in Middlesex County are also higher than state-wide and national averages. In Middlesex County, around 92 percent of residents over the age of twenty-four are high school graduates and close to 37 percent have earned a bachelor’s or advanced degree (U.S. Census Bureau, ACS, 2009).

**Regional Employment and Income**

The Southern Connecticut Sub-Region is more urban than other regions in the analysis and relies less on agriculture and natural commodities than it does the service and retail industries. Table I.30 gives the median household income, unemployment rates, and percentage of the population living in poverty for the state of Connecticut, Middlesex County, and the four communities of interest.

Table I.30. Income, Unemployment, and Poverty Rates in the Southern Connecticut Sub-Region

Full-Time and Part-Time Employment for White River Junction Sub-Region by Industry	WRJ Sub-Region		
	Orange County	Windsor County	Grafton County
Civilian employed pop. (16 years and over)	15,370	29,715	44,389
<i>Percent of Employment by Industry (percent)</i>			
Agriculture, forestry, fishing and hunting, and mining	5.3	2.5	1.9
Construction	9.4	9.2	8.7
Manufacturing	9.7	9.7	9.3
Wholesale trade	2.5	2.6	1.6
Retail trade	10.3	11.2	12.7



Full-Time and Part-Time Employment for White River Junction Sub-Region by Industry	WRJ Sub-Region		
	Orange County	Windsor County	Grafton County
Transportation and warehousing, and utilities	2.9	4.1	2.8
Information	1.5	2.1	1.4
Finance and insurance, and real estate	4.7	4.8	4.5
Professional, scientific, and mgmt., admin. and waste mgmt. services	8.8	9.5	7.1
Education services, health care, and social assistance	30.4	25.3	33.1
Arts, entertainment, and recreation, and accomd. and food services	5.5	10.1	11.0
Other services, except public administration	3.9	4.9	3.7
Public administration	5.1	3.8	2.1

Source: U.S. Bureau of Labor Statistics, 2011; U.S. Census Bureau Quickfacts, 2009; U.S. Census Bureau, ACS, 2009; Connecticut Dept. of Labor, 2010. (\*) Denotes unemployment rates as of December of that year.

Median household income in 2009 for Middlesex County was \$74,965, which is \$10,000 higher than any other county in the Watershed, and around \$7,000 higher than the state median. The four Southern Connecticut Sub-Region communities all document median household income greater than \$80,000.

Unemployment figures are presented in Table I.30 for the years 2000, 2009, and 2010, given the recent recession and economic volatility. At the start of the decade, the state of Connecticut reported relatively low unemployment at 2.3 percent. Likewise, unemployment in 2000 in Middlesex County was estimated at 2 percent. Both the state and Middlesex County experienced spikes in unemployment during the height of the recession in 2009, with even higher rate observed in late 2010. The county also outperformed the state in percentage of residents earning less than the poverty line. In 2009, 5.7 percent of the county's residents earned less than the poverty line, compared with 9.3 percent statewide.

Table I.31 gives the employment breakdown by industry for Middlesex County, Connecticut. The largest employer in the county is the educational, healthcare, and social assistance services, accounting for 24.4 percent of employment. Manufacturing, retail trade, and professional services accounted for 13.7 percent, 10.3 percent and 10.1 percent of employment, respectively.

**Table I.31. Employment by Industry in Southern Connecticut Sub-Region**

Full-Time and Part-Time Employment	Southern CT Region
	Middlesex County
Civilian employed pop. (16 years and over)	86,437
<i>Percent of Employment by Industry (percent)</i>	
Agriculture, forestry, fishing and hunting, and mining	0.4
Construction	6.7
Manufacturing	13.7
Wholesale trade	2.9
Retail trade	10.3
Transportation and warehousing, and utilities	3.7
Information	2.8
Finance and insurance, and real estate	9.7

Full-Time and Part-Time Employment	Southern CT Region
	Middlesex County
Professional, scientific, and mang., admin. and waste mang. services	10.1
Education services, health care, and social assistance	24.4
Arts, entertainment, and recreation, and accom. and food services	6.8
Other services, except public administration	3.9
Public administration	4.5

Source: U.S. Census, ACS, 2009.

Many of the local communities in the area of the Salmon River Division have become ‘bedroom’ communities for people commuting to larger metropolitan areas within, and even outside the state. Middletown, Connecticut is one such city, located along the Connecticut River and home to major employers such as Pratt & Whitney, Aetna, Middlesex Hospital, Connecticut Valley Hospital, Liberty Bank, and Wesleyan University. Similarly, it is noted East Hampton has both the smallest jobs to housing ratio and the smallest jobs to worker ratio among neighboring communities. East Hampton’s ratios indicate that there are nearly three times more homes than jobs and nearly four times as many residents in the workforce than jobs available in the town, marking East Hampton as a bedroom community and source of labor for surrounding communities (East Hampton Plan of Conservation & Development, 2001). Many of the smaller towns are gearing their business development around these commuters, along with relying on the influx of visitors and second-home owners in the summer months. In turn, local economies within the area are growing more dependent on service and retail industries.

**Commodities, Recreation and Tourism**

Only 1.3 percent of total employment within Middlesex County is in the commodity sectors (Timber, Agriculture, and Mining) (BEA, 2011b). Commodity production and related industry has been further stressed by development pressures and population growth in the county. Agriculture is the largest component of commodity sector employment in Middlesex County; however this sector accounts for only 0.79 percent of total jobs (BEA, 2011b). Farm acres, number of farms, and the market value of agricultural products produced are displayed in Table I.32 for the county and state.

**Table I.32. Farming in the Southern CT Sub-Region**

Agriculture in the Southern Connecticut Sub-Region	# of Farms (2007)	Avg. Farm Size (acres) (2007)	Farm Acres (2007)	% Change in Farmland Acres (2002-2007)	Mkt. Value of Ag. Products Sold (\$)
Connecticut	4,916	83	405,616	13.6	551,553,000
Middlesex County	393	42	16,623	-6.6	55,753,000

Source: USDA, Ag. Census, 2002, 2007.

The State of Connecticut has the least amount of farmland acres out of the four states in the Watershed, yet is ranks second in the total market value of agricultural products sold (only to Vermont). Middlesex County experienced a slight decline in active farmland acres from 2002-2007, and now accounts for roughly 4 percent of the state’s total acreage in agricultural production. While farmland statistics are not provided at the community level, there are ties to the farming industry within the communities of interest. Old Saybrook is a coastal city, allowing it to serve as a central hub for merchants as well as grain milling prior to modernization (Town of Old Saybrook, 2011). Chester, East Hampton and Old Lyme all began as land grants on which the early settlers farmed and raised livestock.

There are a variety of recreation opportunities in Middlesex County. The Connecticut River spans the length of the county and is a prominent source and site of recreation. Traditional recreation activities on lands under Refuge management include fishing, hunting, wildlife observation, photography, and environmental education. The southern location of towns like Old Saybrook allow for other opportunities like spending time at the beach and ocean-based recreation. Details about the economic contribution associated with wildlife viewing, hunting, and fishing in Connecticut are provided in Table I.27 in the previous sub-region profile.

Direct spending in Connecticut by travelers and tourists is estimated at around \$9.1 billion each year, and accountable for 110 thousand jobs in the state (McMillen, 2006). Travel and tourism account for about 14 percent of the total jobs in Middlesex County, with most coming from the accommodation and food services industry (BEA, 2011b). Many of the towns within the county rely heavily on the influx of tourist and vacationers, especially during the summer months. The coastal towns of Old Lyme and Old Saybrook experience a surge in seasonal residents and visitors during the 14 weeks of summer that more than doubles their year-round population. Towns located further inland such as East Hampton and Chester continue to embrace the historic charm and roots of the area, offering tourism experiences centered on the historic cultural and economic makeup of the region.

**Land Use and Ownership**

As noted previously, Middlesex County is more populated and developed when compared to other counties in the Watershed further north. However, 87 percent of its landscape is still considered forested (NASA MODIS, 2006). As of 2010, 62.5 percent of the residential land in Middlesex County was considered to be ‘exurban’ residential, in which lot sizes averaged between 1.7 and 40 acres (Theobald, 2005; Headwaters Economics EPS-HDT Tool and Reports, 2011). Middlesex County has only 309 acres in federal ownership, representing only 0.1 percent of the total land area in the county (see Table I.33). The 31,545 acres of state-owned public lands in Middlesex County accounts for around 11 percent of the total land area.

**Table I.33. Land Ownership (acres) in the Southern Connecticut Sub-Region**

Middlesex County, Connecticut	
Total Area	280,882
Private Lands	211,624
Federal Lands	309
State Lands	31,545
City, County, Other	2,596

*Source: Conservation Biology Institute, 2008 (As cited by Headwaters Economics EPS-HDT Report, 2011).*

To date, the Refuge has acquired and conserved just over 35,000 acres throughout the Watershed, almost exclusively through fee-acquisitions. The Salmon River Division of the Refuge is located within Southern Connecticut Region, encompassing 285 acres that were acquired in 2009. An additional 2,550 acres in the surrounding area have been approved for purchase from willing sellers. Refuge personnel have identified additional lands along the Connecticut River and in the western portions of the county for their high ecological values and as potential acquisition sites. For a comprehensive discussion on the potential impacts of federal fee acquisitions and conservation easements, please reference Section II.

**Section II: Current Trends, Objectives, and Potential Impacts of Land-Use Change**

The 1995 environmental impact statement (EIS) creating the Silvio O. Conte National Fish and Wildlife Refuge (Refuge) approved acquisition of 78,395 acres within 65 special focus areas (SFAs) in the Connecticut River Watershed (Watershed). Presently, the Silvio O. Conte National Fish and Wildlife Refuge encompasses over 35,000 acres, most of which has been acquired in fee title. A vast majority—26,381 acres—is located in the Nulhegan Basin Division, located in Essex County, Vermont. Within the eleven Watershed counties included in the larger profile analysis, over 81 percent of the total acreage is in private ownership, with 44 percent of this land zoned as residential. This represents a 26 percent increase in residential lands in the region since 1980 (Headwaters Economics EPS). Nonetheless, the vast majority (88 percent as of 2006) of the lands in the larger region remain classified as forested land cover (NASA, 2006).

Changes in technology have dramatically changed the economic dynamics of farming, forestry, and real estate development while generational succession of landowners has changed the pattern of land use and management in the Watershed. A commonly observed trend is for habitat fragmentation to be preceded by ownership fragmentation. Ownership fragmentation has increased in a majority of the Watershed. As ownership changes overtime, land parcels typically become smaller and become more susceptible to conversion for development and other uses. A major focus of the refuge conservation proposal is to protect and assemble larger contiguous habitats along latitudinal and elevation gradients in an effort to counter ownership and habitat fragmentation. In doing so, the Refuge hopes to promote connectivity in area, elevation, latitude, and aspect. The overall objectives of the land acquisition proposals include building on the 1995 EIS goals to protect federally listed and candidate

species, rare or exemplary natural communities, important fisheries habitat, important and vulnerable wetlands, and landbird and waterbird breeding and migratory stopover habitat. Other long-term goals in the proposal are to:

- Maintain the diversity of habitat types in the Watershed to support healthy populations of fish and wildlife;
- Conserve sizable core areas nested within the larger matrix of conserved lands to protect biological integrity and ecosystem health, and contribute to ecosystem services;
- Distribute and connect conserved lands across elevation and latitude gradients in the Watershed with consideration to habitat resiliency and redundancy in anticipation of impacts from climate and land use changes.

Currently, the Service is considering expanding the Refuge's total acreage under ownership through additional fee and easement acquisitions. These transactions are typically in the form of a one-time payment. A transaction of this type and shift in private to public landownership can have an assortment of economic impacts. Some examples include effects to the local tax base and adjoining revenues, the amount of municipal services required, spillover property value impacts, and various dynamics with development in the region. The effect of fee acquisitions on local government revenue is complex and speculative. Many variables are at play, often requiring time to unfold. While there may be some upfront reductions in local tax revenues, reduced dependence on municipal services could more than counter these losses. Other unknowns, such as relocation and spending decisions, and property enhancement effects, will ultimately determine the extent of the economic and fiscal impacts within the region. While these relationships are identified and discussed, estimating these impacts quantitatively requires a large degree of speculation and is beyond the scope of this analysis.

The sale of interest in land (fee and easement) will provide the original landowner with additional revenue following the sale. The landowner might go on to spend some percentage of the funds from their equity in the property in the regional economy, including new real estate investment in the local area. This spending activity can directly impact local industries such as construction and various service sectors, with additional indirect impacts to follow suit. Contrarily, these types of economic impacts could be relinquished if former landowners emigrate outside the region. There is also the possibility of removing a production practice on the land parcel, such as farming or forestry, which could have negative economic consequences. These, too, could be negated by the expenditures required for habitat restoration and stewardship fronted by the Service once acquired. As indicated, there are many dynamic relationships at play that ultimately determine net economic impacts to the local and regional economies.

There are also many dynamic variables at play when considering effects to local tax revenues. Property taxes constitute the largest source of local governments' own revenue (Urban Institute and Brookings Institution, 2008). Lands acquired by the Service would be exempt from local property taxation. However, under provisions of the Refuge Revenue Sharing (RRS) Act, local townships and/or counties receive an annual payment for lands that have been purchased by full fee simple acquisition by the Service. Payments are based on the greatest of 25 percent of net receipts<sup>1</sup>, 75 cents per acre, or 0.75 percent of the market value<sup>2</sup> of lands acquired by the Service. The exact amount of the annual payment depends on Congressional appropriations, which has tended to be less than the amount to fully fund the authorized level of payments, and has been progressively declining. In fiscal year (FY) 2011, actual RRS payments were 21.6 percent of authorized levels.

Lands acquired by the Service through fee acquisition would lose their development potential in perpetuity. While this could affect local property tax and income tax revenues, conserved and protected land requires fewer municipal services. New and existing residential developments require local governments to provide services such as fire protection, police services and schools, and to construct new infrastructure such as roads, waste treatment facilities, and water and electrical delivery systems. Providing such services can be very expensive for municipalities in rural settings with a relatively low tax base. A majority of studies conducting community services analysis have concluded land in residential use requires more service expenditures (paid by the municipality) than it generates in tax revenues. Additionally, these studies have typically found land classified as open space to provide a net gain in local revenues. Table I.34 below highlights the revenue-to-expenditure findings from service studies done for eleven towns in New Hampshire. A revenue-to-expenditure ratio of 1:1.30 translates

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<sup>1</sup> Revenues are derived from the sale or disposition of products (e.g., timber and gravel), privileges (e.g., right-of-way and haying/grazing permits), and/or leases for public accommodations or facilities (e.g., oil and gas exploration and development) providing economic activities incidental to, and not in conflict with, refuge purposes.

<sup>2</sup> Updated appraisals of Refuges are to be completed every 5 years to determine the market value.



to the town receiving \$1 in revenue for every \$1.30 it has to spend on that land use. Or in other words, for every \$10,000 in property tax and other revenues the town receives from that land use, it spends \$13,000 in providing services to it.

**Table I.34. Revenue-to-Expenditure Ratios by Land Use in New Hampshire Communities Studied**

New Hampshire Community	Residential Land Use (including farm houses)	Commercial & Industrial	Working & Open Land	Source
Brentwood	1 : 1.17	1 : 0.24	1 : 0.83	Brentwood Open Space Task Force, 2002
Deerfield	1 : 1.15	1 : 0.22	1 : 0.35	Auger, 1994
Dover	1 : 1.15	1 : 0.63	1 : 0.94	Kingsley, et al., 1993
Exeter	1 : 1.07	1 : 0.40	1 : 0.82	Niebling, 1997
Fremont	1 : 1.04	1 : 0.94	1 : 0.36	Auger, 1994
Groton	1 : 1.01	1 : 0.12	1 : 0.88	New Hampshire Wildlife Federation, 2001
Hookset	1 : 1.16	1 : 0.43	1 : 0.55	Innovative Natural Resource Solutions, 2008
Lyme	1 : 1.05	1 : 0.28	1 : 0.23	Pickard, 2000
Milton	1 : 1.30	1 : 0.35	1 : 0.72	Innovative Natural Resource Solutions, 2005
Mont Vernon	1 : 1.03	1 : 0.04	1 : 0.08	Innovative Natural Resource Solutions, 2002
Stratham	1 : 1.15	1 : 0.19	1 : 0.40	Auger, 1994

Source: American Farmland Trust, 2010.

As noted earlier, there is also the chance for land acquisition to spur development in other areas within the region as private landowners relocate and new residents are attracted by the publically conserved natural landscape and the almost guaranteed opportunities for compatible outdoor recreation. It is well documented that open space carries positive values to local residents and communities, as well as passers-by (McConnell and Walls, 2005). This is evidenced by the success of open space preservation ballot initiatives at the local, county, and state levels. Banzhaf et al. (2006) point out that between 1997 and 2004, over 75 percent of the more than 1,100 referenda on open space conservation that appeared on ballots across the U.S. passed, most by a wide margin. Accessibility to outdoor trails and park usage can be prime attractions to new homebuyers (National Park Service, 1995). It is also well documented that open space and protected natural areas can increase surrounding property values; that is properties in the vicinity of parks and preserved open space can have higher property values than those not in the vicinity (see McConnell and Walls, 2005, for a comprehensive review). In essence, the real estate market is quantifying the demand and desirability of land that is nested within or adjacent to a conservation mosaic. For example, an analysis of properties surrounding multiple parks in Worcester, Massachusetts, revealed, on average, a house located 20 feet from a park sold for \$6,445 (converted to 2012 dollars) more than a similar house located 2,000 feet away (More et al., 1982). Another study that was conducted in the early 90's in Maryland showed that preserving a significant amount of forest land accounted for anywhere from four to ten percent of the value of houses within one mile of the site, in three different counties (Curtis, 1993; Crompton, 2000).

The reciprocating value of open space on property values will vary depending on landscape characteristics and location attributes (e.g. distance to the conserved area) (Kroeger, 2008). Permanence of the open space is also an influencing factor. Typically, open space that is permanently protected (such as refuge lands) will generate a higher enhancement value of local properties than land that has the potential for future development. A study done by Goeghegan (2002) in a suburban county in Maryland shows that permanently protected open space generates a property enhancement value of over three times that of developable open space. Irwin (2002) conducted a similar analysis (in context and location) and found that protected open space increases residential property values by between 0.6 percent and 1.9 percent more in absolute terms than developable open space. As noted, location and demographic factors in the region can influence the relative level of property enhancement value. For instance, open space may generate larger amenity premiums for property in a more urbanized area

and where median incomes are higher (see Netusil et al., 2000); that is not to say there isn't the chance for property values to increase substantially in rural areas as well (see Phillips, 2000; Crompton, 2001; Vrooman, 1978; Thorsnes, 2002).

King and Anderson (2004) examined the marginal property tax effects of conservation easements—representing a similar loss of development rights, but without any county payments—in 29 Vermont towns. Their analysis found conservation easements do slightly raise marginal property tax rates in the short run (2-3 years after conservation), as the overall tax base is lessened and bares more of the tax burden. However, in the long run (6-8 years after conservation) they found conservation easements to be tax-neutral or even tax-suppressing as nearby property values increased.

Furthermore, protected open space is a public good that generates many benefits for local residents, communities, and governments. Protected open space can protect values associated with biodiversity and wildlife abundance, maintain aesthetic beauty, and protect traditional, social, and culturally significant features of landscapes and livelihoods (Holdren & Ehrlich 1974; Ehrlich & Ehrlich 1992; Daily et al. 1997; MEA 2005). Ecosystem services, such as water purification, oxygen production, pollination, and waste breakdown, are also maintained for local residents through protected open space (MEA 2005). Some of these services provided by the landscape can reduce the need for certain municipal services (ex. expanding or building new waste treatment facilities). A primary public benefit of U.S. Fish and Wildlife Service acquisitions is enhanced and preserved wildlife habitat. As development stressors increase over time, many key off-refuge habitat areas may become less available due to conversion to non-wildlife habitat uses. Unlike goods derived from natural resources that are traded in a traditional market setting, many of the benefits from land conservation, such as ecosystem services and intrinsic worth, can be difficult to quantify and value monetarily. We do not attempt to provide estimates of non-market values for this assessment; however, they can be significant in some cases.

### **Section III: Economic Impacts of Current and Proposed Management Activities**

#### **Methods for a Regional Economic Impact Analysis**

Economic input-output models are commonly used to determine how economic sectors will and will not be affected by demographic, economic, and policy changes. The economic impacts of the management alternatives for the Silvio O. Conte NWR were estimated using IMPLAN (Impact Analysis for Planning), a regional input-output modeling system developed by the U.S. Forest Service. IMPLAN is a computerized database and modeling system that provides a regional input-output analysis of economic activity in terms of 10 industrial groups involving more than four hundred economic sectors (Olson and Lindall, 1999). The IMPLAN model draws upon data collected by the Minnesota IMPLAN Group from multiple federal and state sources including the Bureau of Economic Analysis, Bureau of Labor Statistics, and the U.S. Census Bureau. The year 2009 IMPLAN data profiles for each county in the study area were used in this study. The IMPLAN county level employment data estimates were found to be comparable to the US Department of Commerce, Bureau of Economic Analysis, Regional Economic Information System data for the year 2009 (Olson and Lindall, 1999).

For this analysis, IMPLAN models were developed for the four sub-regions where land is currently managed by the Refuge (Northern, Tri-State Border, Greater Amherst, and Southern Connecticut). The Northern Sub-Region model included Essex and Coos Counties, NH and Caledonia and Orleans Counties, VT. Though the Refuge is not actively managing land in Caledonia or Orleans counties, these counties along with Essex County, NH make up what is known as the Northeast Kingdom where much trade occurs and, as a whole, it serves as an important source of goods and services for the Refuge. The Tri-State Border model consisted of Windham and Franklin Counties, VT and Cheshire County, NH. The Greater Amherst Sub-Region model analyzed Hampshire County, MA and the Southern Connecticut Sub-Region model analyzed the Refuge's impacts in Middlesex County, CT. The White River Junction (Orange County, VT and Windsor and Grafton Counties, NH) and Greater Hartford (Hartford County, CT) Sub-Regions are areas of projected expansion for the Refuge, across the 4 alternatives. IMPLAN models were not developed for these two sub-regions, as land is not currently being managed by the Refuge. IMPLAN modeling was used to show only the current effects of Refuge management. The economic impacts of the alternatives are presented qualitatively and have been discussed across all six sub-regions as expansion into the White River Junction and Greater Hartford Sub-Regions is expected under all proposed alternatives.

Regional economic impact analyses capture the complex interactions of consumers and producers of goods and services in local economies. Economies are complex webs of interacting consumers and producers in which

goods produced by one sector of an economy become inputs to another; and the goods produced by that sector can become inputs to yet other sectors. Thus, a change in the final demand for a good or service can generate a ripple effect throughout an economy. For example, if more visitors come to an area, local businesses will purchase extra labor and supplies to meet the increase in demand for additional services. The income and employment resulting from visitor purchases from local businesses represent the direct effects of visitor spending within the economy. Direct effects measure the net amount of spending that stays in the local economy after the first round of spending; the amount that doesn't stay in the local economy is termed a leakage (Carver and Caudill, 2007). In order to increase supplies to local businesses, input suppliers must also increase their purchases of inputs from other industries. The income and employment resulting from these secondary purchases by input suppliers are the indirect effects of visitor spending within the economy. Employees of the directly affected businesses and input suppliers use their incomes to purchase goods and services. The resulting increased economic activity from new employee income is the induced effect of visitor spending. The indirect and induced effects are known as the secondary effects of visitor spending. "Multipliers" (or "response coefficients") capture the size of the secondary effects, usually as a ratio of total effects to direct effects (Stynes, 1998). The sums of the direct and secondary effects describe the total economic impact of visitor spending in the local economy.

The CCP provides long range guidance and management direction to achieve Refuge purposes over a 15-year timeframe. The economic impacts provided in this report are a reflection of the Refuge's current activities and are reported on an annual basis in 2012 dollars. There are many dynamic variables at play when considering the social and economic effects of conservation easement acquisitions, especially given that potential purchases may span decades. Due to future uncertainty surrounding such factors as the likelihood and timing of land acquisitions, the availability of Service funds to purchase lands, land values, and agricultural/forestry commodity markets, the economic effects of land acquisitions, cannot be quantified. As the effects of the proposed management alternatives are highly dependent on future land acquisitions, the effects have not been quantified, but are instead discussed qualitatively in this report. The projected impacts of the alternatives were not analyzed as large management changes often take several years to achieve and land acquisition can be highly variable and speculative. Regional economic effects from the IMPLAN model are reported for the following economic measures:

**Employment** represents the change in the number of jobs generated in the region from a change in regional output. IMPLAN estimates for employment include full time, part time, and temporary jobs.

**Labor Income** includes employee wages and salaries, including income of sole proprietors and payroll benefits.

**Value Added** measures contribution to Gross Domestic Product (GDP). Value added is equal to the difference between the amount an industry sells a product for and the production cost of the product, and is thus net of intermediate sales.

## Refuge Administration

### Purchase of Goods and Services within Sub Regions

The Refuge purchases a wide variety of supplies and services for operation and maintenance activities, and many of these supplies and services are purchased within the local area of each sub-region. Service purchases made within each sub-region contribute to the local economic impacts associated with the Refuge. In the Northern Sub-Region, the majority (approximately 80%) of non-salary expenditures are spent on cooperative agreements to fund the Youth Conservation Corp program, environmental programs and a mobile environmental education center. In both the Tri-State Border and Greater Amherst Sub-Regions, the majority of non-salary expenditures are spent on overhead and administration costs, while in the Southern Connecticut Sub-Region a majority of the expenditures are spent on habitat and grounds improvements.

Currently, non-salary Refuge expenditures total approximately \$248,000 in the Northern Sub-Region, \$95,000 in the Tri-State Border Sub-Region, \$27,000 in the Greater Amherst Sub-Region, and \$2,000 in the Southern Connecticut Sub-Region. To determine the local economic impacts of non-salary expenditures, only expenditures made within the local area are included in the analysis. The economic impacts associated with current non-salary Refuge expenditures were estimated using IMPLAN and are summarized in Table I.35. Across all four sub-regions, total Refuge spending generates an estimated 2 jobs, \$57,100 in labor income and \$73,900 and in value added.

**Table I.35. Average Annual Impacts of Current Non-Salary Spending**

	<b>Employment (# full &amp; part time jobs)</b>	<b>Labor Income (\$2012)</b>	<b>Value Added (\$2012)</b>
<b>Northern Sub-Region</b>			
Direct effects	< 1	\$25,400	\$30,300
Secondary effects	< 1	\$8,500	\$14,500
Total effect	< 1	\$33,900	\$44,800
<b>Tri-State Border Sub-Region</b>			
Direct effects	< 1	\$8,800	\$10,000
Secondary effects	< 1	\$3,500	\$5,900
Total effect	< 1	\$12,300	\$15,900
<b>Greater Amherst Sub-Region</b>			
Direct effects	< 1	\$6,700	\$7,300
Secondary effects	0	\$2,200	\$3,800
Total effect	< 1	\$8,900	\$11,100
<b>Southern Connecticut Sub-Region</b>			
Direct effects	< 1	\$1,500	\$1,300
Secondary effects	0	\$500	\$800
Total effects	< 1	\$2,000	\$2,100
<b>Total Effects Across Regions</b>			
Direct effects	1	\$42,400	\$48,900
Secondary effects	< 1	\$14,700	\$25,000
Total effect	2	\$57,100	\$73,900

Refuge personnel estimate that under Alternative A, non-salary expenditures will decrease in both the Northern and Tri-State Border Sub-Regions, by \$8,500 and \$63,000, respectively. Non-salary expenditures are expected to increase across the remaining sub regions. Within the Greater Amherst and Southern Connecticut Sub-Regions, expenditures are expected to increase by nearly \$30,000 and \$26,000, respectively. Currently, the Refuge does not spend money in the White River Sub-Region or the Greater Hartford Sub-Region as lands are not actively managed in these areas. Under Alternative A, the Refuge is expected to spend approximately \$4,000 in the White River Sub-Region and nearly \$40,000 in the Greater Hartford Sub-Region. All non-salary expenditures will be highly dependent on land acquisitions and therefore estimates of future expenditures are speculative and have not been modeled.

**Refuge Personnel Salary Spending**

Refuge employees reside and spend their salaries on daily living expenses in communities within each sub-region, thereby generating impacts within the local economy. Household consumption expenditures consist of payments by individuals and households to industries for goods and services used for personal consumption. Salary expenditures made by Refuge personnel contribute to the local economic impacts associated with the Refuge. This section presents an analysis of the economic impacts to the four sub-regions of current Refuge personnel salary expenditures.

Currently, Refuge salaries total over \$1.21 million per year across all four sub-regions. The Greater Amherst Sub-Region receives a majority of the funds, with an average of \$550,500 spent annually in the region. Salary expenditures in the Northern Sub-Region and Tri-State Border Sub-Region total \$266,500 and \$397,100, respectively. Currently, funds are not allocated to the Southern Connecticut Sub-Region for Refuge personnel



salaries. The IMPLAN modeling system contains household income consumption spending profiles that account for average household spending patterns by income level. These profiles also capture average annual savings and allow for leakage of household spending to outside the region. The IMPLAN household spending pattern for households earning \$75-100 thousand per year was used to reflect the average salary of full-time permanent employees at the Refuge while the spending pattern for households earning less than \$10 thousand per year was used for the students enrolled in the Youth Conservation Corps (YCC) summer program. The YCC program occurs in the Northern Sub-Region and Greater Amherst Sub-Region.

The economic impacts associated with spending of salaries in the four sub-regions by Refuge employees are summarized in Table I.36. These impacts only include secondary effects on non-Refuge jobs created as Refuge employees spend their salaries in the four sub-regions. Currently, salary spending by Refuge personnel generates secondary effects (i.e., additional non-Refuge jobs in the local economy) of 8 jobs, \$283,200 in labor income and \$507,400 in value added, across all four sub-regions.

**Table I.36. Average Annual Impacts of Current Refuge Personnel Salary Spending**

	<b>Employment (# full &amp; part time jobs)</b>	<b>Labor Income (\$2012)</b>	<b>Value Added (\$2012)</b>
<b>Northern Sub-Region</b>			
<b>Direct effects</b>	0	\$0	\$0
Secondary effects	2	\$52,000	\$95,100
<b>Total effect</b>	2	\$52,000	\$95,100
<b>Tri-State Border Sub-Region</b>			
<b>Direct effects</b>	0	\$0	\$0
Secondary effects	3	\$92,800	\$167,900
<b>Total effect</b>	3	\$92,800	\$167,900
<b>Greater Amherst Sub-Region</b>			
<b>Direct effects</b>	0	\$0	\$0
Secondary effects	3	\$138,400	\$244,400
<b>Total effect</b>	3	\$138,400	\$244,400
<b>Southern Connecticut Sub-Region</b>			
<b>Direct effects</b>	0	\$0	\$0
Secondary effects	0	\$0	\$0
<b>Total effect</b>	0	\$0	\$0
<b>Total Effects Across Regions</b>			
<b>Direct effects</b>	0	\$0	\$0
Secondary effects	8	\$283,200	\$507,400
<b>Total effect</b>	8	\$283,200	\$507,400

Under Alternatives A and B, staffing would remain the same within the Northern, Tri-State Border, Greater Amherst and Southern Connecticut sub-regions. Under these two alternatives, new staff would not be hired in the White River Sub-Region or the Greater Hartford Sub-Region. Under Alternatives C and D, an additional 10 positions are projected for the Tri-State Border Sub-Region and 6 additional positions are projected for the Northern Sub-Region. Similarly to Alternatives A and B, under Alternatives C and D, new staff will not be hired in the White River or Greater Hartford Sub-Regions. The hiring of new staff will be dependent on budgets and will vary depending on availability of funds. Additionally, it is not known in which sub-region new staff will live and subsequently spend their salaries and as a result, the economic impacts of new staff cannot be reasonably allocated to a specific region to be modeled.

**Refuge Revenue Sharing**

The Fish and Wildlife Service (FWS) makes revenue sharing payments to the counties for the land that is under administration. Under provisions of the Refuge Revenue Sharing (RRS) Act, local counties receive an annual payment for lands that have been purchased by full fee title acquisition by the FWS. Payments are based on the greater of 75 cents per acre or 0.75% of the fair market value. The exact amount of the annual payment depends on Congressional appropriations, which in recent years have tended to be substantially less than the amount required to fully fund the authorized level of payments. In fiscal year 2011, RRS payments were appropriated at only 21.6% of the approved value. All four sub-regions where land is currently managed by the Refuge, the Northern, Tri-State Border, Greater Amherst and Southern Connecticut Sub-Regions, receive RRS payments. The majority of RRS payments were made to the Northern Sub-Region, \$27,500, while the Tri-State Border, Greater Amherst, and Southern Connecticut Sub-Regions received approximately \$2,100, \$8,200, and \$2,700, respectively.

Table I.37 shows the impacts of the \$40,500 received by the four sub-regions in RRS payments. The RRS payments generate an estimated total impact of less than 1 job, \$22,200 in labor income and \$28,900 in value added.

**Table I.37. Annual Impacts of Current RRS Payments**

	<b>Employment (# full &amp; part time jobs)</b>	<b>Labor Income (\$2012)</b>	<b>Value Added (\$2012)</b>
<b>Northern Sub-Region</b>			
<b>Direct effects</b>	< 1	\$11,900	\$14,200
Secondary effects	< 1	\$2,400	\$4,200
Total effect	< 1	\$14,300	\$18,400
<b>Tri-State Border Sub-Region</b>			
<b>Direct effects</b>	0	\$900	\$1,100
Secondary effects	0	\$200	\$400
Total effect	0	\$1,100	\$1,500
<b>Greater Amherst Sub-Region</b>			
<b>Direct effects</b>	< 1	\$3,700	\$4,400
Secondary effects	0	\$1,000	\$1,700
Total effect	< 1	\$4,700	\$6,100
<b>Southern Connecticut Sub-Region</b>			
<b>Direct effects</b>	0	\$1,700	\$2,000
Secondary effects	0	\$400	\$800
Total effect	< 1	\$2,100	\$2,800
<b>Total Effects Across Regions</b>			
<b>Direct effects</b>	< 1	\$18,200	\$21,800
Secondary effects	< 1	\$4,000	\$7,100
Total effect	< 1	\$22,200	\$28,900

The RRS payments may change in the future, given additional land acquisitions. There is much uncertainty regarding the time of acquisitions as well as the location and thus, future RRS payments have not been estimated.

### Refuge Visitor Spending

Spending associated with recreational visits to national wildlife refuges generates significant economic activity. The FWS report *Banking on Nature: The Economic Benefits of National Wildlife Refuge Visitation to Local Communities*, estimated the impact of national wildlife refuges on their local economies (Carver and Caudill, 2007). According to the report, more than 34.8 million visits were made to national wildlife refuges in FY 2006 which generated \$1.7 billion of sales in regional economies. Accounting for both the direct and secondary effects, spending by national wildlife visitors generated nearly 27,000 jobs, and over \$542.8 million in employment income (Carver and Caudill, 2007). Approximately eighty-two percent of total expenditures were from non-consumptive activities, twelve percent from fishing, and six percent from hunting (Carver and Caudill, 2007).

This section focuses on the local economic impacts associated with Refuge visitation. Silvio O. Conte National Wildlife Refuge offers a wide variety of recreation opportunities including wildlife observation and photography, interpretation, environmental education, hunting and fishing. Annual visitation estimates for the Refuge are based on several Refuge statistic sources including: visitors entering the Visitor Center/Office and general observation by Refuge personnel. Annual visitation estimates are on a per visit basis. Table I.38 summarizes estimated visitation by type of visitor activity across the Northern, Tri-State Border, Greater Amherst and Southern Connecticut sub-regions.

**Table I.38. Estimated Current Annual Visitation to Refuge Across Sub-Regions**

Visitor Activity	Total number of visits to the Northern Sub-Region	Total number of visits to the Tri-State Border Sub-Region	Total number of visits to the Greater Amherst Sub-Region	Total number of visits to the Southern Connecticut Sub-Region	Total number of visits across sub-regions	Number of non-local visitor days across sub-regions <sup>a</sup>
<i>Consumptive Uses:</i>						
Fishing	150	10	25	25	210	26
Hunting: Big Game	770	10	10	20	810	401
Hunting: Waterfowl	15	0	5	5	25	5
Hunting: Migratory Birds	250	0	30	20	300	100
Hunting: Upland Game	715	30	50	50	845	409
<i>Non-Consumptive Uses:</i>						
Nature trails/auto tour/other wildlife observation/ office visits	20,000	7,884	300	100	28,284	3,511
<b>Total Visitation</b>	<b>21,900</b>	<b>7,934</b>	<b>420</b>	<b>220</b>	<b>30,474</b>	<b>4,451</b>

<sup>a</sup> One visitor day = 8 hours.

Visitor spending profiles are estimated on an average per day (8 hours) basis. Because some visitors only spend short amounts of time visiting a refuge, counting each refuge visit as a full visitor day would overestimate the economic impact of Refuge visitation. In order to properly account for the amount of spending, the annual number of non-local refuge visits were converted to visitor days. Refuge personnel estimate that non-local anglers spend approximately 4 hours (1/2 a visitor day) on the Refuge, while migratory, waterfowl and upland game hunters spend approximately 6 hours (3/4 a visitor day) and non-local big game hunters spend approximately 8 hours (1 visitor day) on the Refuge. Non-local visitors that view wildlife on nature trails or participate in other wildlife observation activities typically spend 2 hours (1/4 a visitor day). Table I.38 shows the number of non-local visitor days by recreation activity across the Refuge. Total spending by non-local Refuge visitors was determined by multiplying the average non-local visitor daily spending by the number of non-local visitor days at the Refuge.

Spending associated with recreational visits generates significant economic activity in each sub-region. A visitor usually buys a wide range of goods and services while visiting an area. Major expenditure categories include lodging, restaurants, supplies, groceries, and recreational equipment rental. To determine the local economic impacts of visitor spending, only spending by persons living outside of the local area are included in the analysis. The rationale for excluding local visitor spending is twofold. First, money flowing into the local area from visitors

living outside the local area (hereafter referred to as non-local visitors) is considered new money injected into the local economy. Second, if residents of the local area visit the Refuge more or less due to the management changes, they will correspondingly change the spending of their money elsewhere in the local area, resulting in no net change to the local economy. These are standard assumptions made in most regional economic analyses at the local level. Refuge personnel determined the percentage of non-local Refuge visitors. Table I.38 shows the estimated percent of non-local Refuge visits and visitor days across all sub-regions.

To estimate visitor expenditures, we use average daily visitor spending profiles from the Banking on Nature report (Carver and Caudill, 2007) that were derived from the 2006 National Survey of Fishing, Hunting, and Wildlife Associated Recreation (FWS, 2008). The National Survey reports trip related spending of state residents and non-residents for wildlife-associated recreational activities. For each recreation activity, spending is reported in the categories of lodging, food and drink, transportation, and other expenses. Carver and Caudill (2007) calculated the average per-person per-visitor day expenditures by recreation activity for each FWS region. The spending profiles for nonresidents for FWS Region 5 were used. Dollar values for these expenditure profiles were updated from 2006 dollars to 2012 dollars using the Bureau of Labor Statistics CPI calculator. Average daily spending profiles for nonresident visitors to Region 5 for fishing (\$60.81 per-day), upland game and other migratory bird hunting (\$106.92 per-day), waterfowl (\$122.53 per-day), and big game hunting (\$55.64 per-day) were used to estimate non-local visitor spending for Refuge fishing and hunting related activities. The average daily nonresident spending profile for non-consumptive wildlife recreation (observing, feeding, or photographing fish and wildlife) was used for non-consumptive wildlife viewing activities (\$90.71 per-day).

Table I.39 summarizes the total economic impacts, in thousands of dollars, associated with current non-local visitation by sub-region. In the Northern Sub-Region, non-local visitation accounts for about 3 jobs, \$107,200 in labor income and \$176,300 in value added. Non-local visitor spending in the Tri-State Border Sub-Region accounts for 1 job, \$35,900 in labor income and nearly \$60,000 in value added. In the Greater Amherst Sub-Region, the total economic impact of non-local visitor spending is less than one job, \$1,300 in labor income and \$2,400 in value added. Finally, in the Southern Connecticut Sub-Region, the total economic impact of non-visitor spending is less than one job, \$1,900 in labor income and \$3,100 in value added.

**Table I.39. Annual Impacts of Current Non-Local Visitor Spending**

	<b>Employment (# full &amp; part time jobs)</b>	<b>Labor Income (\$2012)</b>	<b>Value Added (\$2012)</b>
<b>Northern Sub-Region</b>			
Direct effects	3	\$78,700	\$127,400
Secondary effects	< 1	\$28,500	\$48,900
<i>Total Economic Impact</i>	3	\$107,200	\$176,300
<b>Tri-State Border Sub-Region</b>			
Direct effects	< 1	\$24,100	\$39,400
Secondary effects	< 1	\$11,800	\$20,500
<i>Total Economic Impact</i>	1	\$35,900	\$59,900
<b>Greater Amherst Sub-Region</b>			
Direct effects	< 1	\$900	\$1,600
Secondary effects	< 1	\$400	\$800
<i>Total Economic Impact</i>	< 1	\$1,300	\$2,400
<b>Southern Connecticut Sub-Region</b>			
Direct effects	< 1	\$1,300	\$2,100
Secondary effects	< 1	\$600	\$1,000
<i>Total Economic Impact</i>	< 1	\$1,900	\$3,100



	Employment (# full & part time jobs)	Labor Income (\$2012)	Value Added (\$2012)
<b>Total Effects Across Regions</b>			
Direct effects	3	\$105,000	\$170,500
Secondary effects	1	\$41,300	\$71,200
<i>Total Economic Impact</i>	4	\$146,300	\$241,700

Under Alternative A, visitation is expected to remain the same in the Northern, White River Junction, and Tri-State Border Sub-Regions. In the Greater Amherst Sub-Region, the Fort River Universal Access Trail will be completed and visitation is expected to increase tenfold (to approximately 3,000 visits). In the Greater Hartford Sub-Region, two universal access trails are expected to be completed. It is estimated by Refuge staff that the additional access will add an additional 12,000 visits. Current visitation is also expected to increase in the Southern Connecticut Sub-Region as land acquisitions occur. The additional land purchased is expected to draw about 4,000 visitors annually to the sub-region.

In the Northern Sub-Region, it is estimated that visitation will not change under Alternative B. If Alternative B is chosen for implementation, visitation in the White River Junction Sub-Region is expected to increase by an additional 4,500 visits annually as additional land is acquired and universal trail access is established at the Ompompanoosuc River. Similarly, visitation in the Tri-State Border Sub-Region is expected to increase by 3,000 visits as additional lands are acquired and trail access improved. In the Greater Amherst Sub-Region it is estimated that annual visitation will be 4,000 as universal trail access is established at the Deadbranch, Westfield River and Mill River Conservation Focus Areas. In the Greater Hartford Sub-Region, visitation is expected to increase by an estimated 1,500 visits annually as universal trail access is added to the Farmington River Division. Finally, visitation in the Southern Connecticut Sub-Region under Alternative B is predicted to be the same as under Alternative A.

Similarly to Alternative B, if Alternative C is implemented, visitation in the Northern Sub-Region is not expected to change. Under Alternative C, visitation in the White River Junction is expected to increase similarly to Alternative B, plus an additional 1,500 visitors due to the establishment of a trail at the Sprague Brook CFA, for a total of 6,000 additional visitors to the sub-region. Visitation to both the Greater Amherst and Greater Hartford sub-regions is expected to increase similarly under Alternative C as estimated for Alternative B. Under Alternative C, visitation to the Southern Connecticut Sub-Region is expected to be the same as Alternative A.

Under Alternative D, visitation in the Northern Sub-Region is expected to decrease by 8,000 visitors as the 35 miles of snowmobile trails will be reduced to 11 miles. Total visitation is estimated to be about 14,000 visitors. Alternative D does not include the construction of developed trail, so visitation in the White River Junction and Greater Amherst Sub-Regions, is expected to increase annually by only 2,000 visits and 1,500 visits, respectively. Although trail development in the Greater Hartford Sub-Region is also not included under Alternative D, due to the region’s close proximity to Hartford, visitation is expected to increase by 4,500 visitors. Finally, in the Southern Connecticut Sub-Region, a trail development is planned once acquisition of the Whalebone Cove CFA is completed. This is expected to result in an additional 1,500 visits, annually.

Similarly to non-salary expenditures, changes in visitation to the Refuge will be highly dependent on land acquisition. Refuge staff have used historic data and trends to estimate how visitation will change across alternatives, but this can vary considerably, especially in areas where the Refuge does not currently manage land and historical data is not available to provide a baseline for projections. As a result of this uncertainty, the impacts of changes in visitation across alternatives have not been quantified.

**Economic Contribution of Timber Harvesting and Agriculture**  
**Timber Harvesting**

Forestry continues to be an important industry in the Northeastern United States, specifically in both Vermont and New Hampshire. According to the U.S. Forest Service, as of 2011, 73% (approximately 4.477 million acres) of the state of Vermont was considered timberland and as of 2009, 78.1% (approximately 4.641 million acres) of the state of New Hampshire was considered timberland (U.S. Forest Service, 2013). It is estimated that forest-based manufacturing and forest-related recreation and tourism contributes \$1.5 billion annually to the Vermont economy (NEFA, 2007). These same industries contribute about \$2.259 billion annually to the economy of New Hampshire (NEFA, 2011).

In addition to injecting revenue into the economies of Vermont and New Hampshire, commercial forestry and related industries are important sources of employment, providing over 12,600 jobs and 19,500 jobs in Vermont and New Hampshire, respectively (NEFA, 2007, 2011). According to NEFA, each 1,000 acres of forestland in New Hampshire directly supports an average of 1.7 forest-based manufacturing jobs and an average of 2.4 forest-related tourism and recreation jobs while in Vermont each 1,000 acres of forestland directly supports an average of 1.4 jobs in forest-based manufacturing and an average of 1.4 jobs in forest-related tourism and recreation (NEFA 2007, 2011). These are jobs supported directly and these figures do not include secondary effects.

According to Refuge staff, it is assumed that the Refuge will acquire the same amount of forestland, regardless of the chosen alternative. In order to project potential forest land that may be acquired by the Refuge, historical acquisition data were used. Based on historical land acquisitions, Table I.40 indicates, by sub-region, acreage of potential forestland that may be acquired by the Refuge during the 15-year time horizon.

**Table I.40. Acres of Potential Commercial Forest Land Likely to be Acquired**

	Total Acres
Northern Sub-Region	32,000
Tri-State Border Sub-Region	0
Greater Amherst Sub-Region	100
Southern Connecticut Sub-Region	300
Total Acres Across Regions	32,400

There are several factors that would potentially moderate the effects to the communities of the Refuge acquisitions and make directly combining the historical acquisition data with NEFA's forestry-based employment statistics to determine direct jobs lost as a result of Refuge land acquisitions unreasonable, including: 1) the employment associated with forest-based recreation and tourism is likely to remain unchanged or increase as these activities will still be taking place on Refuge managed lands and demand for these services and goods will continue or increase; 2) land acquisitions will be from willing sellers only and landowners are most likely to sell marginal lands while the NEFA employment statistics are based on statewide averages of production on all types of lands (ie highly productive to marginal); 3) acquired lands will likely be harvested by the private owner prior to sale thus all economic gains will be realized by the private owner prior to Service ownership and the harvested wood would be processed through the same channels; 4) landowners are financially compensated when they enter into a purchase agreement with the Service. Though it is unknown how those dollars would be spent, it is likely that some of the money would be injected into the local economy through the purchase of additional lands or the purchase of equipment from a local retailer; 5) some of the same forestry-based inputs will likely be purchased within the local economy as the land is managed by Refuge personnel for wildlife habitat; and 6) the amount and location of commercial forestry land to be acquired is highly uncertain, and acquisition is expected to occur gradually over the next 15 years or longer. The rate of conversion will depend on willing sellers and available budgets.

**Agriculture**

Of the nearly 32,500 acres of land the Refuge expects to acquire 0.18%, or 60 acres, may be agricultural lands. The majority of the acquired agricultural lands would be in the Northern Sub-Region. Table I.41 indicates, by sub-region, where agricultural lands are likely to be acquired.

**Table I.41. Acres of Agricultural Land Likely to be Acquired**

	Total Acres
Northern Sub-Region	50
Tri-State Border Sub-Region	0
Greater Amherst Sub-Region	10
Southern Connecticut Sub-Region	0
Total Acres Across Regions	60

According to the 2007 Census of Agriculture, there are approximately 77,600 acres of farmland in Coos and Essex Counties combined (USDA, 2007). If the CCP is fully implemented, approximately 0.08% of land in production will be acquired by the Refuge. The cumulative economic impacts of this acquisition will likely be negligible across the study area.

## Conclusion

Current Refuge activities generate an economic impact across the four sub-regions where the Refuge currently manages land. Refuge non-salary expenditures directly account for 2 jobs, \$57,100 in labor income and \$73,900 in value added. Refuge salary spending generates an estimated 8 jobs, \$283,200 in labor income and \$507,400 in value added across all four sub-regions where land is currently managed by the Refuge. Current Refuge Revenue Sharing payments account for less than 1 job, \$22,200 in labor income and \$28,900 in value added. Current non-local visitor spending generates 4 jobs, \$146,300 in labor income and \$241,700 in value added. Total economic effects of Refuge operations play a much larger role in the communities near the Refuge where most of the refuge-related expenditures and public use related economic activity occurs. The economic impacts of the alternatives are highly dependent on future Refuge land acquisitions. The location and the rate of land acquisitions are unknown and thus, economic impacts of the proposed management alternatives have not been quantified.

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## Appendix J



USFWS

*YCC tree restoration*

# Forest Management Guidelines

- Introduction
- Categories of Forest Management Treatments
- Anticipated Management on Lands to be Acquired in the Proposed Conservation Focus Areas
- Citations
- Glossary



## Introduction

Forest management, or silviculture, is the science of tending forests to promote particular forest characteristics. These characteristics include forest composition (e.g., species diversity), structure, and growth. At the Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge), we propose to use a variety of forest management techniques to create or enhance forest habitats for priority wildlife species.

This appendix is written to provide further detail of proposed silviculture under the Comprehensive Conservation Plan (CCP) for the Conte Refuge. It includes information on the desired future condition of our forested habitats, including those areas in proposed Conservation Focus Areas (CFAs) outside the current refuge boundary where we expect to purchase land in the next 15 years. This appendix describes management techniques that may be used to meet habitat management goals and objectives.

At the end of this appendix, we provide a glossary of general forestry terms, as well as detailed descriptions of particular forest management techniques. Although there is much more to the understanding of these treatments than their definitions and nomenclature, the terminology must be understood and used carefully and precisely. The terminology in this appendix and the larger comprehensive conservation plan generally adheres to the Society of American Foresters' definitions (Helms 1998); it departs only where further clarity or precision seems warranted.

## Categories of Forest Management Treatments

There are two categories of forest management treatments:

1. Regeneration treatments.
2. Tending and intermediate cutting treatments.

### *Regeneration treatments*

Regeneration methods refer to treatments of stands and sites during the period of regeneration or establishment. The act of replacing old trees, either naturally or artificially, is called regeneration. Regeneration cuttings are made with the twin purposes of removing old trees and creating environments favorable for the establishment of regenerating trees. In truly uneven-aged stands, regeneration is almost always underway in some part of the stand.

The names of the various methods of regeneration (see glossary of silvicultural techniques below) denote the patterns of cutting in time and space that determine the structure of the stands created or maintained by the process. They distinguish between reliance on regeneration from seeds or that from sprouts and may tell a little about the degree of shading of new seedlings.

### *Tending or Intermediate Cutting Treatments*

In contrast to regeneration treatments, tending or intermediate cutting refers to treatment at times during the rotation other than regeneration. The rotation is the period during which a single crop or generation of trees is allowed to grow. Intermediate cuttings that are aimed primarily at controlling the growth of stands by adjusting stand density or species composition are called "thinnings." Treatments conducted to regulate species composition and improve very young stands are release operations.

The glossary at the end of this appendix describes how clearcutting is associated with even-aged stands; the shelterwood method with advanced regeneration; the selection system with uneven-aged stands.

### **Desired Future Forest Conditions**

The 15-year scope of the CCP is far shorter than the decades we expect it will take to create a diverse and mature forest. Our expectation is that much of the forest structure and species composition deemed important to our refuge focal species will take a minimum of 100 years to develop under the implementation of our forest management goals and objectives. Generally, our management will move stands towards a more ecologically mature forest structure characterized by:

- Trees that extend above the canopy.
- A vertically and horizontally diverse canopy.
- Increases in standing dead trees (snags) and downed woody debris—particularly larger size classes.
- Increases in the softwood component of mixed-species stands.
- The maintenance of a generally closed canopy.

These conditions favor refuge focal species, including but not limited to, wood thrush, blackburnian warblers, and black-throated blue warblers. Where appropriate, an even-aged management approach will benefit other focal species including Canada warbler, New England cottontail, and American woodcock. For more details, please see Appendix A.

Converting existing even-aged forests to a multi-cohort, mixed species forest over the long-term requires patient, active management of all forest age and structural classes (Kelty et al. 2003, Nyland 2003, Keeton 2006). Silvicultural approaches will differ by habitat types within the forest, but all efforts will respect the capability of a given site to grow certain tree species (e.g. based on soil properties, moisture regimes, elevation, and aspect). Where feasible and assuming favorable site capabilities, our management strategies will predominately favor promotion of uneven-aged, mixed species stands which we believe will best achieve our habitat goals and objectives. There are some sites, however, where techniques to promote even-aged stands would better meet our objectives. This may occur, for example, in stands where we want to encourage advanced regeneration of spruce-fir, enhance deer wintering areas, and/or to manage for American woodcock and Canada warbler.

Our draft CCP Goal 1: Wildlife and Habitat Conservation reads:

*Promote the biological diversity, integrity, and resiliency of terrestrial and aquatic ecosystems within the Connecticut River watershed in an amount and distribution that sustains ecological function, supports healthy populations of native fish and wildlife, especially those of conservation concern, and anticipates the effects of climate and land use changes.*

Our management efforts will focus on providing sustainable high quality habitat conditions for our focal species. As noted above, in order to accomplish this, we will need to manage the various size classes and structures to ensure habitat conditions can be provided over the long-term. Not every acre on the refuge is forested, nor is every forested acre suitable for active management. Furthermore, not every forested acre on refuge land is adequately stocked as many parcels of land purchased by the refuge have been recently harvested. In these areas, very little, or no, management may be warranted to meet our habitat and focal species objectives during the 15-year lifetime of this plan.

### List of Guidelines and Best Management Practices

At a minimum, our forest management will adhere to recommended best management practices for forest and wildlife management listed in the documents below:

- Calhoun, A.J.K. and P. deMaynadier. 2003. Forestry habitat management guidelines for vernal pool wildlife in Maine. U.S. Environmental Protection Agency, Boston, MA.
- Chase, V., L. Deming and F. Latawiec. 1997. Buffers for wetlands and surface waters: a guidebook for New Hampshire municipalities. Audubon Society of New Hampshire.
- Cullen, J.B. 2000. Best management practices for erosion control on timber harvesting operations in New Hampshire. NH Dept. of Resources and Economic Development, Division of Forests and Lands, Forest Information and Planning Bureau and University of New Hampshire Cooperative Extension.
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- Reay, R.S., D.W. Blodgett, B.S. Burns, S.J. Weber, and T. Frey. 1990. Management guide for deer wintering areas in Vermont. Vermont Department of Forests, Parks, and Recreation and Department of Fish and Wildlife.
- Smith, S. and S. Whitney. 2001. Guide to New Hampshire timber harvesting laws. University of New Hampshire Cooperative Extension.



### **Identifying Habitat Management Units**

To facilitate the development of detailed habitat management plans (HMP), we plan to divide all refuge lands currently under fee ownership into geographic areas or habitat management units (HMUs). The HMP, which is a step-down plan to be completed upon CCP approval, will detail stand-level treatments and prescriptions (e.g., timing, distribution, method or technique, etc.) for each HMU within a given CFA. Our HMU boundaries are defined based on ecological systems and landscape features such as roads, waterways, and logistical considerations.

### **Proposed Management by Forest Habitat Type**

The following proposed management may be employed by the refuge during implementation of the approved CCP to achieve the desired future condition over the long-term. It includes commercial and non-commercial forest management designed to meet our focal species habitat requirements. We have broken down our descriptions of management by uneven-aged and even-aged techniques. Even-aged techniques result in stands with trees that are all generally the same age and size, while uneven-aged techniques promote forests with a greater diversity of ages and sizes of trees. These descriptions represent anticipated management. For more detailed habitat-specific management discussion please see appendix A. More detailed prescriptions by treatment unit will be developed in the HMPs and will be based on individual site conditions.

#### ***Spruce-fir Stands***

Our desired future conditions for spruce-fir stands on the refuge to benefit focal species include:

- At the stand-level, improved vertical and horizontal diversity in canopy layers while maintaining a generally closed canopy.
- Gaps should retain structural diversity in the form of standing snags.

#### ***Uneven-aged Management***

Uneven-aged management techniques will be adapted to convert the refuge's even-aged spruce-fir stands to a more diverse structure. As site conditions dictate, we plan to conduct harvest using a combination of group selection, with some single-tree selection between groups. Groups will vary in size depending on our goals and site conditions, but will generally be 1/10 acre in size and will be distributed throughout the management unit with 10 to 15 percent of the area being removed on 15- to 20-year cycles. Residual basal area (BA) goals in spruce-fir stands are approximately 80 square feet per acre with 50 percent in 6- to 10-inch diameter class; 30 percent in 11- to 14-inch diameter class; and 25 percent in a 15-inch or greater diameter class.

During each harvest entry individual trees will be identified—approximately 6 trees per acre—for retention to ecological maturity. These trees will add an important wildlife habitat component in the form of snags and eventually coarse woody debris. Our efforts will focus on retaining trees across all size classes with a particular emphasis on allowing larger diameter trees to reach ecological maturity.

#### ***Even-aged Management***

In certain areas, for instance where there is healthy, advanced spruce-fir regeneration, or in critical deer wintering areas, we may employ even-aged management techniques. This is consistent with our objective to perpetuate a multi-aged and multi-structured forest at the landscape-scale. We would conduct harvests using shelterwood or clearcuts to develop a mosaic pattern that will result in a progressive patch, block, or strip system, wherein typically 15 percent of the area is harvested in 15- to 20-year intervals.

Target rotation age is 80 to 130 years and will vary by species composition (for example, balsam fir dominated stands may have shorter rotation ages) and site conditions. Assuming a 15-year harvest cycle and an approximate 100-year rotation, this equates to roughly six age classes with 33.3 percent of the area treated with even-aged techniques in a 0- to 30-year age class, 33.3 percent in a 30- to 60-year age class, and 33.3 percent in a 60- to 100-year age class. If no significant natural disturbance occurs during the rotation of a treatment area, BA at the time of harvest will likely be above 140 square feet per acre, and may be in excess of 200 square feet per acre.

Snag and cavity trees will need to be retained in group openings in each harvest. We estimate retention of approximately 7 square feet per acre (e.g. approximately 6 trees per acre) to account for our snag and cavity tree requirements. Habitat improvement may need to be employed on adjacent areas to account for potential loss of this component from sudden exposure to sun, wind, storm, insect, or other natural agents.

### ***Mixed-species Stands***

Our desired future conditions for mixed-species stands on the refuge to benefit focal species include:

- At the stand-level, improved vertical and horizontal diversity in canopy layers while maintaining a general closed canopy.
- Gaps should favor softwood regeneration and retain structural diversity in the form of standing snags.

These stands contain a species mixture that includes softwood and hardwood tree species. Silvicultural approaches will vary within the different mixed-species forest types found on the refuge based largely on the capability of a site (e.g., based on soil properties, moisture regimes, elevation, aspect, etc.) to grow a predominance of either softwood species (e.g., spruce, fir, hemlock, pine) or hardwoods (e.g., northern hardwoods or oak). Where feasible, and assuming favorable site capability, management strategies will favor or increase the softwood component of stands.

### ***Uneven-aged Management***

Uneven-aged management techniques will be adapted to convert the refuge's largely even-aged mixed-species stands to a more diverse structure. As site conditions dictate, we plan to conduct harvests using a combination of group selection, with some single-tree selection between groups. Groups will vary in size depending on our goals and site capabilities, but will generally be 1/10 acre in size and will be distributed throughout the management unit with 10 to 15 percent of the area being removed on 15- to 20-year cycles. Residual BA goals in mixed species stands will vary with site conditions but will generally approach 100 feet<sup>2</sup>/acre with roughly 42 percent in a 6 to 10" diameter class, 28 percent in 11 to 14" diameter class, and 30 percent in a 15" or greater diameter class.

During each harvest entry individual trees will be identified—approximately 6 trees/acre—for retention to ecological maturity. These trees will add an important habitat component in the form of snags and eventually coarse woody debris. Our efforts will focus on retaining trees across all size classes with a particular emphasis on allowing larger diameter trees to reach ecological maturity.

### ***Even-aged management***

Where site conditions and management goals deem appropriate (e.g., deer wintering areas and areas where advanced softwood regeneration exists) we may employ even-aged management techniques as described for softwood management (Frank and Bjorkbom 1973). These techniques will be used to perpetuate a multi-aged and multi-structured forest landscape through even-aged area regulation. We plan to conduct harvests utilizing shelterwood or clearcuts in a mosaic pattern that will result in a progressive patch, block, or strip system, wherein 15 percent of the area is harvested in 15- to 20-year intervals.

### ***Hardwood Stands***

Our desired future conditions for hardwood stands on the refuge to benefit focal species include:

- At the stand-level, improved vertical and horizontal diversity in canopy layers while maintaining a general closed canopy.
- Gaps should retain elements of structural diversity in the form of standing snags and be sized to favor diverse regeneration of tolerant mid-tolerant species.

### ***Uneven-aged Management***

Uneven-aged management techniques will be adapted to convert the refuge's even-aged hardwood stands to a more diverse structure. As site conditions dictate, we plan to conduct harvests utilizing a combination of group selection with some single tree selection between groups. Groups will vary in size depending on our goals, but will generally be approximately 1/10 acre in size (larger groups will be used to regenerate shade-intolerant species) and will be distributed throughout the entire management unit with 10 to 15 percent of the area being removed on 15- to 20-year cycles. BA goals in northern hardwoods should strive for a minimum of 70 square feet per acre with roughly 42 percent in a 6- to 10-inch diameter class, 28 percent in 11- to 14-inch diameter class, and 30 percent in a 15-inch or greater diameter class.

During each harvest entry individual trees will be identified—approximately 6 trees per acre—for retention to ecological maturity. These trees will add an important habitat component in the form of snags and eventually coarse woody debris. Our efforts will focus on retaining trees across all size classes with a particular emphasis on allowing larger diameter trees to reach ecological maturity.

## **Woodcock Focus Areas**

### ***Even-aged Management***

In focus areas identified for woodcock or New England cottontail, we will use accepted silvicultural practices, including clearcuts and patch cuts, to:

- Create openings.
- Promote understory development.
- Sustain early successional habitat.

Some larger roosting fields may also be maintained. Cutting cycles will be approximately 8 to 10 years on a 40-year rotation. Some openings may be permanently maintained, primarily by mowing and brush clearing using mechanized equipment. We will perpetuate existing examples of the aspen-birch community in size classes appropriate for American woodcock.

## **Anticipated Management on Lands to be Acquired in the Proposed Conservation Focus Areas**

Over the next 15 years, as land is acquired from willing sellers in CFAs, we will evaluate lands for potential management opportunities. We will initiate a new HMP and undertake the same evaluation we conducted for current refuge lands as acquisitions, budgets, and staffing allow. Within 2 years of land acquisition, we will conduct a stand inventory and divide the ownership into management units. We will then develop management prescriptions to support the same goals and objectives for our focal species, using the same methodology we described above for current refuge lands.

## **Citations**

Frank, R.M., and J.C. Bjorkbom. 1973. A silvicultural guide for spruce-fir in the northeast. Page 29. General Technical Report, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station, Upper Darby, PA.

Helms, J.A. 1998. The Dictionary of Forestry. Society of American Foresters, Bethesda, MD.

Keeton, W.S. 2006. Managing for late-successional/old-growth characteristics in northern hardwood-conifer forests. *Forest Ecology and Management* 235:129–142.

Kelty, M.J., D.B. Kittredge Jr., T. Kyker-Snowman, and A.D. Leighton. 2003. The conversion of even-aged stands to uneven-aged structure in southern New England. *Northern Journal of Applied Forestry* 20:109–116.

Leak, W.B., D.S. Solomon, and P.S. DeBald. 1986. Silvicultural guide for northern hardwood types in the Northeast (revised). Page 40. Research Paper, U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station, Broomall, PA.

Nyland, R.D. 2003. Even- to uneven-aged: the challenges of conversion. *Forest Ecology and Management* 172:291–300.

## **Glossary**

### **Definitions of General Forest Silvicultural Terms**

*Basal area:* Basal area is the total cross-sectional area of all stems in a stand measured at breast height (4.5 feet above the ground) and expressed as a per unit of land area (typically square feet per acre).

*Canopy:* The profile of the top of the stand; the amount of cover provided by leaves in the layers of a forest stand.

*Coarse woody debris:* Any piece of dead woody material, such as dead tree trunks, limbs, large root masses, and logs on the ground or in streams. Coarse woody debris provides important habitat for many wildlife species.

*Even-aged stands versus uneven-aged stands:* Regenerative disturbances, whether naturally or artificially induced, determine when new trees appear or start active development on any given area of ground. Each aggregation of trees that starts as a result of a single disturbance is a single cohort. If the range of ages of trees within the cohort is very narrow, the new aggregation is regarded as a single age class which is also even-aged. Slightly more complicated are stands that start from so-called advanced regeneration that is already in place before the old stand is removed. An uneven-aged stand or multiple-cohort stand contains at least three age classes intermingled intimately on the same area and much more complicated developmental patterns. Mixed stands have more than one tree species, and the interaction between them makes their development even more complicated, especially if they also have more than a single age-class of trees. When identifying age classes, the profile of the top of the stand (canopy) is a good criterion because trees of the same age grow in height at roughly the same rate, provided site conditions are uniform. An even-aged stand tends to be almost smooth on top. An uneven-aged stand is distinctly irregular in height; the greater the number of age classes or cohorts, the more uneven the canopy.

*Hardwoods stand:* A forest stand dominated by deciduous trees, such as oaks, maples, beeches, etc.

*Mixed-species stand:* A forest stand with two or more predominate species.

*Silviculture:* Silviculture has been variously defined as the art of producing and tending a forest; the application of knowledge of silvics in the treatment of a forest; or the theory and practice of controlling forest establishment, composition, structure, and growth. Since silvicultural practice is applied forest ecology, it is also a major part of the biological technology that carries ecosystem management into action. Silviculture is the oldest conscious application of the science of ecology and is a field that was recognized before the term ecology was coined. Silvicultural practice encompasses all treatments applied to forest vegetation.

*Stand:* A forest stand is a contiguous group of trees, sufficiently uniform in species composition, arrangement of age-classes, site quality, and condition to be a distinguishable unit. The internal structure of a stands varies mainly with respect to the degree that different species and age classes are intermingled. The range of complexity can extend to a wide variety of combinations of age classes and species in various vertical and horizontal arrangements.

*Snags:* A standing dead tree from which the leaves and most of the branches have fallen off; can provide important wildlife habitat, particularly for nesting, denning, and/or foraging.

*Softwood stand:* A forest stand dominated by conifer species, such as spruce, fir, hemlock, and pine.

*Shade-tolerant versus shade-intolerant:* Shade-tolerant tree species are able to compete to survive under shaded conditions; sometimes also referred to just as tolerant. Conversely, shade-intolerant species are able to compete to survive under direct sunlight conditions.

### **Definitions/Descriptions of Forest Silvicultural Techniques and Methods to Use in our Forest Management for Focal Species**

*Group Selection:* This technique involves the removal of small groups of trees throughout a stand, to initiate and/or maintain an uneven-aged forest. A group selection opening is considered to be less than, or equal to, twice the height of the adjacent mature trees. This method will encourage regeneration of intermediately tolerant and tolerant species, but some intolerant species can appear towards the center of the harvest areas when the groups are at the maximum size. The likelihood of the harvest areas regenerating combined with the ability to schedule continual harvest entries, results in this technique being a method of choice to convert even-aged stands to uneven-aged stands when desired.

Group selection results in moderately- closed to closed-canopy conditions. Regeneration and shrubby vegetation can be expected to develop with reasonable assurance. This technique can be used in combination with single-tree selection to ensure canopy closure requirements meet desired conditions. Priority species such as the blackburnian warbler, rusty blackbird, and Canada warbler will benefit from the application of this technique in a conifer-dominated habitat area. The predominantly closed canopy condition resulting from this technique will also



benefit deer winter cover areas. The technique can be applied in all habitat types. Its application in the refuge's spruce-fir forest most closely resembles the natural disturbance that would be expected to take place if the area were allowed to develop without manipulation.

*Single Tree Selection:* This technique involves the removal of individual trees throughout a stand. Use of this technique, on a continual harvesting cycle, is considered uneven-aged management. It can also be used during even-aged management, and when done so, is commonly referred to as an intermediate thinning. In uneven-aged management, it is used to introduce small openings in the canopy by focusing the harvest on dominant, older aged trees. In even-aged management, it is used to promote the quality and growth of the remaining trees by focusing the harvest on poor quality, low vigor trees. The technique will likely result in varying quantities of regeneration of mostly shade tolerant species.

Single tree selection results in a relatively closed canopy condition. Understory development is usually minimal. Single tree selection creates little opportunity to release or create regeneration. Canopy openings are small and any growing space created by the removal of single trees is quickly utilized by the crowns of adjacent canopy dominant trees. This technique is often used in combination with group selection to ensure regeneration is established and separate age classes are created to perpetuate the overall desired condition. In using single tree selection, with even-aged objectives in the form of a thinning, it will likely result in less opportunity for regeneration and understory development. Often times the suppressed and co-dominant trees are selected for removal resulting in very little change in canopy closure after a treatment. This technique can be applied in all habitat types.

*Pre-commercial Stand Treatments to Improve Habitat Conditions:* These treatments include entering an even- or uneven-aged stand at any stage of development with the intent of tending to habitat needs through non-commercial thinning, weeding, cleaning, liberation, sanitation, or other improvement methods. This technique can be used to control species composition and reduce an overabundance of stems per acre to a more desired stocking level. This can be applied through thinning young stands (pre-commercially) to control species composition, conducting intermediate thinnings in middle aged stands to maintain accelerated growth and remove unwanted vegetation, and prescribed fire. This technique may also be used to control stocking levels of habitat features such as snag trees, cavity trees, den trees, downed wood and other features through girdling, felling, boring, or other techniques.

This habitat improvement technique is varied in its application, but overall should be applied to alter or enhance young stands and introduce or reduce habitat features when goals and objectives are not being met. This can be applied in all habitat types and may be extended to areas that are not capable of supporting equipment for larger scale manipulation efforts.

*Shelterwood System:* This technique involves a series of harvests carried out with the intent of regenerating a stand utilizing mature trees that are removed at the end of the scheduled rotation. The overstory is removed in stages and the well-developed underlying regeneration then becomes the stand. This technique is typically used to regenerate intermediately tolerant (mid-successional) and tolerant (late successional) species, but in certain instances can be used for intolerant (early successional) species. Use of this technique is considered even-aged management, although variations more often found in the irregular shelterwood system can result in a multi-aged stand. In order for a shelterwood system to be considered, a stand should be reasonably well stocked with a moderate to high component of the species desired for regeneration.

A number of shelterwood system applications exist. The more commonly used is the open shelterwood system. Although less commonly used, the dense shelterwood, deferred shelterwood, irregular shelterwood, natural shelterwood, and nurse tree shelterwood systems are useful in accomplishing specific regenerative needs as well as other resource management objectives.

Shelterwood variations allow a variety of habitat conditions to be created while fulfilling the regenerative objectives of the technique. Irregular shelterwood systems are being used to convert even-aged or degraded stands to a more structurally diverse condition. It can be used to create a dense crown closure when connectivity of an older age forest needs to be maintained. The amount of time needed to establish regeneration and conduct the overstory removal can provide enough time for other areas to develop into an older age condition, and ensure refuge goals are being met continually. Overstory removal can be delayed through an irregular shelterwood if

further development of other areas is necessary. It can also be used to create a more open crown closure when development of a shrub component in the understory is desired or residual tree are needed to meet specific habitat requirements. Once regenerative needs have been reached and the “shelter” (seed) trees have been removed, the new stand can then be managed for structural objectives as it develops. Overstory removal can result in a regenerative condition which does offer some early successional benefits as described in the clearcut technique.

This technique can be used in all habitat types. Its application on habitats comprised of predominately shallow rooted species (e.g. red spruce/balsam fir) or wet soil conditions, does introduce a greater susceptibility of the residual trees to windthrow from wind events.

*Clearcutting:* This technique involves the removal of an entire stand of trees in one cutting to obtain natural reproduction. Two common methods of clearcutting are patch or block clearcuts, and strip clearcuts. This regeneration technique is considered to be even-aged management, although somewhat coarse multi-aged stands can be developed through progressive patch or progressive strip clearcut systems. Clearcut size affects the species mixtures that regenerate. As clearcuts increase in size, they tend to favor shade intolerant regeneration. As they become smaller they gravitate towards encouraging intermediately tolerant and tolerant species.

Clearcuts are often used to create an early successional habitat condition. Early successional habitat is when an area is in a young, shrubby, regenerating condition that covers an area large enough to be recognized and perhaps utilized by wildlife or plants associated with such an open or no-canopy condition.

This technique should be utilized when an early successional habitat condition is desired and found to be lacking or not available within the landscape. As mentioned previously in this description, clearcut size does have an impact on tree species composition, and therefore should also be utilized when current species composition is not desired or diverse enough to reach goals and objectives. This technique can be used in all habitat types, and although somewhat limiting in terms of emulating natural processes or conditions, can be used in a continual, progressive system that sustains multiple age classes through a coarse uneven-aged landscape perspective.

## Appendix K



Michael Goulet

*Nulhegan Basin Division from Headquarter's Overlook*

## **Silvio O. Conte National Fish and Wildlife Refuge Act**

- **Silvio O. Conte National Fish and Wildlife Refuge Act**





# **Silvio O. Conte National Fish and Wildlife Refuge Act**

**PUBLIC LAW 102-212**

**H.R. 794**

**One hundred Second Congress of the United States of America**

**AT THE FIRST SESSION**

*Begun and held at the City of Washington on Thursday, the third day of January, one thousand nine hundred and ninety-one*

**An Act**

To establish the Silvio O. Conte National Fish and Wildlife Refuge along the Connecticut River, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**TITLE I—SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE ACT**

**SECTION 101. SHORT TITLE.**

This title may be cited as the "Silvio O. Conte National Fish and Wildlife Refuge Act."

**SEC. 102. FINDINGS.**

The Congress finds and declares the following:

- (1) The late Silvio Conte was a long-time champion of the preservation of natural resources, including the Connecticut River, shepherding through Congress legislation meant to restore the river and its wildlife to health.
- (2) The Connecticut River and its riparian lands are unique environmental resources which provide habitat for significant anadromous, migratory, and resident fish; migratory waterfowl, and other wildlife species, including such threatened or endangered species as the shortnosed sturgeon and bald eagle.
- (3) Federal, State, and local governments have spent over \$600,000,000 to clean up the Connecticut river and improve the quality of its fish and wildlife habitat, resulting in the re-establishment or improvement of the populations of many species such as the Atlantic salmon, American shad, bald eagle, and peregrine falcon.
- (4) The Connecticut River valley is home to over two million people, and accordingly the river and riparian lands are of great value for environmental education and natural resource based recreation.
- (5) The Connecticut River valley is threatened with spoliation, removal from public access, and ecological downgrading and is a significant source of energy and means of commerce for New England.
- (6) Despoiling the Connecticut River and its riparian lands will result in the permanent loss of unique social, educational, and environmental assets and will devalue the significant Federal, State, and local investments made to clean up the river.

**SEC. 103. DEFINITIONS.**

For the purposes of this Act—

- (1) the term "affected States" means the Commonwealth of Massachusetts, and the States of Vermont, New Hampshire, and Connecticut;

(2) the term "refuge" means the Silvio Conte National Fish and Wildlife Refuge established under section 106 of this Act;

(3) the term "Secretary" means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, and

(4) the term "selection area" means the lands and waters of the Connecticut River basin, including the main stem of the river and its tributaries from its source at Fourth Connecticut Lake to Long Island Sound.

#### **SEC. 104. PURPOSES.**

The purposes for which the refuge is established are—

(1) to conserve, protect, and enhance the Connecticut River valley populations of Atlantic salmon, American shad, river herring, shortnosed sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants, fish, and wildlife;

(2) to conserve, protect and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystems upon which these species depend within the refuge;

(3) to protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.);

(4) to restore and maintain the chemical, physical, and biological integrity of wetlands and other waters within the refuge;

(5) to fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands; and

(6) to provide opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation and access to the extent compatible with the other purposes stated in this section.

#### **SEC. 105. SELECTION OF LANDS.**

Within three years after the date of the enactment of this Act, the Secretary shall—

(1) consult with appropriate State and local officials, including those representing State government natural heritage inventory agencies, the Long Island Sound management Conference as established under the National Estuary Program, private conservation organizations, and other interested parties in designating the refuge boundaries;

(2) define and designate the refuge boundaries, including all subunits, within the selection area that would fulfill the purposes set forth in section 104 of this Act, and

(3) prepare a detailed map depicting the refuge boundaries designated under paragraph (2), which the Secretary shall keep on file and available for public inspection at offices of the United States Fish and Wildlife Service, and publish notice in the Federal Register of such availability.

#### **SEC. 106. ACQUISITION AND ESTABLISHMENT OF REFUGE**

(a) **ACQUISITION.**—To the extent authorized under the Fish and Wildlife Act of 1956 (16 U.S.C. 742f-a-5), the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460k-4-11), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), the Migratory Bird Conservation Act (16 U.S.C. 715-715s), the Emergency Wetlands Resources Act of 1986, as amended (16 U.S.C. 3901 et seq.), the North American Wetlands Conservation Act (16 U.S.C. 4401-4413), and other existing laws, the Secretary may acquire for inclusion in the refuge by purchase or donation such lands and waters or interests therein (including permanent conservation easements) within the boundaries defined and designated under section 105 of this Act. All lands, waters, and interests therein so acquired shall be part of the refuge.

(b) **ESTABLISHMENT.**—When sufficient property within the boundaries defined and designated under section 105 of this Act have been acquired to constitute an area that can be effectively managed as a refuge, the Secretary shall establish the refuge, to be named the "Silvio Conte National Fish and Wildlife Refuge," by publishing a notice to that effect in the Federal Register and publications of local circulation.

(c) **BOUNDARY REVISIONS.**—The Secretary may make such minor revisions in the boundaries of the refuge defined and designated under section 105 of this Act as may be appropriate to carry out the purposes of this Act or to facilitate the acquisition of property within the refuge.



(d) **INTERIM REPORT TO CONGRESS.**—Within one year of the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works in the United States Senate and the Committee on Merchant Marine and Fisheries in the United States House of Representatives a report describing those lands and waters that the Secretary proposes to acquire under the Fish and Wildlife Act of 1956 (16 U.S.C. 742f-a-5), the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460k-4-11), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), the Migratory Bird Conservation Act (16 U.S.C. 715-715s), the Emergency Wetlands Resources Act of 1986, as amended (16 U.S.C. 3901 et seq.), the North American Wetlands Conservation Act (16 U.S.C. 4401-4413), and other existing laws for inclusion in the refuge at a subsequent time. The Secretary also shall include in the report an estimate of the total number of acres of lands or waters or interests therein that may be acquired for inclusion within the refuge boundaries under the authority of this Act and other existing laws and the approximate cost of such acquisition.

**SEC. 107. ADMINISTRATION.**

(a) **IN GENERAL.**—The Secretary shall administer all lands, waters, and interests therein acquired under section 106 pursuant to—

(1) the provisions of the national Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) and the Refuge Recreation Act (16 U.S.C. 460k-460k-4); and

(2) the purposes for which the refuge is established, as set forth in section 104 of this Act.

(b) **OUTREACH AND EDUCATION.**—The Secretary shall work with, provide technical assistance to, provide community outreach and education programs for or with, or enter into cooperative agreements with private landowners, State and local governments or agencies, and conservation organizations to further the purposes for which the refuge is established, as set forth in section 104 of this Act.

(c) **USE OF OTHER AUTHORITY.**—The Secretary may utilize such other statutory authority as may be available to the Secretary for the conservation and development of wildlife and natural resources, the development of outdoor recreation opportunities, and interpretive education, as the Secretary considers appropriate to carry out the purposes of the refuge as set forth in section 104 of this Act.

**SEC. 108. SILVIO CONTE NATIONAL FISH AND WILDLIFE REFUGE ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT AND FUNCTIONS.**—Within three months after the date of enactment of this Act, the Secretary shall establish a committee to be known as the "Silvio Conte National Fish and Wildlife Refuge Advisory Committee" (hereinafter referred to as the "Advisory Committee") which shall assist the Secretary on community outreach and education programs that further the purposes of the refuge.

(b) **MEMBERSHIP; TERMS.**—The Advisory Committee shall be composed of fifteen members, each appointed by the Secretary within three months of the date of enactment of this Act for a term not to exceed three years, as follows:

(1) four members, including one from each of the affected States, to be recommended by the Governor of each State as representing the cities or towns bordering the Connecticut River and its tributaries;

(2) four members, including one from each of the affected States, to be recommended by the Governor of each State as representing State agencies with responsibility for conservation or water quality programs;

(3) four members, including one from each of the affected States, to be appointed from recommendations made by the Governor of that affected State, who shall represent nonprofit conservation organizations or citizen groups with direct interest in the purposes of the refuge;

(4) one member of the Long Island Sound Management Conference; and

(5) two members to be designated by the Secretary, including one who represents the energy and commerce interests associated with the Connecticut River.

(c) **CHAIRMAN.**—The Advisory Committee shall elect one member of the Advisory Committee to be its chairman.

(d) **VACANCIES.**—Any vacancy in the Advisory Committee shall be filled in the same manner in which the original appointment was made.

(e) **COMPENSATION.**—A member of the Advisory Committee shall not receive any compensation for service on the committee.

(f) **MAJORITY VOTE.**—The Advisory Committee shall act by affirmative vote of a majority of the members thereof.

**SEC. 109. INTERPRETATION AND EDUCATION CENTER**

(a) **IN GENERAL.**—The Secretary is authorized to construct, administer, and maintain at appropriate sites within the refuge, or pursuant to subsection (b) cooperate in the construction, operation and maintenance at an appropriate site, not more than four aquatic resources and wildlife interpretation and education centers, known as Silvio Conte National Fish and Wildlife Refuge Education Centers, along with administrative facilities, to provide opportunities for the study, understanding, and enjoyment of aquatic resources and wildlife in its natural habitats.

(b) **COOPERATIVE AGREEMENTS.**—The Secretary is authorized—

(1) to enter agreements to share the construction and operation of and the land acquisition for the center, including the costs thereof, with State and local governments and other public and private entities;

(2) to utilize appropriated or donated funds for construction, operation and maintenance expenses: *Provided*, That Federal interests arising from such expenditures are protected by a long-term lease, agreement, or transfer of property interest; and

(3) to interpret the Connecticut River's aquatic and wildlife resources in the context of the region's cultural, geological, and ecological history.

**SEC. 110. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out the purposes of this Act.

**TITLE II—MISCELLANEOUS PROVISIONS**

**SEC. 201. ESTABLISHMENT AND TERMS OF SILVIO O. CONTE MEMORIAL SCHOLARSHIP FUND.**

(a) **IN GENERAL.**—In recognition of Silvio O. Conte's longstanding contribution and devotion to the conservation of our Nation's natural resources, and his life-long commitment to education, the Director of the United States Fish and Wildlife Service, hereinafter referred to as the Director, is authorized to enter into an agreement with the National Fish and Wildlife Foundation, hereinafter referred to as the Foundation, and the University of Massachusetts/Amherst, hereinafter referred to as the University, to establish the Silvio O. Conte Memorial Scholarship Fund. The purpose of the agreement is to encourage students to enter the fields of fisheries and wildlife ecology and conservation, natural resources policy and administration, or ecology by establishing a scholarship fund at the University.

(b) **TERMS OF AGREEMENT.**—Notwithstanding the provisions of the Federal Grant and cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the agreement authorized under subsection (a) of this section shall direct that the University shall—

(1) establish the Silvio O. Conte Memorial Scholarship Fund for the purpose of awarding scholarships for a period not exceeding three years to eligible candidates in advanced degree programs in the fields of fisheries and wildlife ecology and conservation, natural resources policy and administration, or ecology;

(2) invest funds provided by the Director, the Foundation and any other contributors in interest-bearing accounts;

(3) award scholarships annually utilizing the interest generated from such investment accounts minus the amount equal to inflation;

(4) match the scholarship awards with in-kind contributions of equal value, such as waivers of tuition or fees or the provision of other financial aid;

(5) establish eligibility criteria based upon financial needs, academic achievement, and potential contribution of the profession;

(6) announce the availability of the scholarship in a manner which ensures that it is widely distributed and that minority and socially-disadvantaged candidates are made aware of the opportunity;

(7) upon request by the Director, make available the investment for his inspection; and

(8) prepare and provide to the Director annually a report regarding the expenditures from the investment accounts which shall include the number of scholarships awarded, the amount of each scholarship, and the share of each scholarship provided by the University.



(c) **AUTHORIZATION.**—The Director is authorized to make a one-time contribution of up to \$50,000 to the University to establish the Silvio O. Conte Memorial Scholarship Fund.

(d) **TERMINATION OF AGREEMENT.**—At such time as the parties agree to terminate the agreement authorized under subsection (a) of this section, the principle and interest in the account shall be deposited in the Migratory Bird Conservation Fund.

**SEC. 202. WILDLIFE INTERPRETATION AND EDUCATION CENTER**

Title II of Public Law 100-610 is amended by adding at the end the following new section:

**"SEC. 208. WILDLIFE INTERPRETATION AND EDUCATION CENTER.**

"(a) The Secretary is authorized to construct, administer, and maintain at an appropriate site, a wildlife interpretation and education or visitor center.

"(b) The Secretary is authorized—

"(1) to enter agreements to share the construction and operation of and the land acquisition for the center, including the costs thereof, with State and local governments and other public and private entities;

"(2) to utilize appropriated or donated funds for construction, operation and maintenance expenses, provided that Federal interests arising from such expenditures are protected by a long-term lease, agreement or transfer of property interest; and

"(3) to interpret the Pettaquanscutt Cove region's aquatic and wildlife resources in the context of the region's cultural, geological, and ecological history."

**TITLE III—CULEBRA NATIONAL WILDLIFE REFUGE**

**SEC. 301. HEADQUARTERS FACILITY FOR CULEBRA NATIONAL WILDLIFE REFUGE**

The headquarters facility and residence for the Culebra National Wildlife Refuge may be constructed on lands leased from the Commonwealth of Puerto Rico on a long-term basis.

**SEC. 302. COST-SHARING FOR STATE COASTAL WETLANDS GRANTS.**

(a) **FEDERAL SHARE.**—Section 305(d)(1) is amended by striking "has established a trust fund, from which the principal is not spent, for the purpose of acquiring coastal wetlands, other natural area or open spaces." and inserting in lieu thereof: "has established and is using one of the following for the purpose of acquiring coastal wetlands, other natural areas or open spaces:

"(A) a trust fund from which the principal is not spent; or "(B) a fund derived from a dedicated recurring source of monies including, but not limited to, real estate transfer fees or taxes, cigarette taxes, tax check-offs, or motor vehicle license plate fees."

(b) **EFFECTIVE DATE.**—This section shall apply to grants awarded in fiscal year 1992 and each fiscal year thereafter.



## Appendix L



USFWS

*Controlled burning on the Conte Refuge*

## Fire Management Guidance

- Introduction
- Fire Management Planning
- Fire Management Program at Conte Refuge
- Literature Cited





## Introduction

The U.S. Fish and Wildlife Service's (Service) Northeast Regional Fire Program (Fire Program) helps support the mission of the National Wildlife Refuge System (Refuge System) by creating and managing important wildlife habitat using prescribed fire, and protecting human safety by reducing the risk of wildfire through fire suppression. This appendix outlines guidance for fire management, explains the fire management planning process, and describes the current fire management program at Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge).

There were no wildfires (unplanned, human-caused ignitions) on refuge ownership since the Service acquired lands. The only recent fire history for the Conte Refuge was adjacent to the Nulhegan Basin Division in Essex County, Vermont. From 1991 to 2000, there were 24 wildfires were suppressed within the county. Only four of these were lightning-caused; the majority of the other human-caused wildfires were from escaped debris burns.

At the Nulhegan Basin Division, five mechanical treatments (thinning and brush clearing) to modify fuels were completed between 2002 and 2008. These treatments were to provide better access to refuge resources and assets by opening or maintaining roads and trails and to provide "defensible space" around several of the cabins by reducing and removing flammable vegetation. Overall, hazardous fuels were removed on 200 acres.

### The Role of Fire

In pre-settlement forests of northern New England—unlike other forest types across the country—wildfire was not a common ecological disturbance (Day 1953, Lorimer 1977, Cogbill et al. 2002). It has been estimated that low intensity surface fire crept through northern hardwood forest types every 600 years, with more severe burning fire having a very long return interval of 3,000 years (Bonnicksen 2000). Conifer types (the great spruce-fir forests in New England had a 200- to 400-year return interval or longer (Lorimer 1977, Pyne 1997, Bonnicksen 2000). Even so, small-scale, more frequent, disturbances along with fire did occur thus creating a mosaic of forest conditions (Lorimer 1977, Bouchard et al. 2007).

Historically, natural fire and ignitions by Native American people played an important disturbance role in many ecosystems by:

- Removing fuel accumulations.
- Decreasing the impacts of insects and diseases.
- Stimulating regeneration of vegetation.
- Cycling nutrients.
- Providing a diversity of habitats for plants and wildlife.

With large-scale commercial logging (1850 to early 1900s) and the advent of the steam locomotive that made it easier to ship wood products from New England, several catastrophic wildfires occurred from excessive and unnatural fuel loading (logging slash) laying on the ground (Pyne 1997). There were no organized suppression organizations to fight these early fires until the turn of the 20th century when states recognized the need for suppression resources, detection services, and fire patrols during peak burning conditions. Other disturbances, such as spruce budworm outbreaks, also contributed.

With the end of the logging era in the early 20th century, wildfire occurrence in the Northeast showed a marked decline. Wildfire occurrence continues to remain low because of greater access (i.e., greater number of roads) allowing for quicker response, modernized suppression equipment, regulations prohibiting the illegal kindling of wildland fire (i.e., illegal wildfires), and climatic conditions not conducive to large fire growth. Wildfire return intervals have returned to a more natural or historic state becoming a concern only under severe drought conditions and then usually short-lived.

Wildfire, in the form of prescribed fire or commonly called “controlled burning,” does have a role within New England as an ecological disturbance factor. When used properly, and in conjunction with other management tools (mechanical manipulation of vegetation), it can:

- Reduce hazardous fuels build-up in both wildland-urban interface<sup>1</sup> and other areas.
- Improve wildlife habitats by reducing the density of vegetation, and/or changing plant species composition.
- Sustain and increase biodiversity.
- Improve woodlands and shrublands by influencing plant density.
- Reduce the susceptibility of plants to insect and disease outbreaks.
- Assist in the control of invasive and noxious species.

### **Wildland Fire and Management Policy and Guidance**

In 2001, the Secretaries of the Interior and Agriculture approved an update to the 1995 Federal Fire Policy. The 2001 Federal Wildland Fire Management Policy directs Federal agencies to achieve a balance between using fire suppression to protect life, property, and resources, and using wildland fire to regulate fuels and maintain healthy ecosystems ([http://www.nwccg.gov/branches/ppm/fpc/archives/fire\\_policy/history/index.htm](http://www.nwccg.gov/branches/ppm/fpc/archives/fire_policy/history/index.htm); accessed April 2013). It also directs agencies to establish a unified and cohesive fire management policy for all Federal agencies and to work together to implement this policy. Agencies will provide a management response to all wildfires that is commensurate with the values at risk, human safety, and the costs for suppression. This policy provides nine guiding principles that are fundamental to the success of the fire management program. These guiding principles are as follows:

1. Firefighter and public safety is the first priority in every fire management activity.
2. The role of wildland fire as an essential ecological process and natural change agent will be incorporated into all land management planning processes.
3. Fire management plans, programs, and activities support land and resource management plans and their implementation.
4. Sound risk management is a foundation for all fire management activities.
5. Fire management programs and activities are economically viable, based upon values to be protected, costs, and land and resource management objectives.
6. Fire management plans and activities are based upon the best available science.
7. Fire management plans and activities incorporate public health and environmental quality considerations.
8. Federal, State, Tribal, local, interagency, and international coordination and cooperation are essential.
9. Standardization of policies and procedures among federal agencies is an ongoing objective.

The following provides further direction for fire management decisions:

- Every wildfire requires a response and decision on how to respond to it.
- The Service’s initial reaction to human caused fires will be to suppress the fire while providing for firefighter and public safety, limiting damage and loss, and minimizing costs of the fire.

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<sup>1</sup> The wildland-urban interface is the line, area, or zone where human development and structures meet with undeveloped wildland or vegetative fuels.

- The interagency nature of fire management work requires the involvement and participation of cooperators, including both State and local agencies, in planning for, and responding to, wildfire.

The Service's Fire Management Handbook provides standards for operational fire management activities, procedures, and practices based upon interagency, Departmental, and Service policies (<http://www.fws.gov/fire/handbook/index.shtml>; accessed April 2013). The Fire Management Handbook is updated annually to coincide with the Interagency Standards for Fire and Fire Aviation Operations Handbook and is incorporated by reference into the Service Manual (621 FW 1).

## Fire Management Planning

In 2004, refuge staff developed Fire Management Plans (FMP) for the Nulhegan Basin and Pondicherry Divisions. A FMP defines the fire management direction based on the objectives outlined in the Comprehensive Conservation Plan (CCP) and Habitat Management Plans (HMP) when developed. A FMP follows the most recent Interagency Fire Management Plan Template (April 2009) and applies the most recent Service-specific guidance on use of that interagency template. Once the CCP and subsequent HMP are completed, we will update the FMP to cover all refuge units and divisions. Once approved, the FMP will provide a detailed description of how the refuge will:

- Respond to wildland fires.
- Manage fuels to reduce the risk of wildland fires.
- Use prescribed burning to meet management objectives, if applicable.

In order for a refuge to use wildland fire, prescribed burning, and other hazardous fuel reduction techniques, these methods must be specified within the approved refuge's FMP, based on step-down direction from the CCP and any HMPs. If none of these methods are described in the FMP, the refuge's only allowable response to wildland fire is an aggressive suppression response, with full control of a wildfire as quickly, safely, and cost effectively as possible. For all wildfires, only the safest tactical responses are considered.

The shelf-life of the FMP matches the 15-year life of a CCP. However, the refuge manager and zone fire management officer must annually review the FMP, discuss and update FMP sections as needed, and complete an amendment containing any updates. Any significant changes, such as change in policy or refuge management direction, or additional land acquired, may warrant a complete rewriting of the plan.

## Fire Management Program at Conte Refuge

### Management Direction

The current management direction only allows for wildfire suppression across all divisions of Conte Refuge. Guidance in the Nulhegan FMP allows for fuel reduction projects by mechanical methods only. This would include roadside thinning, clearing, or brush removal, reducing dead and dead surface fuels by chipping or biomass removal, and vegetation projects that that creates defensible space around structures. Once passed CCP/EIS direction, along with any future HMP direction will be incorporated into the draft FMP, submitted for public review and NEPA compliance.

### Fire Management Goals

The goals and strategies of the Refuge System's Wildland Fire Management Program Strategic Plan are consistent with Department of Interior's National Fire Plan direction, the President's Healthy Forest Initiative, the 10-year Comprehensive Strategy and Implementation Plan, National Wildfire Coordinating Group Guidelines, initiatives of the Wildland Fire Leadership Council, Cohesive Strategy and Interagency Standards for Fire and Aviation operations.

In addition to wildfire suppression, proposed management goals for the refuge are to use prescribed fire to meet the habitat goals and objectives identified in this CCP and to protect refuge resources through treatment

of hazard fuel accumulations by mechanical and prescribed fire as treatment methods. After the CCP is complete, refuge staff will develop habitat management plans for each refuge division and unit that will include more details on the specific treatment areas and techniques.

### **Fire Management Objectives**

The purpose of the fire management program will be to use prescribed fire, chemical, and manual and mechanical treatment to:

- Ensure public and firefighter safety remain the highest priority while protecting property and natural resource values from wildland (wildfire and prescribed) fire.
- Reduce harmful wildfire impacts to all resource management activities. This can be accomplished in part by reducing the excessive accumulations of hazardous fuel loads in woodland habitats with high resource values (e.g., protecting mature, closed-canopy late successional habitat, that provides cover, den and rearing qualities needed for Canada lynx recovery efforts) or reduce activity generated slash from proposed logging treatments.
- Provide for the enhancement and protection of critical habitat for State and federally endangered or threatened species, as well as other species of special concern.
- Provide, maintain, enhance, and protect nesting, brooding, feeding, and resting habitat that meet the requirements of migratory birds and resident wildlife.
- Facilitate the control of invasive and exotic species.
- Increase habitat diversity in refuge upland habitats.
- Demonstrate to, and educate the public about the role and benefits of wildland fire protection and prescribed fire use in natural resource management.
- Maintain current ecosystem diversity within the landscape context
- Comply with State Air Quality Implementation Plans to protect public respiratory health and the environment.

### **Fire Management Strategies**

The refuge will use a combination of fire management strategies, tactics, and tools that consider public and firefighter safety, as well as resource values at risk. Based on the CCP and habitat management direction, the FMP will provide a more detailed description of the wildfire suppression, prescribed fire, chemical, manual, and mechanical treatment methods Conte Refuge may use. The FMP will also explain the timing and monitoring of the refuge's fire management strategies. As needed, the refuge will develop prescribed fire burn plans for specific sites, following the latest version of Interagency Prescribed Fire Planning and Implementation Procedures Reference Guide.

Some fire management strategies, such as prescribed burning, may impact air quality. Wildland fire temporarily reduces air quality by diminishing visibility and releasing particulates and pollutants through combustion. By regulation and policy, wildfire events are an exemption (an uncontrolled, unwanted event not planned for). Conte Refuge will meet national ambient air quality standards set forth in the Clean Air Act and where applicable, adhering to various State Air Quality Implementation Plans during all prescribed fire activities.

### **Fire Management Organization, Contracts, and Cooperation**

The Service's Northeast Regional Fire Program is divided into four fire management zones which provide technical fire management oversight to refuges. Conte Refuge is within the New England fire management zone, which includes all the national wildlife refuges and fish hatcheries within the New England states. There is no dedicated fire staffing currently assigned to Conte Refuge. The fire management zone is served by the zone fire management officer (Zone FMO) based at Rhode Island NWR Complex. All fire management



activities are conducted in a coordinated and collaborative manner within the New England zone in order to share fire qualified individuals and equipment. This also includes our Federal, State, and local fire departments and private partners, such as The Nature Conservancy.

Upon approval of this CCP, any step-down direction, such as a habitat management plan, or decisions based on emergency protection, where dangerous fuel conditions pose undo risks, a new FMP may be necessary and developed for Conte Refuge, inclusive of all its divisions.

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## Appendix M



Mike Ostrowski

*Puritan tiger beetle*

# Conservation Plans and Initiatives Guiding the Development of the CCP

- Introduction
- Migratory Birds
- Fish and Aquatic Resources
- Mammals
- Invertebrates
- Rare Plants, Wetlands, and Other Natural Communities
- State Comprehensive Wildlife Conservation Strategies/Wildlife Action Plans
- Invasive Species
- Watershed Plans
- Recreation Plans
- Statewide Comprehensive Outdoor Recreation Plans (SCORP)
- Other Regional Information Sources





## Introduction

We considered the conservation goals and objectives of existing Federal trust resource plans and regional ecosystem plans that relate to CT River watershed to help determine how the Silvio O Conte National Fish and Wildlife can best contribute to species conservation and ecosystem function, while also achieving its legislative purposes. To the extent practicable, we will be consistent with respective states' fish and wildlife conservation plans, and the conservation programs of Tribal, public, and conservation partners within the watershed. Regional and state outdoor recreation plans were also considered. The following plans were reviewed and considered during development of the Silvio O. Conte Refuge Final CCP/EIS goals and objectives.

## Migratory Birds

### North American Bird Conservation Initiative (NABCI)

North American Bird Conservation Initiative (NABCI) is a continental partnership initiative to integrate and effectively implement existing and emerging, international, national, and regional bird conservation plans. NABCI originated in 1998 from the Commission for Environmental Cooperation (CEC), an international organization created by Canada, Mexico and the United States under the North American Agreement on Environmental Cooperation (NAAEC). The CEC was established to address regional environmental concerns, help prevent potential trade and environmental conflicts, and promote effective enforcement of environmental law. The NAAEC complements the environmental provisions of the North American Free Trade Agreement (NAFTA) (<http://www.nabci-us.org/main2.html>; accessed August 2016).

In 1999, a NABCI Committee was formed in the U.S, representing a coalition of government agencies, private organizations, and bird initiatives working to advance integrated bird conservation based on sound science and cost-effective management that will benefit “all birds in all habitats.” The NABCI Committee is a forum of government agencies, private organizations, and bird initiatives helping partners across the continent meet their common bird conservation objectives. The NABCI Committee’s strategy is to foster coordination and collaboration on key issues of concern, including coordinated bird monitoring, conservation design, private land conservation, international conservation, and institutional support in state and Federal agencies for integrated bird conservation.

NABCI strives to integrate the individual bird conservation plans discussed below within regionally specific areas—Bird Conservation Regions (BCRs). Integration usually involves creating an integrated BCR plan based upon the separate plans noted below; these plans outline conservation (habitat and species) priorities, implementation, and evaluation. BCRs are ecologically distinct regions in North America with similar bird communities, habitats, and resource management issues. There are 37 BCRs across North America. Priority species are designated in a similar fashion in each BCR, based on their level of concern in continental conservation plans, regional “step-down plans,” the importance of the BCR to their continental or global distribution (i.e., the BCR responsibility), and the perceived level of threat to the species and/or their habitat within the BCR.

The primary purposes of BCRs, as proposed by the mapping team in 1998 and approved in concept by the US Committee in 1999, are to:

- Facilitate communication among the bird conservation initiatives.
- Systematically and scientifically apportion the US into conservation units.
- Facilitate a regional approach to bird conservation.
- Promote new, expanded, or restructured partnerships.
- Identify overlapping or conflicting conservation priorities.

The Connecticut River watershed and the Conte Refuge are part of two BCRs: Atlantic Northern Forest (BCR 14) and the New England Mid-Atlantic Coast (BCR 30).

***Blueprint for Design and Delivery of Bird Conservation in the Atlantic Northern Forest (BCR 14).***

BCR 14 generally covers the northern half of the watershed, largely Vermont and New Hampshire, and encompasses almost all of Maine. It contains 10 Globally Important Bird Areas (IBAs), three of which occur within the Connecticut River watershed. The BCR implementation plan, or “blueprint” for “all bird conservation” identifies several priority habitats found within the bounds of the Refuge including: freshwater lakes, palustrine emergent marshes, forested wetlands, deciduous forests, coniferous forests, mixed forests, shrub/scrub early successional forests, and grasslands. Several of the highest priority birds are found in the watershed: American woodcock, bay-breasted warbler, Bicknell’s thrush, American black duck, Canada warbler, and wood thrush.

We used this plan to help identify priority bird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to birds. The draft plan for BCR 14 is posted on the Atlantic Coast Joint Venture Web site at: [http://www.acjv.org/documents/bcr14\\_blueprint.pdf](http://www.acjv.org/documents/bcr14_blueprint.pdf) (accessed August 2016).

***New England/Mid-Atlantic Coast (BCR 30)***

This largely coastal BCR extends from lower Maine to the tidewater areas of Virginia along the Atlantic Coast, and includes much of the lower Connecticut River watershed in Massachusetts and Connecticut. There are 35 IBAs within this BCR, although none exist within the largely urbanized lower Connecticut River watershed. Habitat loss and fragmentation is the principal threat to all habitats in this BCR. Coastal marshes and mature forests are the highest priority habitats in this BCR. Another concern is declining habitat quality, particularly in salt marshes, early succession, forested habitats, and wetlands. Invasive plants are an existing and growing threat to habitat integrity. Predation is a concern throughout the BCR for beach-dependent species and coastal marsh-dependent birds such as breeding waterfowl, shorebirds, terns, and rails. Highest priority birds in this BCR include the American black duck, American oystercatcher, red knot, ruddy turnstone, sanderling, American woodcock, semipalmated sandpiper, dunlin, black rail, blue-winged warbler, piping plover, prairie warbler, wood thrush, saltmarsh sparrow, Nelson’s sparrow, and seaside sparrow.

We used this plan to help identify priority bird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to birds. The BCR 30 final plan is available at: [http://www.acjv.org/BCR\\_30/BCR30\\_June\\_23\\_2008\\_final.pdf](http://www.acjv.org/BCR_30/BCR30_June_23_2008_final.pdf) (accessed August 2016).

***North American Waterbird Conservation Initiative and Plan (2006)***

The Waterbird Conservation for the Americas initiative (Waterbirds initiative) is an independent, international, broad-based, and voluntary partnership created to link the work of individuals and institutions having interest and responsibility for conservation of waterbirds and their habitats in the Americas. Waterbirds are species that are dependent on aquatic habitats to complete portions of their life cycles. Waterbirds covered by this initiative include 209 species known commonly as seabirds, coastal waterbirds, wading birds, and marshbirds.

We used this plan to help identify priority waterbird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to waterbirds. For more information on the initiative, visit: <http://www.waterbirdconservation.org/> (accessed August 2016).

***Birds of Conservation Concern (BCC)–U.S. Fish and Wildlife Service (2008)***

Birds of Conservation Concern (BCC) 2008 identifies the bird species, beyond those already designated as federally threatened or endangered, that are the highest conservation priorities for the U.S. Fish and Wildlife Service (USFWS 2008). The report covers three different geographic scales: the entire United States, including island “territories” in the Pacific and Caribbean; U.S. Fish and Wildlife Service Regions; and Bird Conservation Regions (BCRs), as defined by the North American Bird Conservation Initiative (NABCI). It is primarily derived from three major bird conservation plans:

1. The Partners in Flight (PIF) North American Landbird Conservation Plan.
2. The U.S. Shorebird Conservation Plan.
3. The North American Waterbird Conservation Plan.

All three of these bird conservation plans identify species of concern based on several factors, including population trends, threats, distribution, abundance, and relative density. We used this report to help identify

bird species of conservation concern for Conte Refuge. The report is available online at: <https://www.fws.gov/migratorybirds/pdf/grants/BirdsofConservationConcern2008.pdf> (accessed August 2016).

### **North American Waterfowl Management Plan (NAWMP)**

During the 1980s, recognizing the importance of waterfowl and wetlands to North Americans and the need for international cooperation to help in the recovery of a seriously declining wildlife resource, the U.S. and Canadian governments, and later Mexico, developed a strategy to restore waterfowl populations through habitat protection, restoration, and enhancement. The North American Waterfowl Management Plan was originally written in 1986, and revised in 1998 and 2004, envisioned a 15-year effort to achieve landscape conditions that could sustain continental waterfowl populations. This plan outlined a strategy among the signatory countries to protect North America's remaining wetlands and to restore waterfowl populations through habitat protection, restoration, and enhancement. The 2004 Plan establishes a new 15-year planning horizon for waterfowl conservation in North America by assessing the needs, priorities, and strategies required to guide waterfowl conservation in the 21st Century. The 2004 Plan can be accessed online at: [http://www.acjv.org/documents/nawmp\\_2004.pdf](http://www.acjv.org/documents/nawmp_2004.pdf) (accessed August 2016).

Implementation of this plan is accomplished at the regional level within 15 regional habitat "Joint Venture" areas. A "Joint Venture" is a self-directed partnership of agencies, organizations, corporations, tribes, or individuals that has formally accepted the responsibility of implementing national or international bird conservation plans within a specific geographic area or for a specific taxonomic group, and has received general acceptance in the bird conservation community for such responsibility. In support of bird conservation goals, joint venture partners conduct biological planning, habitat protection and restoration, monitoring and evaluation, and communications and outreach.

Conte Refuge is located within the Atlantic Coast Joint Venture (ACJV) area, which covers all the Atlantic Flyway states from Maine to Florida and Puerto Rico. The goal for the ACJV is to "protect and manage priority wetland habitats for migration, wintering, and production of waterfowl, with special consideration to black ducks, and to benefit other wildlife in the joint venture area."

The ACJV Implementation Plan was revised in 2005. It steps down continental and regional waterfowl population and habitat goals from the NAWMP 2004 Plan Update to the ACJV area. It presents habitat conservation goals and population indices for the ACJV consistent with the 2004 Update, provides current status assessments for waterfowl and their habitats in the joint venture, and updates focus area narratives and maps for each state. The Connecticut River watershed contains three focus areas: The Lower Connecticut River of Connecticut, the Connecticut River shared by New Hampshire and Vermont, and the Lake Memphramagog focus area of northeastern Vermont. This 2005 Implementation Plan also provides a baseline of information needed to move forward with a thorough approach for setting future habitat goals.

We used this plan to help identify priority waterfowl species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to waterfowl. The 2005 Implementation Plan can be accessed at: <http://www.acjv.org/> (accessed August 2016).

### **Partners in Flight Conservation Plans**

In 1990, Partners in Flight (PIF) was conceived as a voluntary, international coalition of government agencies, conservation organizations, academic institutions, private industry, and other citizens dedicated to reversing the trends of declining bird populations and to "keeping common birds common." The foundation of PIF's long-term strategy for bird conservation is a series of scientifically based bird conservation plans, using physiographic provinces as planning units. In 2004, PIF published the first North American Landbird Conservation Plan (Rich et al. 2004). The 2016 Plan Revision refines and updates the relative vulnerability assessments of North American landbirds, presents new scientific assessments and tools, and provides recommendations to advance conservation actions. The 2004 and 2016 plans will continue to be to guide bird management on the Conte Refuge. The plans provide several different means of ranking species and their habitats within a regional area based on a variety of factors including global threats, high concern for regional or local populations, or responsibility for conserving large or important populations. The 2016 plan includes a Watch List that identifies 86 species of highest conservation concern at the continental (range-wide) scale. The purpose of the Watch List is to foster proactive conservation that will help recover populations of the most at-risk species and keep the remaining species from becoming endangered.

We used the 2004 plan to help identify priority migratory bird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to migratory birds. For more information on the PIF plan, visit: <http://www.partnersinflight.org/> (accessed August 2016).

***Southern New England Bird Conservation Plan (Physiographic Area #09)***

This physiographic area extends from Long Island Sound through the Connecticut River valley to the northern border of Massachusetts. According to this plan, the greatest conservation challenge facing land managers today is the ever-increasing number of people residing in the area. To meet this challenge, the plan identifies priority land bird species and habitat types, and recommends specific objectives aimed at protecting those species and their habitats. Examples of high priority species within the Connecticut River watershed include the piping plover, upland sandpiper, American woodcock, salt marsh sharp-tailed sparrow, seaside sparrow, American black duck, wood thrush, cerulean warbler, prairie warbler, blue-winged warbler, worm-eating warbler, golden-winged warbler, and Louisiana waterthrush. All eight priority habitat types identified in the plan are represented within the bounds of the Connecticut River watershed. We used this plan to help identify priority migratory bird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to migratory birds.

***Northern New England Bird Conservation Plan (Physiographic Area #27)***

This physiographic area lies across the middle portion of the Refuge from central New Hampshire and Vermont to the slopes of the Berkshire Mountains in western Massachusetts. Forested landscapes comprise most of the region; however, the human population has increased significantly in the recent past. Single-family housing in both rural and suburban settings is becoming an important issue for conservation. Agriculture and forest management are key to habitat availability. Priority species found within the Refuge include Canada warbler, chestnut-sided warbler, and American woodcock. Five of the seven priority habitats lie within the refuge. These include freshwater lakes and wetlands, mature conifer forest, northern hardwood and mixed forests, early succession forest edge, and grassland and agricultural land. We used this plan to help identify priority migratory bird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to migratory birds.

***Eastern Spruce-Hardwood Forest Bird Conservation Plan (Physiographic Area #28)***

This physiographic area includes the northern portion of the Refuge, and is the largest physiographic area in the Northeast. Virtually the entire planning unit is dominated by either sugar maple-beech-birch forest, or red spruce-balsam fir forest, or a combination of the two. The region is lightly populated with concentrations found along the coast and in major river valleys. Forest management has been a significant influence on the both the economy and ecology. Generally speaking, timber management has resulted in forest landscapes that are younger with a greater dominance of northern hardwoods. Priority birds in the Refuge and within the watershed include: Bicknell's thrush, veery, bay-breasted warbler, Canada warbler, blackburnian warbler, chestnut-sided warbler, olive-sided flycatcher, spruce grouse, Cape May warbler, and American woodcock, and red crossbill. Six of the nine priority habitats in the physiographic area are found in the watershed including mature conifer (spruce-fir) forests, early succession forest edge, and freshwater wetlands. We used this plan to help identify priority migratory bird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to migratory birds.

***U.S. Shorebird Conservation Plan***

The U.S. Shorebird Conservation Plan was developed for the purpose of creating conservation goals, identifying critical habitat, and promoting education and outreach programs to facilitate shorebird conservation. Several groups and individuals, including local, state, and Federal agencies, non-governmental organizations, business-related sectors, researchers, educators, and policy makers helped with the development of this plan. The plan has set goals at the hemispheric, national, and regional levels. At the regional level, the Conte Refuge is part of the North Atlantic Planning Region, which shares the boundaries of BCR 14 and 30 noted above. The plan is available online at: <http://www.shorebirdplan.org/> (assessed August 2016).

We used this plan to help identify priority shorebird species for the refuge and to develop our objectives, subobjectives, and strategies in chapter 4 and appendix A related to shorebirds.

***The Atlantic Flyway Shorebird Business Strategy – A Call to Action, Phase 1 2013***

The Atlantic Flyways Shorebird Business Strategy's Phase 1: A Call to Action was released in February 2013. This strategy contains a set of Service-coordinated shorebird actions aimed at reversing shorebird declines across the Atlantic flyway. Its overall goal is to increase current shorebird populations levels by 10 to



15 percent by 2020. The business strategy differs from other conservation plans by focusing on a set of well-developed actions that link funding to specific, measureable conservation measures. In particular, it focuses on seven key strategies: reducing threats to populations, managing and protecting habitat, strengthening conservation regulations, developing shore bird conservation constituencies, engaging partners, assessing and monitoring populations, and reducing gaps in knowledge.

To achieve this, the shorebird business strategy emphasizes prioritizing conservation actions, funding sources, and outcomes for 15 focal shorebird species. The team chose these focal species to serve as representatives for other species that share similar conservation needs to simplify and make conservation planning more efficient. Focal species include species that are either highly imperiled, of high conservation concern, represent important habitat types in the flyway, or have existing conservation plans to make implementation more practical. Of the 15 focal species, at least 5 occur in the Connecticut River watershed: greater yellowlegs, lesser yellowlegs, piping plover, red knots, and semipalmated sandpiper.

Please view the business strategy online for more information on specific objectives and details on phases 2 and 3: [http://manometcenter.pairserver.com/sites/default/files/publications\\_and\\_tools/AtlanticFlywayShorebirdBusinessStrategy.pdf](http://manometcenter.pairserver.com/sites/default/files/publications_and_tools/AtlanticFlywayShorebirdBusinessStrategy.pdf) (Accessed August 2016).

### **National Bald Eagle Management Guidelines (2007)**

The bald eagle is protected by the Bald and Golden Eagle Protection Act (Eagle Act) and the Migratory Bird Treaty Act (MBTA). The MBTA and the Eagle Act protect bald eagles from a variety of harmful actions and impacts. The Service developed these National Bald Eagle Management Guidelines to advise landowners, land managers, and others who share public and private lands with bald eagles when and under what circumstances the protective provisions of the Eagle Act may apply to their activities. A variety of human activities can potentially interfere with bald eagles, affecting their ability to forage, nest, roost, breed, or raise young. The guidelines are intended to help people minimize such impacts to bald eagles, particularly where they may constitute “disturbance,” which is prohibited by the Eagle Act.

The guidelines are intended to:

- Publicize the provisions of the Eagle Act that continue to protect bald eagles, in order to reduce the possibility that people will violate the law.
- Advise landowners, land managers and the general public of the potential for various human activities to disturb bald eagles.
- Encourage additional nonbinding land management practices that benefit bald eagles.

While the guidelines include general recommendations for land management practices that will benefit bald eagles, the document is intended primarily as a tool for landowners and planners who seek information and recommendations regarding how to avoid disturbing bald eagles. Many States and some tribal entities have developed state-specific management plans, regulations, and/or guidance for landowners and land managers to protect and enhance bald eagle habitat, and we encourage the continued development and use of these planning tools to benefit bald eagles.

We used this plan to help develop strategies in chapter 4 and appendix A related to bald eagles. The guidelines are available online at: <https://www.fws.gov/southdakotafieldoffice/NationalBaldEagleManagementGuidelines.pdf> (accessed August 2016).

**Atlantic Coast Piping Plover (*Charadrius melodus*) Recovery Plan.** The only suitable habitat for the piping plover within the watershed is a mile-long sand spit at the mouth of the Connecticut River, known as Griswold Point. This beach, owned by The Nature Conservancy, provides suitable habitat for several nesting pairs.

In 1996, a revision was made to the original 1988 Atlantic Coast Piping Plover Recovery Plan (U. S. Fish and Wildlife Service 1996). The primary objective of the revised recovery program is to remove this species from the List of Endangered and Threatened Wildlife and Plants. The plan hopes to do this by: (1) achieving well-distributed increases in numbers and productivity of breeding pairs, and (2) providing for long-term protection of breeding and wintering plovers and their habitats. The strategies within the plan provide for the ensured

long-term viability of piping plover populations in the wild. The Atlantic Coast Piping Plover Recovery Plan is available at: <http://www.fws.gov/northeast/pipingplover/recovery.html> (accessed August 2016).

**Atlantic Flyway Council–Atlantic Flyway Mute Swan Management Plan 2003-2013**

Prepared by the Snow Goose, Brant, and Swan Committee, Atlantic Flyway Technical Section, Atlantic Flyway Council, July 2003. The goal of this management plan is to reduce mute swan populations in the Atlantic Flyway to levels that will minimize negative ecological impacts to wetland habitats and native migratory waterfowl and to prevent further range expansion into unoccupied areas. The management plan is available online at: [http://www.michigan.gov/documents/dnr/AFC\\_mute\\_swan\\_plan1\\_364878\\_7.pdf](http://www.michigan.gov/documents/dnr/AFC_mute_swan_plan1_364878_7.pdf) (accessed August 2016).

**Final Environmental Impact Statement: Resident Canada Goose Management, June, 2009**

This final Environmental Impact Statement outlines various ways to reduce, manage, and control resident Canada goose populations and reduce related damage. Between 1995 and 2005, the population of resident Canada geese increased an average of 1 percent each year across the Atlantic Flyway. This increase led to both economic and natural resource issues, including damaged private property, parks and other open spaces, and agricultural fields. The final plan is available from refuge headquarters.

**Atlantic Population of Canada Geese–Status and Management, June, 2009**

The Atlantic Population (AP) of Canada geese was once considered the largest Canada goose population in North America and the staple of waterfowl hunters in the Atlantic Flyway. Breeding surveys of key AP nesting areas in northern Quebec documented a precipitous decline in AP numbers from 118,000 nesting pairs recorded in 1988 to 29,000 pairs in 1995. This dramatic change in numbers of AP geese prompted State, Federal, and Provincial wildlife agencies in 1995 to suspend the sport hunting season of AP geese in the United States and in the Canadian Provinces of Ontario and Quebec. Since the ban was placed, the status of AP geese appears to have improved substantially. In the spring of 1997, the index of breeding pairs surveyed in the Ungava Region of Quebec increased to 63,000. The recovery of AP Canada geese will depend on renewed cooperation and involvement of all user groups to strengthen our commitment to this valuable resource. Additional information is available at: <https://www.fws.gov/birds/management/managed-species/resident-canada-goose-management-atlantic.php> (accessed August 2016).

**Association of Fish & Wildlife Agencies Resident Game Bird Working Group–Spruce Grouse Continental Conservation Plan (2007)**

The Spruce Grouse Continental Conservation Plan was developed under the auspices of the Resident Game Bird Working Group of the Association of Fish and Wildlife Agencies. The primary objectives of the plan are to provide a range-wide estimate of population and habitat and to assemble current assessments of threats, management recommendations, and research needs on spruce grouse. The plan is available online from refuge headquarters.

We used this plan to inform our proposed management strategies in chapter 4 and appendix A related to spruce grouse and their habitats.

**Vermont Fish & Wildlife Department–Vermont Recovery Plan for the Spruce Grouse (2000)**

The Vermont Recovery Plan for the Spruce Grouse goes over the history, current status, threats, and recovery plans for spruce grouse. It is believed that between 150 and 300 adult birds occur in this population and periodic surveys since 1990 show a stable if not slightly increasing population. Full recovery of spruce grouse in Vermont will require the establishment of 2 additional sub-populations, most likely on the State Lands located in the southern Essex County towns of Victory and Granby, and in the northern Essex County town of Norton. The plan is available online from refuge headquarters.

We used this plan to inform our proposed management strategies in chapter 4 and appendix A related to spruce grouse and their habitats.

## **Fish and Aquatic Resources**

**U.S. Fish and Wildlife Service–Fisheries Program Northeast Region Strategic Plan (2009).** The Northeast Region Strategic Plan (USFWS 2004), developed in cooperation with over 40 partners and stakeholders, addresses the decline of fish and other aquatic resources in the Northeast Region, and the economic impact

of those declines. The plan outlines the Fisheries Programs mission, vision, and priorities for conserving fish and habitat.

We used this plan to identify priority fish species for the refuge and to help develop objectives, subobjectives, and strategies in chapter 4 and appendix A related to fish and their habitats. The plan is available from refuge headquarters.

### **National Fish Habitat Action Partnership**

The National Fish Habitat Action Partnership (NFHAP) is an ambitious effort designed to address the urgent crisis of declining fish habitat nationwide. The plan was initiated in 2001 and is modeled after the North American Waterfowl Management Plan, widely recognized as a huge success in facilitating wetland protection and restoration through strong “joint venture” partnerships. Fish Habitat Partnerships are the primary work units of the National Fish Habitat Action Partnership. These partnerships are formed around important aquatic habitats and distinct geographic areas (e.g., Southeast Aquatic Resources Partnership,) “keystone” fish species (e.g., eastern brook) or system types (e.g., large lakes, impoundments, estuaries). Through the Association of Fish and Wildlife Agencies, the states led development of the NFHAP in cooperation with the Service, National Marine Fisheries Service (NMFS), and other key partners. The two Federal agencies with lead fishery management responsibility, the Service and NMFS, served as the primary liaisons with other federal agencies and the Federal Caucus. For more information on NFHAP, visit: <http://fishhabitat.org/> (accessed August 2016).

Two key partnerships under the NFHAP cover the Connecticut River watershed, the Eastern Brook Trout Joint Venture (see below) and the Atlantic Coastal Fish Habitat Partnership.

### ***Eastern Brook Trout Joint Venture’s Eastern Brook Trout: Action Strategies and Eastern Brook Trout Status and Threats***

In the U.S., brook trout are declining throughout their range (Hudy et al. 2005). In 2004, in recognition of the need to address regional and range-wide threats to wild brook trout, a group of public and private entities formed the Eastern Brook Trout Joint Venture (EBTJV) with a mission to halt the decline of brook trout and restore fishable populations. Its unique partnership has grown and now includes state and Federal agencies, regional and local governments, businesses, conservation organizations, academia, scientific societies, and private citizens. It was the nation’s first pilot project under the National Fish Habitat Action Plan, and is a geographically focused, locally driven, and scientifically-based effort to protect, restore, and enhance aquatic habitat throughout the range of the Eastern brook trout. The EBTJV has developed several documents, including *Conserving the Eastern Brook Trout: Action Strategies*, to help prioritize and guide brook trout conservation and restoration efforts in the U.S. The plan is available at: <http://easternbrooktrout.org/reports/ebtjv-conservation-strategy> (accessed August 2016). The EBTJV also developed the report “Eastern Brook Trout: Status and Threats” that identifies current threats to Eastern brook trout, proposes a general strategy to deal with these threats, and outlines potential corrective measures. Conservation strategies for Massachusetts, New Hampshire, and Vermont are available online at: <http://easternbrooktrout.org/reports/eastern-brook-trout-status-and-threats/view> (accessed August 2016).

Whenever feasible, we have used the recommendations in these reports to help develop strategies in chapter 4 and appendix A related to eastern brook trout and their habitats. Native brook trout are found on our existing divisions and units, and on several divisions proposed for acquisition in this CCP. We will continue to consult with Service and state fisheries biologists involved in the development of the EBTJV Conservation Strategy to assist us in developing objectives and strategies related to brook trout and other associated aquatic resources in future habitat management plans.

**Connecticut River Atlantic Salmon Commission (CRASC)–A Management Plan for American Shad in the Connecticut River Basin (1992).** The goal of this plan is to restore and maintain a spawning shad population to its historic range in the Connecticut River basin and to provide and maintain sport and commercial fisheries for the species. Management objectives include achieving and sustaining an annual adult population of 1.5 to 2.0 million individuals entering the mouth of the Connecticut River. Another objective is to achieve annual passage of 40 to 60 percent of the spawning population (based on a 5-year running average) at each successive upstream barrier on the main stem (Holyoke Dam (MA), Turners Falls Dam (MA), and Vernon Dam (VT)). Adult American shad passage counts at Holyoke Fish Lift have averaged 306,000 for the period 1976–2014. The record high passage at Holyoke Fish Lift was 720,000 in 1992. The most recent five years (2012–2015) has yielded higher than average shad counts, with Vernon Dam ladder setting a new shad passage record of

39,000 in 2015. Substantial portions of the historic shad habitat in the basin is not accessible due to ineffective fishways, remaining barriers or other issues that require more study. Declines in American shad abundance, as monitored in rivers along the East Coast, is of great management concern at this time. Of particular concern is the fact that directed fisheries are very low or closed in many jurisdictions. The final plan is available online at: [http://www.fws.gov/r5crc/pdf/shad\\_management\\_plan.pdf](http://www.fws.gov/r5crc/pdf/shad_management_plan.pdf) (accessed August 2016). We will continue to work with partners, including CRASC and the Service's Connecticut River Coordinator's Office, to identify actions the refuge can take to help conserve American shad in the Connecticut River watershed.

**Connecticut River Atlantic Salmon Commission (CRASC) – A Management Plan for River Herring in the Connecticut River Basin (2004).** River herring were abundant historically in streams throughout New England but have experienced a decline in this century. There is ample evidence of the existence of river herring throughout the lower Connecticut River basin and up to Bellows Falls Dam (VT). One important factor limiting herring populations appears to be restricted access to spawning and rearing habitat due to dams. However, the population has continued to decline despite recent habitat restoration efforts, suggesting other detrimental factors like unfavorable marine conditions and/or overabundance of striped bass.

The goal of this plan is to seek to restore and maintain a spawning river herring population within its historic range in the Connecticut River basin. Other more specific management objectives include: Achieve and sustain annual passage of 300,000 to 500,000 adults at the Holyoke fish passage facility (this represents a return to the numbers documented in the 1980s); Achieve annual passage of 40-60% of the spawning run at each successive upstream barrier on the Connecticut River from Holyoke to Bellows Falls (based on % of habitat available between each barrier); Maximize outmigrant survival for juveniles and spent adult river herring; and Support tributary restoration programs (fish passage, barrier removal, and broodstock trap-and-transport), for a partial list. The declines in river herring documented only by passage counts at Holyoke Fish Lift have been staggering and of great management concern. In fact, since 2003, no harvest of herring has been allowed in Connecticut or Massachusetts. In 2015, a total of 87 herring were counted passing Holyoke, down from the 630,000 herring counted in 1985.

The final plan is available online at: [http://www.fws.gov/r5crc/herring\\_plan.html](http://www.fws.gov/r5crc/herring_plan.html) (accessed August 2016). We will continue to work with partners, including the Service's Connecticut River Coordinator's Office, to identify actions the refuge can take to help conserve river herring in the Connecticut River watershed.

**Connecticut River Atlantic Salmon Commission (CRASC) – River Herring Restoration Status and Plans in the Connecticut River Basin (2015).** This plan provided a current review of existing target areas for river herring restoration and included a summary of all current fish passage facilities (15 as of report), locations, design, distance, next upstream barrier and status that include river herring as a target species. Planned fish passage measures with all related information was also summarized for nine barriers. Passage priorities are presented, as are restoration measures that include capture and transfer of prespawn fish. Evaluation of river herring population status and trends is discussed and the most current distribution map of the basin which include 15 fishways is shown. The plan is available at: [http://www.fws.gov/r5crc/river\\_herring\\_program.htm](http://www.fws.gov/r5crc/river_herring_program.htm) (accessed August 2016).

**Atlantic States Marine Fisheries Commission, Amendment 3 to the Interstate Fishery Management Plan – for Shad and River Herring (2010) (American Shad Management)**

The Atlantic States Marine Fisheries Commission (Commission) developing an amendment to its Interstate Fishery Management Plan for Shad and River Herring (FMP) under the authority of the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA). The current plan identifies goals and objectives to address depressed and declining shad stocks on the East Coast. States were also required to develop for review and approval Sustainability Plans in order to allow either/or commercial and recreational harvest by 2013. States were also required to develop American Shad Habitat Plans for review and approval by 2014. The State of Connecticut developed the required Sustainability Plan that allows for continued harvest in both Connecticut and Massachusetts after review. New Hampshire and Vermont defaulted to catch-and-release only fishing without approved plans. The USFWS Connecticut River Coordinator's Office, working with the state partners, produced a Connecticut River American Shad Plan that was approved in 2014. These plans may all be accessed on the ASMFC web site: <http://www.asmfc.org/species/shad-river-herring> (accessed August 2016).

**Atlantic States Marine Fisheries Commission, Amendment 2 to the Interstate Fishery Management Plan – for Shad and River Herring (2009) (River Herring Management Plan)**

The Atlantic States Marine Fisheries Commission (Commission) developed an amendment to its Interstate Fishery Management Plan for Shad and River Herring (FMP) under the authority of the Atlantic Coastal



Fisheries Cooperative Management Act (ACFCMA). Shad and river herring management authority lies with the coastal states and is coordinated through the Commission. Many populations of blueback herring and river herring, have faced anthropogenic threats since colonial times, including fishing and both habitat loss and degradation. The closure of river herring fisheries by Atlantic coastal states and observed declines in river herring abundance have led to questions about the adequacy of current management of the species to promote healthy fish stocks. The Commission and the public have also expressed concern over the lack of monitoring of river herring populations, fisheries and by catch. This document has been developed to address these questions and concerns. The final plan is available online at: [http://www.asmfc.org/uploads/file/amendment2\\_RiverHerring.pdf](http://www.asmfc.org/uploads/file/amendment2_RiverHerring.pdf) (accessed August 2016).

#### **Atlantic States Marine Fisheries Commission, American Shad Habitat Plan for the Connecticut River (2014)**

The Atlantic States Marine Fisheries Commission (Commission), required development of habitat plans for American shad as part of Amendment 3. The USFWS Connecticut River Coordinator, working with the basin agency state partners, developed and submitted the required plan that was approved in 2014. The plan provides the most current status historic habitat and current habitat, including tributaries and provides a review of current fish passage, first barriers and most current upstream barrier. Under Threat Assessment, an extensive narrative on the threat of barriers to migration is provided that addresses adult upstream passage, adult downstream passage and juvenile downstream passage. The report highlights the need for continued development, evaluation, and research on fish passage issues that remain a common issue for many existing dams with fishways as well as those being considered for fishway development or modification. This plan can be accessed at: <http://www.asmfc.org/species/shad-river-herring> (accessed August 2016).

#### **Final Recovery Plan for the Shortnose Sturgeon (1998), National Marine Fisheries Service**

Shortnose sturgeons were originally listed as an endangered species by the FWS on March 11, 1967 under the Endangered Species Preservation Act (32 FR 4001, Appendix I). More than a century of extensive fishing for sturgeon contributed to the decline of Atlantic and shortnose sturgeon populations along the east coast. Heavy industrial development during the twentieth century in rivers inhabited by sturgeon impaired water quality and impeded these species' recovery. This Recovery Plan provides a framework for addressing a multitude of biological concerns, and outlines federal agency responsibilities under the Endangered Species Act, with the sole purpose of insuring long-term survival of the shortnose sturgeon. The final recovery plan is available at: [http://www.nmfs.noaa.gov/pr/pdfs/recovery/sturgeon\\_shortnose.pdf](http://www.nmfs.noaa.gov/pr/pdfs/recovery/sturgeon_shortnose.pdf) (accessed August 2016).

We will continue to work with partners, including the Service's Connecticut River Coordinator's Office, to identify actions the refuge can take to help conserve shortnose sturgeon in the Connecticut River watershed.

#### **Atlantic States Marine Fisheries Commission, Interstate Fishery Management Plan for American Eel (2000), including subsequent addendums (2006 and 2008)**

This fishery management plan describes the current status of the American eel, threats and ecological challenges affecting eels, goals and objectives for the species and management actions needed to achieve these goals. The two main goals are:

- Protect and enhance the abundance of American eel in inland and territorial waters of the Atlantic States and jurisdictions and contribute to the viability of the American eel spawning population.
- Provide for sustainable commercial, subsistence, and recreational fisheries by preventing overharvest of any eel life stage.

The plan, available at: <http://www.asmfc.org/> (accessed September 2013), also identifies issues facing eels that need additional research. The 2006 addendum updated the plan to establish a mandatory catch and effort monitoring program for American eels, while the 2008 addendum recommended stronger regulatory language to improve upstream and downstream passage of American eel to state and Federal regulatory agencies.

We will continue to work with partners, including the Service's Connecticut River Coordinator's Office, to identify actions the refuge can take to help conserve American eel in the Connecticut River watershed.

#### **Dwarf Wedgemussel (*Alasmidonta heterodon*) Recovery Plan**

This mussel is known from several sites on the main stem of the Connecticut River and several major tributaries (Mosher 1993). It was listed as federally endangered in 1990 following documentation of substantial

population losses. A recently completed 5-year review considered the populations in the watershed to be stable (U.S. Fish and Wildlife Service 2007). The Connecticut River population has the largest remaining population consisting of three distinct segments separated by dams. The recovery plan and 5-year review are available at: [http://ecos.fws.gov/docs/recovery\\_plan/930208b.pdf](http://ecos.fws.gov/docs/recovery_plan/930208b.pdf) and [http://ecos.fws.gov/docs/five\\_year\\_review/doc1098.pdf](http://ecos.fws.gov/docs/five_year_review/doc1098.pdf) (accessed August 2016).

We will continue to work with partners, including the Service's Connecticut River Coordinator's Office, to identify actions the refuge can take to help conserve dwarf wedgemussel in the Connecticut River watershed.

### **Connecticut River Atlantic Salmon Commission (CRASC)–Strategic Plan for the Restoration of Atlantic Salmon to the Connecticut River (1998).**

The Strategic Plan was prepared by the Connecticut River Atlantic Salmon Commission's Technical Committee as an update to the 1982 Plan. Technical Committee members consist of the senior or lead fishery biologists for each of the four basin state agencies as well as the federal agency partners. The Plan's Goal was to protect, conserve, restore and enhance the Atlantic salmon population in the Connecticut River basin for public benefit, including recreational fishing. Since that Plan's completion, marine survival rates have been greatly reduced, impacting adult salmon returns, that from 2000 to 2009 have ranged from 40 to 214 fish. Program goals included stocking 10 million fry and 100,000 smolts annually into identified habitat. Effective downstream passage measures at hydroelectric plants continue to be worked on by the agencies and may benefit many other species, such as American shad. In 2012, active restoration projects were concluded with a final juvenile stocking occurring in spring 2013 in Vermont, Massachusetts and Connecticut. Adult salmon are being monitored as they return, which will continue into the near future but salmon detections are expected to strongly decline after 2017. The Connecticut River Atlantic Salmon Commission and its Technical Committee meets typically four times a year and meetings are open to the public. There are also 12 active subcommittees that deal with specific issues such as American Shad, River Herring, Sea Lamprey, Fish Passage and Sturgeon and include diverse memberships from other agencies and universities. Salmon restoration and recovery program biologists from all the New England states meet annually to update the United States' annual report for the North Atlantic Salmon Conservation Organizations annual meeting which has USA delegates. The plan is available at: <http://www.fws.gov/r5crc/pdf/strplan.pdf> (accessed August 2016).

## **Mammals**

### **U.S. Fish and Wildlife Service–Recovery Outline: Contiguous United States Distinct Population of the Canada Lynx (2005)**

This document serves as an interim strategy to guide recovery efforts and inform the critical habitat designation process for the contiguous United States population of the Canada lynx until a draft recovery plan has been completed. This outline provides a general overview of the available information on the contiguous United States lynx distinct population segment, and provides preliminary recovery objectives and actions based on our understanding of current and historical lynx occurrence and lynx population dynamics in the contiguous United States. The recovery outline is available online at: <http://www.fws.gov/mountain-prairie/species/mammals/lynx/final%20lynx%20recoveryoutline9-05.pdf> (accessed August 2016).

We used this document to help develop objectives, subobjectives, and strategies in chapter 4 and appendix A related to Canada lynx. We also continue to conduct research on the refuge and work with the Service's New England Ecological Services Field Office to identify the latest information on lynx. We will use this information to help develop more specific management strategies to benefit lynx in future habitat management plans.

### **U.S. Fish and Wildlife Service–New England Cottontail (*Sylvilagus transitionalis*) Spotlight Species Action Plan (2009)**

The New England cottontail is a candidate species for Federal listing under the Endangered Species Act. The New England cottontail requires very specific habitat conditions and relies on thicket habitats which are declining through its historic range due to development, changes in land use, and forest succession. The goal of the New England Cottontail Spotlight Species Action Plan is to reduce the amount of habitat-based threats to New England cottontails. Strategies highlighted in the plan include: managing refuge habitats for New England cottontail, working with the Natural Resources Conservation Service to encourage landowners to manage thicket habitat, and coordinating conservation efforts among Federal agencies, States, and other conservation groups. The spotlight action plan is available online at: <http://newenglandcottontail.org/resource/appendix-g-new-england-cottontail-spotlight-species-action-plan> (accessed August 2016).

We used this information to help determine areas proposed for refuge land acquisition and to develop objectives, subobjectives, and strategies in chapter 4 and appendix A related to New England cottontails and their habitats.

## Invertebrates

### **Puritan Tiger Beetle (*Cicindela puritana*) Recovery Plan**

Distribution in the watershed is limited to a meta-population in Connecticut and a small, singular population in Massachusetts (U. S. Fish and Wildlife Service 1993). Both are found on beaches along the main stem of the Connecticut River. The Service owns a tract of land that supports part of the Connecticut population. The rest of the suitable habitat is in a mix of ownerships.

A recently completed 5-year review updates the status of this beetle (U. S. Fish and Wildlife Service 2007). The Connecticut meta-population showed a general upward trend, except during the two year period before the report was published. Although the Massachusetts population is small, there have been some recent increases, probably related to larval augmentation efforts led by the Refuge. The original recovery plan and 5-year review can be viewed at: [http://ecos.fws.gov/docs/recovery\\_plan/930929a.pdf](http://ecos.fws.gov/docs/recovery_plan/930929a.pdf) and [http://ecos.fws.gov/docs/five\\_year\\_review/doc1114.pdf](http://ecos.fws.gov/docs/five_year_review/doc1114.pdf) (accessed August 2016).

We used this information to develop objectives, subobjectives, and strategies in chapter 4 and appendix A related to puritan tiger beetles and their habitats, particularly for the refuge's Dead Man's Swamp Unit.

## Rare Plants, Wetlands, and Other Natural Communities

### **Northeastern Bulrush (*Scirpus ancistrochaetus*) Recovery Plan**

This endangered emergent, wetland plant ranges from Maryland and Virginia to New England (U.S. Fish and Wildlife Service 1993). It is found in the deeper emergent zones of small wetlands characterized by variable water levels. Habitat loss and pollution were key factors in the decline of this bulrush. One population is found on an existing unit of the Conte Refuge. The recovery plan is available at: [http://ecos.fws.gov/docs/recovery\\_plan/930825.pdf](http://ecos.fws.gov/docs/recovery_plan/930825.pdf) (accessed August 2016).

We used this information to develop objectives, subobjectives, and strategies in chapter 4 and appendix A related to northeastern bulrush, particularly for the refuge's Putney Mountain Unit.

### **Jesup's Milkvetch (*Astragalus robbinsii* var. *jesupii*) Recovery Plan**

This plant exists only in the Connecticut River watershed and is confined to calcareous bedrock outcrops which are annually ice scoured (U.S. Fish and Wildlife Service 1989). The three known sites occur along a 16-mile stretch of the Connecticut River in the towns of Plainfield and Claremont, NH and Hartland, VT. Habitat alteration and collecting have been the major threats to this plant. More recently, invasive plant species have also become a threat. Trampling of plants by people portaging canoes and kayaks also poses a threat to one site. The recovery plan is found at: [http://ecos.fws.gov/docs/recovery\\_plan/891121.pdf](http://ecos.fws.gov/docs/recovery_plan/891121.pdf) (accessed August 2016).

Currently, this species does not occur on any refuge lands. We will continue to work with partners to help conserve this species.

### **Small Whorled Pogonia (*Isotria medeoloides*) Recovery Plan**

This threatened plant inhabits upland sites in mixed-deciduous or mixed-deciduous/coniferous forests in second or third growth successional stages. It is rare but widely occurring at about 85 sites in 15 states and Canada (U.S. Fish and Wildlife Service 1992). There are only two known small populations within the Connecticut River watershed, one in Connecticut and one in Massachusetts. Destruction of habitat from commercial and residential development has been a primary threat to the species. Plant collectors decimated the only known population in Connecticut several years ago after its location was published in a newspaper. The recovery plan can be reviewed at: [http://ecos.fws.gov/docs/recovery\\_plan/921113b.pdf](http://ecos.fws.gov/docs/recovery_plan/921113b.pdf) (accessed August 2016).

Currently, this species does not occur on any refuge lands. We will continue to work with partners to help conserve this species.

**U.S. Fish & Wildlife Service–Natural Communities and Rare Vascular Plants of West Mountain Wildlife Management Area and Nulhegan Basin Division of the Silvio O. Conte National Wildlife Refuge; Mapping, Description, and Ecological Management Recommendations (2002)**

In 2002, the natural communities of Nulhegan Basin Division and nearby West Mountain Wildlife Management area were inventoried and mapped. As part of this study, rare, uncommon, and invasive plants were inventoried on the refuge as well. We used this unpublished report to help identify priority habitats, natural communities, and plant species for the refuge. The report is available from refuge headquarters.

**The Nature Conservancy–The Active River Area: A Conservation Framework for Protecting Rivers and Streams, 2008.**

This Nature Conservancy (TNC) publication is a comprehensive guide to preserving rivers and streams. River health depends on a wide array of processes that require dynamic interaction between the water and land through which it flows. The areas of dynamic connection and interaction, or “active river areas,” provide a frame of reference from which to conserve, restore and manage river systems. The guide uses this “active river area framework” to offer a more holistic vision of a river than solely considering the river channel as it exists in one place at one particular point in time. Rather, the river becomes those lands within which the river interacts both frequently and occasionally.

We used this plan to help develop our objectives, subobjectives, and strategies in chapter 4 and appendix A for rivers and riparian areas. This publication is available online at: [http://www.floods.org/PDF/ASFPM\\_TNC\\_Active\\_River\\_%20Area.pdf](http://www.floods.org/PDF/ASFPM_TNC_Active_River_%20Area.pdf) (accessed August 2016).

**State Comprehensive Wildlife Conservation Strategies/Wildlife Action Plans**

In 2002, Congress created the State Wildlife Grant Program and appropriated \$80 million in grants to states. The purpose of the program is to help state and Tribal fish and wildlife agencies conserve fish and wildlife species of greatest conservation need. These grants are available to state fish and wildlife agencies “for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished.”

To be eligible for these grants, each state and U.S. territory had to develop a statewide “Comprehensive Wildlife Conservation Strategy” by October 1, 2005, commonly known as the State Wildlife Action Plan. Each plan identifies the “species of greatest conservation need,” yet address the “full array of wildlife” and wildlife-related issues, and is designed to “keep common species common.” In brief, these plans employ adaptive management and include information on the distribution and abundance of species of wildlife; key habitats and community types; descriptions of problems and solutions of adversely affect species; priority conservation actions; monitoring priorities for species and their habitats; provide for plan evaluation procedures; and include steps incorporating review by state, federal and Tribal conservation agencies and organizations, and review by the public.

In developing this final CCP/EIS, we used the state wildlife action plans from the four states in the Connecticut River watershed (Connecticut, Massachusetts, New Hampshire, and Vermont) to supplement information on species and habitats and their distribution in our in the Connecticut River watershed, help us identify priority species and habitats for the refuge, and develop management strategies for species and habitats of conservation concern in chapter 4 and appendix A of the final CCP/EIS.

In 2015, all the states completed a required update to their 2005 plans. We reviewed each 2015 plan for updated resource information and to consider changes in species’ status at the state level. None of the changes in status warranted a change our list of priority refuge species of concern.

The four 2005 plans are available as follows:

- Connecticut Comprehensive Wildlife Conservation Strategy (2005 plans): [http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav\\_GID=1719](http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav_GID=1719) (accessed September 2015)
- Massachusetts Comprehensive Wildlife Conservation Strategy (2005 plans): <http://www.mass.gov/eea/agencies/dfg/dfw/wildlife-habitat-conservation/massachusetts-wildlife-conservation-strategy.html> (accessed September 2015)
- New Hampshire Comprehensive Wildlife Conservation Strategy (2005): (available at refuge headquarters)



Vermont Comprehensive Wildlife Conservation Strategy (2005): (available at refuge headquarters)

The four 2015 plans can be accessed here: <http://northatlanticlcc.org/the-cooperative/plans-and-reports/state-wildlife-action-plans>

## Invasive Species

### **The National Strategy for Management of Invasive Species–National Wildlife Refuge System**

This Refuge System strategy establishes a comprehensive plan for dealing with the critical problem of invasive species on refuges, and generally within the United States. Developed within the context of the National Invasive Species Management Plan (as called for by Presidential Executive Order 13112), this National Strategy provides clear guidance to regional and field offices as they conduct invasive species management efforts. It facilitates making refuges better neighbors to our external partners at the local, state, and Federal level. The National Strategy provides specific action items to achieve the following four invasive species management goals: 1) increase awareness; 2) reduce the impacts to refuge habitats; 3) reduce impacts to neighboring lands; and 4) use and develop new integrated pest management approaches. The plan is available online at: <http://www.fws.gov/invasives/pdfs/NationalStrategyFinalRevised05-04.pdf> (accessed August 2016).

**The Invasive Plant Control Initiative Strategic Plan for the Connecticut River Watershed/Long Island Sound Region, Silvio O. Conte National Fish and Wildlife Refuge.** The refuge is very active in invasive plant issues and coordinates the activities of the New England Invasive Plant Group (see above). The refuge developed the Invasive Plant Control Initiative Strategic Plan, which highlights agencies and organizations already working on invasive plant issues in the watershed and New England, identifies needs, and describes the actions that would best serve the region within the 5 years between 1999 to 2004. Many of the priority actions listed in the plan are being undertaken by various agencies and organizations. We also include some of the plans action as strategies in chapter 4 and appendix A.

### **Invasive Plant Atlas of New England (IPANE)**

The Invasive Plant Atlas of New England (IPANE), originally based at the University of Connecticut, is a Web-based informational resource, including a regional atlas, of approximately 100 species known or suspected to be invasive in New England. The atlas supports an early detection and alert system for new invaders. The IPANE Web site includes images and descriptive data, identification tips, management links and a database documenting the existence and spread of species in New England. IPANE data are used to detect new invaders; understand the habitat requirements of each species; ascertain patterns of spread, and model the likely “potential distribution” of various species. Field data were previously collected and submitted by volunteers trained by the New England Wild Flower Society and trained professionals. Current entries are made into the site via EDDMapS (Early Detection and Distribution Mapping System) which administers the IPANE website and database, along with its national database. The website includes a wide range of other information about invasive plants in New England: <http://www.eddmaps.org/ipane/> (accessed September 2016).

### **Identifying Priority Areas for Invasive Plant Control Within the Connecticut River Watershed**

Connecticut River Watershed Invasive Species Partnership, June 2014.

A GIS analysis to identify areas important to protect from invasive species was conducted by a subcommittee of the partnership. Areas resilient to climate change and important floodplains as identified by The Nature Conservancy were concluded to be the most important targets for protection. Additional maps showed how these areas relate to boundaries of existing cooperative invasive species partnerships, as well as state priority areas including rare species habitat and important natural communities. Recommendations include focus areas for the formation of additional invasive species partnerships.

## Watershed Plans

### **Connecticut River Joint Commissions–Connecticut River Water Resources Management Plan, Riverwide Overview (2009)**

The Connecticut River is New England’s largest and most powerful river. This plan encourages continued economic development that is compatible with the well-being of the river. Stewardship of both the quality and the quantity of water flowing in the river is the responsibility of us all. This plan aims to stimulate stewardship and build partnerships across town lines, across the river, and across the array of interests of those who live and work on each side, aided by state and federal agencies with an interest in safeguarding the river’s resources. The plan is available online at: <http://www.crjc.org/pdf/files/WATER.final.pdf> (accessed August 2016).

### **Connecticut River Watershed Plan–Massachusetts (2003)**

This 5-year Watershed Action Plan (2003-2007) covers the Connecticut River watershed in Massachusetts, and builds upon other planning efforts as well as those conducted by other local, state, and Federal agencies. The Action Plan provides a framework for the implementation of short-term projects to help address the Massachusetts State Executive Office of Environmental Affairs' five priority issues within the Connecticut River watershed:

1. Riparian corridors.
2. Water quality and nonpoint source pollution.
3. Water quantity.
4. Wildlife habitat and fish passage.
5. Public access and recreation.

The plan addresses these priority issues and identifies potential partner organizations and additional funding sources that could be used to implement the proposed watershed projects. The plan is available at: <http://www.mass.gov/eea/docs/eea/water/wap-connecticut-2003.pdf> (accessed August 2016). The Massachusetts State Executive Office of Environmental Affairs also prepared or provided funding for 5-year Watershed Action Plans for three major tributary rivers including the Deerfield River (2004-2008; <http://www.mass.gov/eea/docs/eea/water/wap-deerfield-2004.pdf>, accessed August 2016), Miller's River (2005-2009; <http://www.mass.gov/eea/docs/eea/water/wap-millers-2004.pdf>, accessed August 2016) and Chicopee River (2005-2010; <http://www.mass.gov/eea/docs/eea/water/wap-chicopee-river.pdf>, accessed August 2016).

### **Long Island Sound Study**

The 11,000 square mile Connecticut River watershed is by far the largest watershed draining into Long Island Sound, and is one of nine watersheds that are part of the Long Island Sound Study. In 1994, the states of Connecticut and New York and the United States Environmental Protection Agency approved the Comprehensive Conservation and Management Plan for Long Island Sound under EPA's National Estuary Program. Developed by the Long Island Sound Study, the Plan identifies the specific commitments and recommendations for actions to improve water quality, protect habitat and living resources, educate and involve the public, improve the long-term understanding of how to manage the Sound, monitor progress, and redirect management efforts.

Using the plan as a blueprint, the Long Island Sound Study has continued to refine and add detail to commitments and priorities, including with the 1996 Long Island Sound Agreement and the 2003 Long Island Sound Agreement. Some of the key aspects of the Long Island Sound Study for habitat management are to establish a soundwide system of reserves, consisting of the most significant and essential habitats, use of existing state and federal programs to restore and enhance tidal wetlands and other habitats, and use of existing state and federal programs to manage and restore populations of harvestable and endangered and threatened species. The Policy Committee of the Long Island Sound Study (LISS), consisting of the environmental commissioners for the states of Connecticut and New York, and the area regional administrators of the U.S. Environmental Protection Agency, met on Sept. 28, 2006 to establish the inaugural areas of the Long Island Sound Stewardship Initiative, develop guidelines to disburse \$6 million in research as part of a cross sound cable fund; and to update strategies to fulfill the objectives of the cleanup plan for Long Island Sound. The plan is located at: [http://longislandsoundstudy.net/wp-content/uploads/2011/10/management\\_plan.pdf](http://longislandsoundstudy.net/wp-content/uploads/2011/10/management_plan.pdf) (accessed August 2016).

## **Recreation Plans**

### **Connecticut River Recreation Management Plan (2009)**

The Connecticut River Recreation Management Plan represents an updated and expanded discussion of recreation-related issues raised in the 1997 Connecticut River Corridor Management Plan. The 1997 plan, created by the Connecticut River Joint Commissions (CRJC) in cooperation with their five local subcommittees, fulfills the requirements of RSA 483, the New Hampshire Rivers Management and Protection Act. Focusing

on recreation issues of river-wide significance in New Hampshire and Vermont, this overview is based upon discussions by the Connecticut River Joint Commissions (CRJC) and its five local river management advisory subcommittees for the Headwaters, Riverbend, Upper Valley, Mount Ascutney, and Wantastiquet regions. Each region created its own distinct plan, yet many of the same themes emerge and are reflected in CRJC's overview of the issues and opportunities that are important throughout the Connecticut River valley. The Commissions consulted a wide range of studies and findings for this document, including the most recently completed Comprehensive Statewide Outdoor Recreation Plans for New Hampshire and Vermont. The plan is available online at: [http://www.crjc.org/pdffiles/Connecticut\\_River\\_Rec\\_Management\\_Plan-Web.pdf](http://www.crjc.org/pdffiles/Connecticut_River_Rec_Management_Plan-Web.pdf) (accessed August 2016).

## Statewide Comprehensive Outdoor Recreation Plans (SCORP)

The Federal Land and Water Conservation Fund (LWCF) program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. The program is intended to create and maintain a nationwide legacy of high quality recreation areas and facilities and to stimulate non-federal investments in the protection and maintenance of recreation resources across the United States. The SCORP satisfies a requirement of (LWCF) that each state have an approved SCORP on file with the National Park Service (NPS) in order to participate in the LWCF program. It also typically fulfills each state's own statutory requirement that there be an outdoor recreation planning program. The four states within the Connecticut River's watershed all have SCORPs:

- Connecticut Statewide Comprehensive Outdoor Recreation Plan (2011-2016)
- [http://www.ct.gov/deep/lib/deep/outdoor\\_recreation/scorp/scorp\\_2011\\_webversion.pdf](http://www.ct.gov/deep/lib/deep/outdoor_recreation/scorp/scorp_2011_webversion.pdf) (accessed August 2016)
- Massachusetts Statewide Comprehensive Outdoor Recreation Plan (2012)
- <http://www.mass.gov/eea/docs/eea/dcs/draft-scorp.pdf> (accessed August 2016)
- New Hampshire Statewide Comprehensive Outdoor Recreation Plan (2013-2018) <http://www.nhstateparks.org/about-us/division/reports.aspx> (accessed August 2016)
- Vermont Statewide Comprehensive Outdoor Recreation Plan (2005-2009) Vermont Comprehensive Wildlife Conservation Strategy (2005): (available at refuge headquarters)

## Other Regional Information Sources

We also consulted the plans and resources below as we refined our management objectives and strategies, especially those with a local context (all accessed August 2016 unless noted otherwise).

### Connecticut

The Connecticut Statewide Forest Resource Plan 2004-2013: <http://www.ct.gov/deep/cwp/view.asp?Q=322794>

### Massachusetts

Applicable District Forest Resource Management Plans from the Massachusetts Department of Conservation and Recreation: <http://www.mass.gov/eea/agencies/dcr/conservation/forestry-and-fire-control/forest-management-planning.html>

### New Hampshire

New Hampshire Forest Resources Plan: <http://www.nhdfl.org/library/pdf/NHFRP01.pdf>

White Mountain National Forest Plan:  
<http://www.fs.usda.gov/whitemountain>

Connecticut Lakes Natural Area Stewardship Plan: (available at refuge headquarters)

**Vermont**

Green Mountain National Forest Plan:

*[http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5334042.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5334042.pdf)*

The Vermont Division of Forestry, Forest Resource Plan 1999-2008: (available at refuge headquarters). The 2010 plan is available: *[http://fpr.vermont.gov/forest/vermonts\\_forests/action\\_plan](http://fpr.vermont.gov/forest/vermonts_forests/action_plan)* (accessed September 2016)

Vermont Department of Forests, Parks, and Recreation Management Plan for the Former Champion Lands: (available at refuge headquarters)

**Connecticut River**

Connecticut River Joint Commissions, Connecticut River Management Plan: *<http://www.crjc.org/corridor-plan/plan-TOC.html>*

The Nature Conservancy's Connecticut River project: *<http://www.nature.org/wherewework/northamerica/states/connecticut/preserves/art22544.html?src=search>*

Trust for Public Lands, Connecticut River Program:

*<http://www.tpl.org/what-we-do/where-we-work/massachusetts/connecticut-river.html>*

**New England**

Northern Forest Canoe Trail plan; available online at: *<http://www.northernforestcanoetrail.org/>*

Appalachian Trail, National Park Service, Strategic Plan and other resources: *[http://www.nps.gov/appa/naturescience/upload/AT\\_Resource\\_Management\\_Plan\\_Ch\\_1.pdf](http://www.nps.gov/appa/naturescience/upload/AT_Resource_Management_Plan_Ch_1.pdf)*

Connecticut River Watershed Council, Inc., The Connecticut River Boating Guide: Source to Sea, 2007  
*<http://ctriver.org/publications>*



## Appendix N



Maddie List/USFWS

*Great Falls Discovery Center*

## List of Partnerships

- **Federal Agencies**
- **Multi-agency and Organization Groups**
- **State of Connecticut Agencies**
- **State of Massachusetts Agencies**
- **State of New Hampshire Agencies**
- **State of Vermont Agencies**
- **Towns and Local Governments**
- **Non-governmental Conservation Organizations and Groups**
- **Recreational Groups**
- **Environmental Education Groups and Centers**
- **Academic Institutions**
- **Refuge Friends Groups**



Partnerships are the foundation of all the Silvio O. Conte National Fish and Wildlife Refuge's conservation, recreation, and education work. By collaborating with others, our efforts are more effective and have longer lasting and greater positive impacts on the Connecticut River watershed's rich natural, cultural, and economic resources. Together, we can also offer a greater range of nature-based recreational and environmental education opportunities. This appendix lists some of the partners that the Silvio O. Conte Refuge works with to achieve our mutual conservation, recreation, and education goals. This list is not meant to be exhaustive, but rather to highlight the extent and importance of the network of conservation partnerships that exists in the Connecticut River watershed. Many additional partnerships were suggested to us during the review period on the draft. We look forward to exploring those new relationships. Finally, we apologize to any groups that may have been inadvertently left off this list.

## Federal Agencies

- Green Mountain National Forest  
*<http://www.fs.usda.gov/greenmountain>*
- National Park Service  
*<http://www.nps.gov/index.htm>*
- U.S. Department of Agriculture – National Resources Conservation Service  
*<http://www.nrcs.usda.gov/>*
- U.S. Department of Agriculture – U.S. Forest Service  
*<http://www.fs.fed.us/>*
- U.S. Army Corps of Engineers  
*<http://www.usace.army.mil/>*
- U.S. Department of Commerce – National Oceanic and Atmospheric Administration  
*<http://www.noaa.gov>*
- U.S. Department of Transportation  
*<http://www.dot.gov/>*
- U.S. Department of Defense  
*<http://www.defense.gov/>*
- U.S. Geological Survey  
*<http://www.usgs.gov/>*
- White Mountain National Forest  
*<http://www.fs.usda.gov/whitemountain>*

## Multi-agency and Organization Groups

- Connecticut River Atlantic Salmon Commission  
*<https://www.fws.gov/r5crc/who/crasc.html>*
- Cooperative Invasive Species Management Areas Partnerships  
*[https://www.fws.gov/refuge/Silvio\\_O\\_Conte/what\\_we\\_do/invasivespartners.html](https://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/invasivespartners.html)*
- Connecticut River Joint Commissions  
*<http://www.crjc.org/>*

- North Atlantic Landscape Conservation Cooperative  
<http://www.northeastatlanticlcc.org/>
- Connect the Connecticut Landscape Conservation Design Partnership  
<http://connecttheConnecticut.org>
- Northeast Climate Science Center  
<http://www.doi.gov/csc/northeast/index.cfm>

### **State of Connecticut Agencies**

- Department of Energy and Environmental Protection  
<http://www.ct.gov/deep/>
- Connecticut Agricultural Experiment Station  
<http://www.ct.gov/caes/>

### **State of Massachusetts Agencies**

- Massachusetts Department of Fish and Game  
<http://www.mass.gov/eea/agencies/dfg/>
- Massachusetts Department of Conservation and Recreation  
<http://www.mass.gov/eea/agencies/dcr/>
- Massachusetts Department of Agricultural Resources  
<http://www.mass.gov/eea/agencies/agr/>

### **State of New Hampshire Agencies**

- New Hampshire Fish and Game  
<http://www.wildlife.state.nh.us/>
- New Hampshire Bureau of Trails  
<https://www.nhstateparks.org/about-us/Trails/>
- New Hampshire Department of Agriculture, Markets and Food  
<http://agriculture.nh.gov/>
- New Hampshire Department of Environmental Services  
<http://des.nh.gov/>

### **State of Vermont Agencies**

- Vermont Fish and Wildlife Department  
<http://www.vtfishandwildlife.com/>
- Vermont Agency of Natural Resources  
<http://anr.vermont.gov/>

### **Towns and Local Governments**

- Connecticut River Gateway Commission  
<http://www.ctrivergateway.org/>
- Essex County Natural Resources Conservation District  
<http://www.vacd.org/conservation-districts/essex-county>



- Lower CT River Valley Council of Governments  
*<http://www.rivercog.org/>*
- Local conservation commissions throughout the watershed
- Town selectboards and municipal governments in towns and cities with refuge lands

### **Non-governmental Conservation Organizations and Groups**

- Audubon Connecticut  
*<http://ct.audubon.org/>*
- Center for Northern Forest Research  
*<http://cnfr.us/index.php>*
- Connecticut River Watershed Council  
*<http://www.ctriver.org/>*
- Farmington River Watershed Association  
*<http://frwa.org/>*
- Harvard Forest  
*<http://harvardforest.fas.harvard.edu/>*
- Highstead Foundation  
*<http://highstead.net/>*
- Linking Lands Alliance  
*<https://www.facebook.com/Linking-Lands-Alliance-175078792554303/>*
- Lower Farmington River/Salmon Brook Wild and Scenic River  
*<http://lowerfarmingtonriver.org/>*
- Massachusetts Audubon Society  
*<http://www.massaudubon.org/>*
- Monadnock Conservancy  
*<http://www.monadnockconservancy.org/>*
- National Wildlife Refuge Association  
*<http://refugeassociation.org/>*
- New England Wildflower Society  
*[www.newenglandwild.org/](http://www.newenglandwild.org/)*
- NH Audubon  
*<http://www.nhaudubon.org/>*
- NH Timberland Owners Association  
*<http://www.nhtoa.org/>*
- Northeast Kingdom Audubon  
*<http://nekaudubon.net/>*
- Orange County Headwaters Project  
*<http://orangecountyheadwaters.org/>*
- Park Watershed, Connecticut  
*<http://www.parkwatershed.org/>*

## *Recreational Groups*

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- Quabbin to Cardigan Collaborative  
*<http://q2cpartnership.org/>*
- Society for the Protection of New Hampshire Forests  
*<http://www.forestsociety.org/>*
- The Conservation Fund  
*<http://www.conservationfund.org/>*
- The Nature Conservancy  
*<http://www.nature.org/>*
- The Trust for Public Land  
*<http://www.tpl.org/>*
- The Trustees of Reservations  
*<http://www.thetrustees.org/>*
- Trout Unlimited  
*<http://www.tu.org/>*
- Upper Valley Land Trust  
*<http://www.uvlt.org/>*
- Upper Valley Trail Alliance  
*<http://www.uvtrails.org/>*
- Vermont Land Trust  
*<http://www.vlt.org/>*

## **Recreational Groups**

- Appalachian Mountain Club  
*<http://www.outdoors.org/>*
- Connecticut River Paddlers' Trail  
*<http://www.connecticutriverpaddlerstrail.org/>*
- Putney Mountain Association  
*<http://www.putneymountain.org/>*
- Northern Forrest Canoe Trail  
*<http://www.northernforestcanoetrail.org/>*
- Vermont Association of Snow Travelers  
*<http://www.vtvast.org/>*

## **Environmental Education Groups and Centers**

- Great Falls Discovery Center  
*<http://greatfallsdiscoverycenter.org/>*
- Great Northwoods Visitor Center  
*[http://www.fws.gov/r5soc/come\\_visit/great\\_northwoods\\_center.html](http://www.fws.gov/r5soc/come_visit/great_northwoods_center.html)*
- Montshire Museum of Science  
*<http://www.montshire.org/>*

- Northwoods Stewardship Center  
<http://www.northwoodscenter.org/>
- Siskin Ecological Adventures  
<http://siskinea.org/>
- Springfield Museums  
<http://www.springfieldmuseums.org/>
- Vermont Institute of Natural Science  
<http://www.vinsweb.org/>

### **Academic Institutions**

- Mount Holyoke College  
<https://www.mtholyoke.edu/>
- Smith College  
<http://smith.edu/>
- University of Connecticut  
<http://www.uconn.edu/>
- University of Maine  
<http://www.umaine.edu/>
- University of Massachusetts  
<http://www.umass.edu/>
- University of New Hampshire  
<http://www.unh.edu/>
- University of Vermont  
<http://www.uvm.edu/>
- Westfield State University  
<http://www.westfield.ma.edu/>

### **Refuge Friends Groups**

- Friends of the Connecticut River Paddlers Trail
- Friends of Fort River
- Friends of Great Falls Discovery Center
- Friends of the Nulhegan Basin
- Friends of Pondicherry Wildlife Refuge
- Friends of Roger Tory Peterson Unit
- Friends of Salmon River
- Friends of Silvio O. Conte National Fish and Wildlife Refuge (and its 70 member organizations)





## Appendix 0



Patrick Comins

*Immature bald eagle*

# Service's Response to Public Comments on the Silvio O. Conte National Fish and Wildlife Refuge Draft CCP/EIS

- Introduction
- Summary of Comments Received
- Service's Response to Comments by Subject
- Cross-reference of Comment Submitter Names, their Unique Identifying Number, and any Organization or Affiliation They Self-Identified

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## Introduction

In August 2015 the U.S. Fish and Wildlife Service (Service, USFWS, FWS, we, our) released for public review the draft comprehensive conservation plan and environmental impact statement (draft CCP/EIS) for Silvio O. Conte National Fish and Wildlife Refuge (NFWR, refuge). The draft CCP/EIS outlined four alternatives for managing the refuge. Alternative C was identified as the “Service-preferred alternative.”

We released the draft CCP/EIS for 90 days of public review and comment from August 18 to November 16, 2015. During the comment period we hosted 14 public information meetings in towns across the Connecticut River watershed (watershed) and four public hearings; one in each of the four States in the watershed. We evaluated all the letters and e-mails sent to us during the comment period, along with comments recorded at our public hearings. This document summarizes all of the substantive comments we received and provides our responses to them.

Based on our analysis in the draft CCP/EIS and our evaluation of those comments, we have modified alternative C, which remains our preferred alternative in the final CCP/EIS. Our modifications include additions, corrections, clarifications and changes to our preferred management action (see table O.1). We have also determined that none of those modifications warrants our publishing a revised or amended draft before publishing the final CCP/EIS.

## Summary of Comments Received

We received over 360 correspondences from over 300 separate commenters, including Federal and State agencies, local municipalities and town committees, organizations, and individuals. These comments came in the form of postings on the website *regulations.gov*, or were provided as oral testimony at public hearings. We also received one petition with over 2,546 signatures. From these written and oral submissions, we distinguished over 1,770 individual comments.

The diversity of sources who share comments is displayed on the following lists. The numbers in parentheses represent the unique identifier we assigned for each commenter (Also, see table O.2 page O-89). Some agencies or organizations have multiple numbers listed because different individuals representing those agencies or organizations provided comments.

We received comments from the following Federal and State agencies, elected officials, and town departments or committees:

- Ashuelot River Local Advisory Committee, New Hampshire (ARLAC) (279)
- Board of Governors of Unified Towns and Gores, Vermont (237)
- Chesterfield Select Board, Massachusetts (188)
- Columbia Planning Board, New Hampshire (71)
- Connecticut Department of Energy and Environmental Protection (CTDEEP; 180)
- Connecticut River Gateway Commission (303; 313)
- Environmental Protection Agency (301)
- Granby Board of Selectmen, Connecticut (30)
- Jefferson Conservation Commission, New Hampshire (213)
- Mascoma River Local Advisory Committee (MRLAC), New Hampshire (79)
- Massachusetts Department of Conservation and Recreation (MDCR; 278)
- National Park Service (NPS; 189; 241)
- New Hampshire Department of Resources and Economic Development, Parks and Recreation, Bureau of Trails (NH DRED; 127)
- Town of Alstead Board of Selectmen, New Hampshire (261)
- Town of Bloomfield, Connecticut (133)
- Town of Brighton Selectboard, Vermont (91)
- Town of Canaan, New Hampshire (271)
- Town of Columbia, Board of Selectmen, New Hampshire (67; 294)
- Town of Marlow, Board of Selectmen, New Hampshire (300)
- Town of Montague, Massachusetts (234)
- Town of Randolph Conservation Commission, NH (182)
- Town of Simsbury Conservation Commission, Connecticut (316)
- Two Rivers-Ottauquechee Regional Commission (TRORC), Vermont (139)
- U.S. Forest Service (USFS; 306)
- Vermont Fish and Wildlife Department (VFWD; 252)
- Vermont Representative, Paul Lefebvre (197)
- West Fairlee Center Conservation Commission, Vermont (176)
- Winchester Conservation Commission, Vermont (269)
- Windham Regional Commission, Vermont (66)

We also received comments signed by representatives from the following organizations:

- Appalachian Mountain Club (297)
- Audubon Connecticut (90; 120)
- Audubon Society of New Hampshire (122)
- Biocitizens School of Environmental Philosophy (147)
- Canaan Conservation Commission, New Hampshire (78)
- Center for Biological Diversity (215)
- Champion Lands Leaseholders and Traditional Interests Association (CLLTIA; 167)
- Connecticut Chapter of Delta Waterfowl Foundation (200)
- Connecticut Land Conservation Council (243)
- Connecticut River Joint Commissions Headwaters Subcommittee (38)
- Connecticut River Joint Commissions Mt. Ascutney Subcommittee (39)
- Connecticut River Joint Commissions Riverbend Subcommittee (40)
- Connecticut River Joint Commissions Upper Valley Subcommittee (41)
- Connecticut River Watershed Council (CRWC; 102; 119; 257)
- Delta Waterfowl (107)
- Friends of Connecticut River Paddlers' Trail (250)
- Friends of Pondicherry (135)
- Friends of Silvio O. Conte Refuge (Friends of Conte Refuge; 210)
- Granite State Division of the Society of American Foresters (72)
- Great Meadows Conservation Trust, Inc. (272)
- Green Mountain Animal Defenders (170)
- Hanover Conservancy (88)
- Kestrel Land Trust (101)
- Kestrel Land Trust Advisory Council (175)
- Lower Farmington River and Salmon Brook Wild and Scenic Study Committee (259)
- Massachusetts Audubon Society (Mass Audubon; 83; 174)
- Massachusetts Forest and Park Friends Network (149)
- Matabeseck Audubon Society (99)
- Middlesex Land Trust, Inc. (315)
- New England Forestry Foundation (NEFF; 3)
- New Hampshire Association of Conservation Districts (238)
- New Hampshire Farm Bureau Federation (172)
- New Hampshire Timberland Owners Association (NHTOA; 244; 293)
- Northern Forest Canoe Trail (242)
- Park Watershed (246)
- Protect Our Wildlife (124)
- Protect Our Wildlife Vermont; The Humane Society of the United States (125)
- Putney Mountain Association (217)
- Safari Club International (152)
- Salmon River Watershed Partnership (317)
- Sierra Club, Massachusetts Chapter (68)
- Society for the Protection of New Hampshire Forests (SPNHF; 196)
- The Connecticut Yankee Conservation Project (184)
- The Eightmile River Wild & Scenic Coordinating Committee (162)
- The Farmington River Watershed Association (117)
- The Haddam Neck Spirit (221)
- The Nature Conservancy (TNC; 160; 183; 245)
- The Nature Conservancy, New Hampshire Chapter (220)
- The Windmill Hill Pinnacle Association (267)
- Trustee of Bliss Lane Realty Trust and Bear Hill Conservancy Trust (264)
- Upper Valley Trails Alliance (153)
- Vermont Association of Snow Travelers, Inc. (VAST; 31; 298)
- Vermont Chapter of the Sierra Club (233)
- Vermont Federation of Sportsmen's Clubs (58)
- Vermont Forest Products Association (32)
- Vermont Humane Federation (140)
- Vermont River Conservancy; Friends of Connecticut River Paddlers' Trail (251)
- Vermont Traditions Coalition (223)
- Vermont Trappers Association (47; 48)

We also received comments signed by representatives from the following businesses:

- Durgin and Crowell Lumber Co. (226)
- Ecological Connections (198)
- Ennead Architects AIA (59)
- G. H. Evarts & Co., Inc. (114)
- Graystone Landing Tree Farm (73)
- Green Mountain Forestry LLC (143)
- Green Woodlands (137)
- HPP Inc. (103)
- King Forest Industries, Inc. (181)
- Precision Lumber, Inc. (263)
- Wagner Forest Management, Ltd. (87)



We have prepared table O.1 which reflects the primary issues identified during the comment period and indicates if and how our preferred alternative changed as a result of our review of the comments and information provided. This table is followed by a detailed summary of the comments and our responses.

<b>Table O.1. Highlights of Changes between Silvio O. Conte NFWR Draft and Final CCP/EIS under the Service-preferred Alternative C</b>			
<b>Topic</b>	<b>Proposal under Alternative C in Draft CCP/EIS</b>	<b>Proposal under Alternative C in Final CCP/EIS</b>	<b>Where in Document to Reference Change</b>
Conservation Partnership Areas (CPAs)	<ul style="list-style-type: none"> <li>Identified 17 CPAs across the watershed to strategically locate where Refuge staff would support partners' conservation efforts.</li> </ul>	<p><b>Change:</b></p> <ul style="list-style-type: none"> <li>Added 2 new CPAs (e.g. total of 19 CPAs).</li> <li>Increased 5 CPAs.</li> <li>Reduced 1 CPA.</li> </ul>	Chapter 4, description of alternative C, and Appendix C—Land Protection Plan (LPP).
Conservation Focus Areas (CFAs) (e.g. proposed refuge acquisition areas)	<ul style="list-style-type: none"> <li>Identified 22 CFAs across the watershed to define where the Service is seeking to expand the refuge's acquisition authority in support of priority conservation objectives.</li> <li>CFAs establish discrete, definable refuge land acquisition areas, where we will work with willing sellers only.</li> </ul> <p><b>Proposed refuge expansion: 99,466</b></p>	<p><b>Change:</b></p> <ul style="list-style-type: none"> <li>Updated maps and acreages to account for refuge acquisitions since 2013, and to reflect updated conservation land base (TNC 2014).</li> <li>Increased one CFA, and Salmon Brook CFA (Connecticut) was replaced by Muddy Brook CFA (Connecticut).</li> </ul> <p><b>Proposed refuge expansion: 99,507</b></p>	Chapter 4, description of alternative C, and Appendix C.
Land Acquisition Process	<ul style="list-style-type: none"> <li>Continue Service policy to only acquire an interest in land (fee or easement) from willing sellers when there is an agreement on terms and price, and funding is available, or from owners wanting to donate land.</li> <li>We will not use eminent domain to acquire land.</li> <li>Private landowner retains all private rights if they do not want to sell; or, they can sell to whomever they choose.</li> </ul>	<p><b>Change:</b></p> <ul style="list-style-type: none"> <li>Included proposal to acquire 90% of acreage, on average, in CFAs, and 10% in surrounding CPAs consistent with criteria identified in proposed LPP.</li> <li>Total acquisition authority increased by 41 acres as noted above.</li> </ul>	Appendix C.
Relationship to <i>Connect the Connecticut</i> (CTC) Landscape Conservation Design	<ul style="list-style-type: none"> <li>The CTC collaborative partnership landscape conservation design project was in development when draft plan was published.</li> <li>CTC goal is to work with partners, identify priority areas for conserving ecosystems and species in the watershed, and implement strategies to sustain them.</li> </ul>	<p><b>Change:</b></p> <ul style="list-style-type: none"> <li>Included results of final CTC into proposed LPP for the refuge.</li> <li>Added example of how CFAs overlay with the final CTC priority core and connector areas.</li> </ul>	Appendix C.
Priority Public Uses	<ul style="list-style-type: none"> <li>Continue existing priority public uses.</li> <li>Priority public uses are supported on all refuge divisions.</li> <li>Pre-acquisition CDs will continue to allow priority public uses to continue where they occurred prior to acquisition.</li> </ul>	<p><b>No Change:</b></p> <ul style="list-style-type: none"> <li>Continued to allow priority public uses on newly acquired lands where it was already occurring and found compatible. We plan to complete detailed step-down plans (e.g. Hunting and Fishing Plans).</li> </ul>	Appendix D—Findings of Appropriateness (FOAs) and Compatibility Determinations (CDs).
Other Public Uses	<ul style="list-style-type: none"> <li>Trapping will continue on Nulhegan Basin Division.</li> <li>Proposal to eliminate two miles of snowmobile trail on Nulhegan Basin Division.</li> <li>Allow bicycling on open refuge roads on Nulhegan Basin Division.</li> <li>No mention of recreational drone use.</li> </ul>	<p><b>Change:</b></p> <ul style="list-style-type: none"> <li>Propose to eliminate only one mile of snowmobile trail, and keep one mile of a critical trail link on Nulhegan Basin Division.</li> <li>Determined the use of recreational drones is not appropriate.</li> </ul>	Appendix D.
Habitat Management	<ul style="list-style-type: none"> <li>Step-down habitat management plans (HMPs) will provide details on specific management actions.</li> <li>Appendix A provides habitat objectives and identifies focal species and habitats by CFA.</li> </ul>	<p><b>No Change:</b></p> <ul style="list-style-type: none"> <li>Further emphasized that development of each division-specific HMP will follow a National Environmental Policy Act (NEPA) compliant process, including public involvement.</li> </ul>	Chapter 4, goal 1, and Appendix A—Resources Overview and Management Direction for Conservation Focus Areas and Refuge Units.

## Service's Response to Comments by Subject

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In the discussions below, we address and respond to the substantive comments we received. Generally, a substantive comment meets at least one of the following criteria:

- It challenges the accuracy of information presented.
- It challenges the adequacy, methodology, or assumptions of our analysis and supporting rationale.
- It presents new information relevant to the analysis.
- It presents reasonable alternatives, including mitigation, other than those presented in the document.

In order to facilitate our responses, we grouped similar comments together and organized them by subject heading. Directly beneath each subject heading, you will also see a list of unique letter identification (ID) numbers. Table O.2 at the end of this appendix relates each letter ID number to the name of the individual, agency, or organization that submitted the comment.

In several instances, we refer to specific text in the draft CCP/EIS and indicate how the final CCP/EIS was changed in response to comments. The full versions of both the draft CCP/EIS and the final CCP/EIS are available online at:

[http://www.fws.gov/refuge/Silvio\\_O\\_Conte/what\\_we\\_do/conservation.html](http://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/conservation.html) (accessed December 2016).

You may view hard copies or obtain copies on CD-ROM of the final CCP/EIS by contacting staff at either of the refuge offices below:

Silvio O. Conte NFWR Headquarters  
103 E. Plumtree Road  
Sunderland, MA 01375  
Phone: 413-548-8002  
Fax: 413-548-9725

Silvio O. Conte NFWR, Nulhegan Basin Division Office and Visitor Contact Station  
5396 Rte. 105  
Brunswick, Vermont 05905  
Phone: 802-962-5240  
Fax: 802-962-5006

## Service's Response to Comments by Subject

**General Comments (not specific to proposed alternatives)** (ID#s 13, 20, 29, 38, 45, 51, 53, 59, 60, 61, 68, 75, 76, 83, 85, 92, 99, 100, 102, 106, 107, 117, 119, 122, 130, 131, 132, 135, 139, 149, 151, 152, 176, 180, 183, 189, 195, 196, 210, 220, 225, 230, 243, 246, 250, 251, 252, 257, 265, 269, 277, 286, 289, 297, 301, 303, 306, 308, 309, 313, 314, 315)

### Miscellaneous General Statements

**Comment:** Some commenters mention the great strides in improving water quality in the watershed over the past 60 years and express the importance of maintaining it. One commenter mentions that when she was a child "...you used to see the dyes pouring down the river from the paper factories...we couldn't eat the fish because they were covered with sores or cankers. You never swam in the river...Now I can boat...and fish... and scuba dive." Some attribute the improvements to increased land conservation, including the contributions of Conte Refuge, while others believe those improvements pre-date the refuge. One person states, "... a lot of it [improved water quality] is due to legislation that was passed long before the Silvio O. Conte ever arrived and a lot of it has to do with private landowners doing what's right in conjunction with better education brought by such groups as NRCS and State agencies. It has nothing to do with the Feds outside the Clean Water Act."

**Response:** We concur that sustaining clean water in the watershed is an essential component of protecting natural resources and recreational opportunities in the region. Due to the size and extent of the watershed, the work to maintain water quality involves many Federal and State agencies, private landowners, and non-governmental organizations within the watershed. No one entity has enough resources, or owns enough land, to affect significant change alone. It is only by working cooperatively can additional improvements continue. The Service, through Conte Refuge and other programs, is working

hard to facilitate and contribute to that cooperation and continued accomplishments through partnerships such as those with the States, Natural Resources Conservation Service (NRCS), other Federal agencies, private landowners, and a myriad of others identified in appendix N.

**Comment:** We heard from commenters who appreciate national wildlife refuges and the role they play nationally and regionally in conserving species and habitat. One individual states, "I think of our refuges as banks. These are the places where every single American owns a piece of the land. And, we should be happy we are "saving" for future generations what would be quickly lost if we didn't put the habitat and the species first and our human needs second."

Others express support for Conte Refuge specifically, and the work the staff have been doing. The benefits the refuge provides by protecting natural resources, including those threatened by climate change, protecting cultural resources and viewsheds, and supporting traditional public recreation are mentioned. One individual expresses, "I enthusiastically support the Conte Refuge and the excellent work the USFWS has been doing to assemble property for conservation. The Connecticut River watershed extends through 4 States and beyond, and only a Federal agency can provide the perspective and resources necessary to pursue this ambitious and far-sighted endeavor." Another says, "The concept of a landscape-scale wildlife refuge provides a secure future for flora, fauna, and people as well." The CRWC states, "CRWC supports the Conte refuge as a concept and as an on-the-ground reality. Over the years since its founding, CWRC has seen the positive impacts of the refuge and those impacts on the river, the watershed, and the species that depend on the river."

**Response:** We appreciate the acknowledgement that the network of national wildlife refuges are an important national resource with many conservation, cultural, and recreational resource values to be enjoyed by present and future generations of the American public. The Conte Refuge staff work hard to make a significant contribution to that national network, and to the regional landscape that comprises the watershed.

**Comment:** Some commenters recognize the extensive effort involved in developing the draft CCP/EIS. One person states, "The scope and scale of this planning effort is remarkable, and USFWS has produced an excellent draft CCP." Another writes, "I was impressed by the amount of information available to the reader about the watershed, the refuge, and the constraints and opportunities afforded the U.S. Fish and Wildlife Service to be a significant contributor to the health and vitality of the Connecticut River Watershed." Others express general support for the draft plans four stated goals. One person states, "Regarding the four goals, they are well-founded." Another states, "All of these goals are important to our region and the larger Connecticut River watershed." Mass Audubon states they are "...committed to working independently and with its many partners to support the goals of the CCP, while recognizing the need for increased public support and funding for the many actions proposed in the plan." The Audubon Society of New Hampshire states, "The unique mission, scope, and extent of the Conte NWR present distinct challenges for planning and management alike. We believe that the draft CCP/EIS meets those challenges admirably."

**Response:** We appreciate the recognition that the draft CCP/EIS was a significant undertaking and that readers found the document informative and complete.

**Comment:** Some people identify typographical errors, recommend minor changes to text, note factual errors, or request clarifications for the final CCP/EIS. An example of a minor change to text is Audubon Society of New Hampshire's suggestion that we slightly revise the first sentence in our vision statement to read "... diverse aquatic and terrestrial plant and animal life...". They also recommend listing a few different bird species in chapter 3 in our descriptions of what birds are associated with particular habitat types. Another individual suggests we change the term "woody debris" to "woody material", or "woody habitat." An example of a factual error was brought to our attention by the National Park Service who noted we did not identify correctly the number of National Natural Landmarks in the watershed.

**Response:** All typographical errors brought to our attention have been corrected in the final CCP/EIS. Any of the suggested text changes and recommendations for clarifications were also made in the final plan if they are consistent with our proposal and did not alter our management intent. We also fixed the factual errors brought to our attention. None of the text changes or factual error corrections affected our analysis or conclusions in the final plan.

**Planning Process** (ID#s 1, 4, 24, 31, 32, 35, 39, 42, 53, 62, 72, 81, 82, 94, 103, 109, 113, 119, 123, 129, 141, 156, 157, 161, 166, 167, 172, 178, 180, 202, 214, 222, 223, 232, 237, 238, 239, 250, 252, 260, 261, 280, 293, 300, 305) (also see "Socioeconomic Impacts" discussion)

### Public Involvement

**Comment:** Some commenters criticize that the Service did not engage local communities and their elected officials, or affected landowners, user groups, and other stakeholders, during the planning process. They suggest that we start the planning process over with fuller engagement. One commenter expressed, "I am personally outraged that this initiative is being rushed through without full disclosure and input from the people who live in the communities most greatly affected by this proposed expansion." Another commenter states, "Poor stakeholder outreach...has hurt the transparency and credibility of this planning process."

**Response:** We understand the concerns expressed that we did not reach out to every individual or organization that is affected or may be interested in our proposal. However, in our experience with these types of proposals, despite early outreach in the planning process (e.g. scoping), we usually receive little interest to engage in the process from the public until we have a draft plan to present.

Chapter 6 in the draft and final plans details the consultations and coordination we conducted during the planning process. We initiated our planning process with an October 2006 notice in the *Federal Register* and by sending email notifications out to over 1,000 people, municipalities, agencies, and organizations announcing the launch of our planning process. In addition, we hosted 25 public scoping meetings in 2007 and 2008, which were advertised in local media throughout the watershed. At those scoping meetings, we encouraged people to contact us if there were questions or concerns about the planning process, or to share an idea or recommendation.

We also made a concerted effort to announce the release our draft plan for a 90-day public comment period, and to advertise our 14 public meetings and 4 public hearings. A *Federal Register* notice was published in July 2015 announcing the availability of the draft plan for public comment. In addition, over 600 media outlets were contacted via email, and emails were sent to municipalities across the watershed and to all contacts on our mailing list. Many local organizations are represented on that mailing list, who in turn, reached out to their memberships. We also notified by mail over 3,000 affected property owners within our proposed Conservation Focus Areas (CFAs; defined in final CCP/EIS chapter 4). We sent a full set of the draft CCP/EIS documents to 34 towns within proposed CFAs and made personal calls to let them know of the comment period and upcoming public meetings. In addition, at the request of Senator Shaheen and Senator Ayotte, two additional public meetings were organized by the Senators in New Hampshire after the comment period closed to facilitate dialogue and the continued sharing of information about the refuge.

Each outreach method included Service contact information, and people were encouraged to contact Service staff to discuss the draft plan or planning process. The extent of our outreach on the draft plan exceeds that required by Service policy (Re: Service National Environmental Policy Act (NEPA) handbook at [https://www.fws.gov/r9esnepa/NEPA\\_HANDBOOK2.pdf](https://www.fws.gov/r9esnepa/NEPA_HANDBOOK2.pdf); accessed August 2016) and NEPA regulations. The Council on Environmental Quality (CEQ) regulations under NEPA (40 CFR 1506.10) require a minimum of 45 days for public review and comment on draft EISs. Our comment period was double that duration.

Finally, we state in chapter 4, under "Actions Common to All, Refuge Step-Down Plans" that further stepdown planning, including development of habitat management, visitors services, and hunting and fishing plans for each CFA would be developed if CFAs are approved. Those subsequent planning documents will follow a NEPA compliant process, including State agency, local community, and partner involvement.

**Comment:** We received comments that given the general nature of most goals and objectives in this plan, partners and other stakeholders should be consulted when creating the more detailed stepdown plans and preparing for implementation.



**Response:** We encourage involvement in our planning processes. As noted in our response directly above, as we develop stepdown plans, we will follow a NEPA compliant process, including State agency, local community, and partner involvement. The stepdown plans will provide more specific detail on the tools, techniques, and the location of management units.

**Comment:** Some commenters requested an extension of the 90-day public comment period, or request a new comment period be initiated. Once commenter states, "Given the length of the document and its analysis, the stakeholders did not have sufficient time to fully evaluate it and formulate comments...this was especially problematic for a number of town governments who meet on a periodic basis."

**Response:** We considered these requests when it was suggested during the comment period. However, as indicated in the response above, we felt that the 90-day comment period, which represents double the required comment period, coupled with the notifications, and the 14 public meetings and 4 public hearings we hosted in communities across the watershed, was adequate. In addition, we participated in 2 public meetings mentioned in our response above, organized by Senator Shaheen and Senator Ayotte in New Hampshire, were in response to requests from local elected officials and stakeholders providing an additional opportunity to listen to stakeholders.

We also wish to point out that we organized the document by geography, and provide an online version that was readily searchable. Those features we specifically incorporated to allow reviewers to save time and focus on what they deem most important.

**Comment:** Some commenters express concern about accepting comments on the draft plan from individuals and organizations who do not live and work in the area, or do not have experience or expertise in the topics they comment on. One commenter states, "If someone is not familiar with the land, then their comments should not be relevant to the planning process and decisions made about that land..." Another individual states, "The planning process allows for a lot of people to weigh in and comment on forest practices that don't know anything about logging and forestry, They don't know what they are talking about, don't have the education, expertise, or experience, yet they can affect what forest management gets done. They have the potential to impact good forest management practices." Further, one commenter is concerned about who will make the final decision. They state, "The decision should be left to the people in the local area. They know best how to manage their area...People in the local area should have more influence on the decisions..."

**Response:** We concur that the opinions of local stakeholders are very important, and we recognize they may be most directly impacted by our proposal. However, it is important to recognize that there are diverse opinions on land protection and management within communities in our proposal. We encourage commenters to read the comments we received, and the wide-ranging opinions expressed from respective geographic areas of interest, which are posted on our website at: [https://www.fws.gov/refuge/Silvio\\_O\\_Conte/what\\_we\\_do/conservation.html](https://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/conservation.html) (accessed August 2016). In many towns, we received both support for, and opposition to, our proposal. While local engagement is critical to our success, it is also important to recognize that national wildlife refuges are a national resource for the American people, all of whom are also stakeholders and deserve to be heard as well. Further, as we note in our response above, we will be engaged in extensive stepdown planning within individual CFAs should our proposal be approved. Many of those plans, such as habitat management, hunting and fishing, and visitor services plans, would include additional public involvement and are more site-specific.

**Comment:** Two people expressed frustration that they attempted to contact the Service during the public comment period on the draft plan and that emails and/or phone calls were not returned.

**Response:** We apologize for any contacts that were not responded to; however, we believe this is an exception. We made it a high priority to be available and responsive during the public comment period in 2015. Over 40 phone calls were returned, mostly to landowners interested in potentially selling their land should the plan be approved. A number of other calls were to stakeholders interested in more details on our public use proposals or our plans for forest management. In one case, the commenter left a voicemail giving a town office number to return the call to. We returned that call, but apparently the receptionist at the town office never passed along the message that we had called back. This was an unfortunate miscommunication.

**Comment:** Some commenters express the opinion that the planning process was a waste of taxpayer's money. Others state that they oppose all alternatives and we should start planning over and include all stakeholders.

**Response:** The development of CCPs is required for all national wildlife refuges by law and Service policy. Specifically, the 1997 Refuge Improvement Act states that “. . . the Secretary shall -- (i) propose a comprehensive conservation plan for each refuge or related complex of refuges . . . in the System; (ii) publish a notice of opportunity for public comment in the *Federal Register* on each proposed conservation plan; (iii) issue a final conservation plan for each planning unit consistent with the provisions of this Act and, to the extent practicable, consistent with fish and wildlife conservation plans of the State in which the refuge is located; and (iv) not less frequently than 15 years after the date of issuance of a conservation plan under clause (iii) and every 15 years thereafter, revise the conservation plan as may be necessary.” This law provides additional detail on conservation planning for the Refuge System. Service refuge planning policy (602 FW 1, 602 FW 3) provides additional details on how to implement this law (<https://www.fws.gov/policy/manuals/part.cfm?series=600&seriestitle=LAND%20USE%20AND%20MANAGEMENT%20SERIES>; accessed September 2016). Refuge Planning policy (602 FW3) requires compliance with NEPA.

### New Alternative

**Comment:** There were commenters supporting a new alternative that would include management of existing properties only.

**Response:** In our draft and final plans, in chapter 4 in the section titled “Alternatives or Actions Considered by Eliminated from Detailed Study”, we describe consideration of an alternative titled, “No additional refuge acquisition by the Service; partners would assume all future land protection.” We refer you to that section for the full discussion, however, our conclusion presented there is,

“In summary, we believe that eliminating the option of any further land acquisition from willing sellers for the refuge would be inconsistent with the legislative mandate in the Conte Refuge Act, significantly affect our ability to meet refuge purposes, and break commitments made in the 1995 FEIS to play a significant role in the watershed's conservation partnership.”

**Comment:** One commenter suggests that we consider an alternative that incorporates the concept of Conservation Partnership Areas (CPAs) and Conservation Focus Areas (CFAs) under current acquisition authority.

**Response:** The alternative described in the comment, working within our current acquisition authority and incorporating the concepts of CPAs and CFAs, is represented by alternative B. Chapter 4 of the draft and final CCP/EIS describes this in the section “Detailed Description of the Alternatives” in the description of alternative B.

### Stepdown Plans

**Comment:** Commenters expressed concern with our ability to complete subsequent stepdown plans given extensive costs and time associated with Federal NEPA requirements. A commenter suggests that this may be a reason to leave proposed actions in private stewardship. Other commenters feel that, when we do initiate stepdown planning, we need to engage local communities, partners, and affected landowners in those efforts.

**Response:** We appreciate the concern as to whether we will have funding and staffing levels to complete stepdown plans; it is an ambitious schedule. Our highest priority will be to complete our habitat management, hunting, and fishing stepdown plans by refuge division. We will look for efficiencies where possible. Each of those plans would require a NEPA compliant process, which would include State agency, local community, and partner involvement. When CCP planning is complete, we look forward to engaging in partnerships to plan and implement these step-down plan programs to benefit the most people over time.

**Laws, Policies, Mandates** (ID#s 4, 32, 45, 46, 53, 58, 82, 118, 123, 155, 167, 200, 223, 231, 237, 252, 260, 261, 299, 312)  
(also see "Hunting", "Fishing" and "Trapping" discussions)

### Federal Lands, Firearms, Access

**Comment:** One commenter referenced a New Hampshire State statute, stating that "The Federal Government is not allowed to own more than 2 percent of the total land area within the State of New Hampshire excepting the White Mountain National Forest and 5 percent of a town's tax base for its land holdings, Revised Statutes Annotated (RSA) 121:6"

**Response:** In acquiring and managing land for the refuge, we will comply with all applicable laws and regulations.

**Comment:** One commenter emphasized the importance for managing native fish in the watershed as these resources are expressly enumerated in the law authorizing the refuge, the Conte Refuge Act.

**Response:** We concur that native fish are a critical resource and a priority for Conte Refuge. Their importance to the watershed is the reason the refuge is designated a "National Fish and Wildlife Refuge", one of only three in the Refuge System. We detail their importance to our current and future management in goal 4, under objective 4.3 – Aquatic Species Protection, Restoration, and Management.

**Comment:** Several organizations, agencies, and individuals suggest that in order to maintain consistency across a State, we should allow hunting and fishing as per State regulations with no additional refuge-specific regulations. A few commenters suggest that not doing so has "...led to a strong undercurrent of distrust of the federal government..." Some note that the Green Mountain National Forest follows this practice of consistency with Vermont State regulations and it helps ensure uniform laws across the State. Another commenter States that in some instances, our hunting regulations should be more conservative in order to preserve wildlife resources.

One commenter notes that in addition to adding confusion, refuge-specific regulations would "fly in the face of the State Fish and Wildlife professionals by suggesting that their methods are something less." Another commenter suggests that State fish and wildlife agencies use, "...hunting and trapping to control carrying capacity – those are management tool – and I would hate to see a situation where hunting or trapping was eliminated from the arsenal of tools that our wildlife managers in the state have at their disposal."

**Response:** We generally follow State fish and wildlife regulations for hunting and fishing on Conte Refuge lands and we plan to continue that practice. We work closely with our counterparts in each of the four State fish and wildlife agencies and value their knowledge and experience. We take any variations from respective State regulations seriously, and in those few situations where we are more restrictive, we differ from the State for reasons related to public or environmental health and safety (e.g., not allowing shooting on roads presently open to vehicular travel, or in safety zones around popular hiking trails), or species conservation considerations (e.g., no access to avoid trampling where federally listed plants occur), or to implement Federal regulations that apply to all refuge lands (e.g., the prohibition on the possession of alcohol while hunting). In order to inform refuge-specific rules, we publish our refuge specific regulations annually in the *Federal Register*, and on Nulhegan Basin Division, we make available a brochure that covers allowed uses ranging from snowmobiling and boating to fishing and hunting. Our experience with implementing a hunting program at the Nulhegan Basin Division is that hunters return year after year; are very familiar with the refuge-specific regulations, and do not feel any inconvenience in following them.

**Comment:** The CLLTIA and others request that we rescind a regulation banning shooting from roads; that such an opportunity is especially important to accommodate older and mobility-impaired hunters, and that such activity has been allowed on adjoining State lands without an accident. VFWD states this is inconsistent with State law, which only restricts shooting on and near public highways. They recommend we remove this restriction.

**Response:** We have a responsibility to provide for public safety on refuge lands and ensure that visitors comply with safety requirements (50 CFR 25.71), and as such, may choose to support activities in a way that differs from our State partners. We maintain that shooting from, along, or across roads open to vehicular travel represents a safety issue. We encourage people to use these roads for vehicle, pedestrian, and bicycle access. While the refuge roads are not public highways, they are roads that are owned and maintained to provide access for a variety of permitted and encouraged public uses. It is for these reasons we do not allow shooting from, along, or across refuge roads.

We note in the final plan our intention is to allow bicycling on refuge roads also open to motor vehicles. However, we agree with the importance of considering the access needs of those who are mobility-impaired. That said, the Nulhegan Basin Division contains in excess of 20 miles of “winter” roads, grass roads, and skid trails related to former logging activities. These roads are gated and closed to vehicular travel and represent relatively level ground that should provide a similar form of walking accessibility as a gravel road. Our preferred alternative C proposes the continued maintenance of vegetation along the most promising segments of woods roads (mowing 1 mile annually) specifically to enhance seasonal access.

**Comment:** The Vermont Federation of Sportsmen's Clubs states that we should “maintain outdoors sporting activities as a “priority public use” as established by the 1997 National Wildlife Refuge (System) Improvement Act.”

**Response:** The Refuge Improvement Act lists hunting, fishing, photography, wildlife observation, environmental education, and interpretation, as wildlife-dependent priority public uses for the Refuge System. These uses are, by definition, appropriate uses of a national wildlife refuge. However, actual implementation is dependent upon a compatibility determination to ensure that the activity does not conflict with the purposes for which the refuge was established.

In the context of this comment, we assume “maintaining outdoors sporting activities as priority public uses” applies to hunting and fishing. We currently provide a wide range of hunting and fishing opportunities on refuge lands – and our proposal would likewise promote these activities on future acquisitions, pending a positive compatibility finding. In chapter 4, in the section titled “Actions Common to All Alternatives”, in the discussion under Service-preferred alternative C for goal 3 objectives 3.1 and 3.2, and in appendix D compatibility determinations, we describe our existing hunting and fishing programs. It is our intent to allow these activities to occur, where compatible, consistent with State regulations.

**Comment:** Several individuals share the same comment that weapons should be allowed on the refuge at all times.

**Response:** Based on a 2009 Federal law, firearms are allowed on refuge lands consistent with the respective State's laws. They are not, however, allowed in Federal facilities.

**Partnerships** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings) (ID#s 37, 83, 90, 101, 117, 119, 122, 136, 139, 153, 176, 180, 189, 200, 210, 220, 245, 250, 251, 259, 264, 267, 279, 281, 298, 303, 313, 315, 317)

### Support

**Comment:** We received many comments from individuals and organizations supporting our partnership approach to conserving natural and cultural resources in the watershed. One commenter captures what others said, “We will need effective and robust partnerships to ensure that this watershed remains a special place to live, work, and recreate within.” Another commenter mentions the importance of partnerships to “...leverage the resources of many other public and private entities.” Commenters expressed the importance of Conte Refuge as a conservation partner in the watershed because staff bring a Federal presence and can help coordinate, leverage, and streamline support by other Federal partners, especially USDA. Numerous suggestions were made for new partnerships to either protect a geographic area, to support an existing organization, or to support programs or initiatives. One commenter suggests we focus our efforts on connecting with established



local community partnerships, naming the King Arthur partnership, instead of creating new ones (e.g. Friends Groups), that cost time and money. Many of our current partners expressed their continued support.

**Response:** In the final CCP EIS chapter 1, we describe the history of establishing the refuge, including the recognition that the key to success in conserving natural resources in the watershed will only be attained through partnerships. We appreciate the support and suggestions for enhancing our partnerships throughout the watershed. The importance of those relationships is such a priority for our planning document that we developed goal 4 to highlight their significance. Goal 4 is detailed in chapter 4 under the section "Actions Common to Alternatives B, C, and D Only." Eleven objectives under goal 4 detail our priority actions. The encompassing goal statement is,

"Enhance the conservation, protection, and stewardship of natural and cultural resources, and promote wildlife-dependent recreation, throughout the Connecticut River watershed by initiating, supporting, and promoting partnerships with other Federal, State, and local agencies, Tribal governments, and private organizations."

We have reviewed the specific suggestions for partnerships and will be reaching out to those entities that are consistent with our refuge purposes, mission, and goals, and giving priority to those that are active within our CPAs. We identify those we have worked with in appendix N.

We agree that an important role we can serve is to facilitate, leverage, and streamline Federal agency cooperation and support for conservation action in the watershed. We do not assume the Service will have a lead role in all conservation activities. Rather, we would look to support our partner activities in CPAs and would offer our expertise where it would be most effective and efficient.

While a commenter suggests Friends Groups may not be necessary, we describe the vital role that they play in chapter 4 under goal 4. In particular, the Friends of Conte is an association of over 70 local, State, and national organizations from the conservation, education, recreation, and sustainable economic sectors. Their primary purpose is to provide a forum, foundation, and framework to promote partnerships.

**Comment:** Several commenters wrote us in support for regional water- and land-based trail initiatives and opportunities; however, there was a request for more detailed information in how Refuge staff will support these initiatives. One commenter noted that the ability to hike a nearby section of the New England National Scenic Trail provides an antidote to Nature Deficit Disorder.

**Response:** We recognize that we do not provide a lot of detail on how we would support specific regional trail initiatives. In part, that is due to our assumption that new regional trails may be developed in the future and we wanted our management direction to generally cover that possibility. In chapter 4 of the draft and final plans, in the section on "Actions Common to Alternatives B, C, and D," goal 3, objective 3.4, we describe our support for water-based and terrestrial-based regional trail initiatives. Under both the water- and terrestrial-based trail initiatives, we state,

"Work with partners and willing landowners to support compatible trail initiatives within the Connecticut River watershed that promote a conservation/land ethic and quality outdoor experiences for people of all abilities."

With regard to water-based trails, we identify actions such as working with partners to establish campsites and launches, and using the refuge website and other outreach efforts to promote trails and associated opportunities. The Connecticut River Paddlers Trail and the Northern Forest Canoe Trail are specifically mentioned. With terrestrial-based trails, we identify actions to assist in the long-term protection of trail continuity and quality by working with existing or prospective conservation owners to maintain trail and habitat connectivity. We would also support outreach efforts, including through our refuge website. The Appalachian National Scenic Trail and New England National Scenic Trail are specifically mentioned. Our support of these trail initiatives is not limited by what we describe in the final CCP/EIS. We encourage partners to identify other opportunities and look forward to working on those ideas.

## Volunteer Programs

**Comment:** We received comments on the importance of, and the need for increased support of, a volunteer program.

**Response:** We recognize the importance of a robust volunteer program in chapter 4 of the draft and final plans, under the section, "Actions Common to All Alternatives." In that section, we describe the program's significance as follows,

"Assistance by volunteers is recognized as key to successful management of public lands and vital to implementation of refuge programs, plans, and projects, especially in times of declining budgets. Working with volunteers builds personal and community relationships, and promotes a shared stewardship of refuges and their associated natural and cultural resources to be treasured and enjoyed by both present and future generations."

We will continue to support volunteers as a priority commensurate with our ability to adequately fund and coordinate a safe and meaningful program.

**Community Relations/Outreach** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 32, 66, 82, 119, 122, 167, 176, 180, 210, 223, 230, 237)

## General

**Comment:** We received comments related to the importance of including community leaders and planners in the implementation of landscape scale conservation, as planned by the refuge. One commenter notes the importance of sharing science to inform local decision-making. Other commenters express the need for the Service to reach out and engage all 396 watershed communities, not only those in CPAs, to ensure successful implementation of the Conte Refuge Plan and the landscape conservation design developed by the *Connect the Connecticut* partnership.

**Response:** In a previous response under "Planning Process", we noted the concerted effort we made to reach stakeholders, including town officials and community leaders, in the watershed when we had a draft plan out for review. We summarize in chapter 6 of the final CCP/EIS the consultation and coordination we conducted during the plan's development. However, we recognize that we probably did not reach everyone that may have an interest in what we propose.

The advantage of having a final plan is that it serves as a communications tool to engage others in conservation. We will use the final plan to work with watershed communities on a landscape scale to develop and cooperate in implementation strategies, and to share tools and information to support local decision-making.

In the past we have held annual coordination meetings in towns where refuge lands are administered. Once the CCP is completed, we plan to resume those meetings. Further, as we have indicated in several responses above, as we develop stepdown plans, we will engage the State, communities, and other stakeholders.

**Urban Refuge Initiative – General** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 60, 90, 142, 246, 315) (see also "Environmental Education, Interpretation" discussion)

## General

**Comment:** Commenters note that with so much of our population living in urban and suburban areas, the conservation of natural areas in cities provides a critical link for people to experience the natural world and that this can translate into an appreciation for larger rural landscapes. Natural landscapes help people de-stress, provide insights into nature and can even spur interest in the conservation profession. Some urban areas specifically mentioned, where a more robust presence is desired from the refuge, is in Hartford and Middletown, Connecticut; Springfield/Chicopee, Holyoke, and Northampton, Massachusetts; Brattleboro,

Vermont; and, Hanover, New Hampshire. Commenters suggest that our guidance relative to community development can help meet our CCP regional habitat conservation goals.

Audubon Connecticut points out the importance of urban areas within the Northeast to migrant songbirds. They note that parks and neighborhood areas are often the only available stopover habitat for long-distance migrants. They believe the Conte Refuge is uniquely suited to work with municipal and non-governmental partners to improve such stopover habitats and advocate for the warranted funding allocations to complete this work.

Park Watershed (Connecticut) is eager to collaborate with us to support urban neighborhoods through programs such as the Service's Urban Wildlife Refuge Partnerships. They note specifically that Hartford's North End Federal Promise Zone and the area surrounding Coltsville National Historic Park would benefit greatly from our technical guidance. Desired input could include landscape planning and urban design, stream connectivity, and recreational trail access. They suggest developing a network of municipal and local non-profit personnel who share an interest in supporting urban conservation goals. They also suggest we form an urban-suburban "friends" task force to develop relevant strategies in this environment.

Another commenter suggests we support an EPA Urban Waters Federal Partnership encompassing the Hartford-Holyoke region, in an effort to increase the use of Federal resources to accomplish shared environmental goals within this urbanized area. Such an action would allow us to integrate our conservation priorities into major development projects in the region.

**Response:** Connecting urban and suburban audiences with nature is a major initiative of the Service, which we describe in chapter 4, under "Actions Common to All Alternatives." Conte Refuge current activities are described there.

Our next formal urban refuge project will be in Hartford, Connecticut to support the Urban Bird Partnership. A business plan for the Springfield Urban Wildlife Refuge Partnership is in development which stresses connecting Hartford to Holyoke.

We are interested in the Park Watershed's ideas for future collaborations and welcome a meeting with them. We also encourage other suggestions for other urban partnerships, and in particular, ways we can leverage our limited resources among a local partner base.

At present, we are employing our Watershed on Wheels (WoW) Express, which is a mobile visitors center that allows us to go anywhere in the watershed and engage people. Further, we have established Conte Corners in key locations in the watershed and we anticipate there will be more, pending funding and available host locations. In 2017, we plan to launch our Biological Assessment Trailer (BAT) Express, which will serve as a mobile lab to augment our work with schools and support our Adopt-A-Habitat program.

**Private Landowner Outreach** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 38, 41, 180)

**General**

**Comment:** The CRJC Upper Valley Subcommittee would like to see the USFWS and USDA assist landowners with habitat improvement programs in a more streamlined, simplified manner that is watershed-wide and focused on CPAs. The subcommittee further notes that technical assistance to those interested in protecting or improving habitat in CPAs should be available to all landowners, not just conservation partners, which is echoed by the CRJC Headwaters Subcommittee.

**Response:** In the final CCP EIS chapter 4, under goal 4, we describe a private lands coordination program to facilitate private landowner assistance among all four States, Federal agencies, and conservation organizations who are working with private landowners to protect and manage fish and wildlife habitat. We agree with this sentiment and our practice has been to work with all partners, including private landowners, organizations, States, and municipalities. We have a dedicated refuge position to serve that

program and assist with connecting landowners with voluntary incentive programs such as those provided by the USDA and/or to leverage Federal grants and funding to support work on private lands. We are not partial to traditional conservation partners and would like to emphasize our geographic focus in the CPAs.

**Comment:** CTDEEP requests that the Refuge's private lands staff work with their Watershed, Lakes, and Nonpoint Source Program staff to proactively provide municipalities information about potential impacts of regulations and land use proposals on priority refuge species and habitats. In addition to land acquisition, CTDEEP strongly suggests that the Service collaborate with CTDEEP, UCONN Cooperative Extension System and other conservation partners on delivering technical assistance to private land owners and municipalities to raise awareness of key species and habitats, improve regulatory controls, and facilitate local action.

**Response:** We describe the broad intent of our private lands program in chapter 4, under goal 4, objective 4.1. Our intent is to bridge gaps in capacity, while avoiding any redundancy with existing efforts by our partners. We would be happy to work with CTDEEP program staff to ensure redundancy does not happen. We certainly want to avoid any confusion on the part of landowners.

Our policy is not to influence local land use regulations. Rather, it is our preference to offer resource information and alternative actions that achieve our desired conservation outcomes. We will also encourage private and municipal landowners to seek other voluntary landowner incentive programs like easements, leases, etc.

**Federal Land Ownership** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 1, 4, 18, 32, 35, 37, 38, 39, 40, 43, 46, 47, 51, 53, 54, 59, 62, 66, 70, 73, 77, 81, 82, 83, 87, 89, 94, 99, 100, 101, 113, 114, 119, 120, 123, 127, 128, 131, 134, 139, 141, 143, 144, 145, 155, 157, 167, 172, 176, 180, 181, 183, 196, 197, 199, 205, 210, 214, 215, 220, 222, 223, 226, 229, 232, 236, 237, 239, 244, 257, 260, 261, 262, 263, 266, 267, 268, 271, 275, 277, 292, 293, 294, 296, 299, 303, 308, 313, 315) (see also "Agriculture and Forest Working Lands" and "Socioeconomic Impacts" discussions)

### Opposition

**Comment:** We received comments from individuals, town officials, and organizations stating they did not support the Service or the Federal Government. Commenters expressed concerns that the Federal Government would not represent or enact the local perspective, and that private, local ownership and stewardship is best. Some stated if Federal land acquisition is inescapable, State and local concurrence should be required before acquisition takes place. Other commenters suggested that local land trusts and private land ownership provide ample and varied opportunities for land protection, noting private management is more accountable and able to make conservation progress than the Service. One individual expressed the need for enhanced funding for counties to influence the Federal land use decisions to align with the desires of the local/State residents and agencies. The NHTOA, Board of Selectmen for the Town of Columbia, New Hampshire and other commenters simply expressed their opposition to any proposed Federal ownership or expansion of Conte Refuge. Some commenters use the term "land grab" to describe this proposal and generally view the CCP/EIS as a "taking by the government from the people."

**Response:** The Refuge System mission 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 U.S. for the benefit of present and future generations of Americans."

We believe the work we do to help conserve native fish, wildlife, and habitats and to offer wildlife-dependent recreational opportunities, benefits the American public. There are many statutory authorities under which the Service can establish or expand, a national wildlife refuge, including the Refuge Recreation Act of 1962, as amended (16 U.S.C. 460), the National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668dd), the Endangered Species Act of 1973, as amended (16 U.S.C. 1534), and the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a-742j). Funding for refuge acquisition is obtained from the Land and Water Conservation Fund, or the Migratory Bird Act fund, and is specific



to the purpose of land acquisition. Those funds cannot be used, for example, to manage a refuge, to build infrastructure, or to hire new staff.

We enumerate many times in the draft and final plans our commitment that the Service would only acquire land from willing sellers. Lands within the approved refuge acquisition boundary do not become part of the refuge unless their owners willingly sell or donate them to the Service. The proposed refuge boundary has no impact on private property use or who an owner can choose to sell to, if at all. There are no additional regulations or control on private lands not acquired by the Service. The individual landowner retains all the rights, privileges, and responsibilities of private land ownership until, or unless, they decide to convey those rights to the Service in fee or easement.

The 1995 EIS approved 65 Special Focus areas ranging from 15 to 22,000 acres. One-third of them were under 100 acres. In this plan, we propose moving away from the 1995 concept of small scattered sites due to the complexities, expense, and inefficiencies in having ownership dispersed. Appendix C, and chapter 4, in the section, "Actions Common to Alternatives B, C, and D Only", describe our rationale in more detail as to why that strategy is not effective or efficient. CFAs are our attempt to consolidate ownership into more ecologically and administratively meaningful boundaries.

**Comment:** Commenters expressed dismay at pursuing Federal land acquisition given the current Federal deficit, and noted current mismanagement is a predictor of poor administration of any potential future acquisitions. Several commenters voiced concerns for a current lack of effective and efficient active management on refuge lands, that "it seems that there is no management planned." They posited this would "result in a decrease in wildlife populations of deer, moose, rabbits, bear, songbirds, raptors and many others," along with increased wildfire occurrences. Some commenters noted that the acquisition of more, smaller parcels would exacerbate existing management challenges.

CRWC and others noted that funding for land acquisition could be better used elsewhere. Recommendations include environmental education programs, educational outreach to private landowners, programs "that work with rural communities to support the service economy," direct reallocation to local conservation commissions, existing Service management and program costs, conservation easements, the Forest Legacy Program, and other land protection tools. Several individuals state that costs associated with land acquisition exacerbate the Federal deficit.

**Response:** The most effective way to permanently achieve conservation is to protect the land. Ownership fragmentation is the precursor to habitat fragmentation. The former causes problems for working farms, working forests, and wildlife habitat. Therefore, actions that protect wildlife habitat, as well as working farms and forests, are vitally important within this large working landscape.

The authority to create and expand refuges comes from statutory authorities including the Refuge Recreation Act of 1962, as amended (16 U.S.C. 460), the National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668dd), the Endangered Species Act of 1973, as amended (16 U.S.C. 1534), and the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a-742j).

We understand there are differing opinions on whether, where, or how much, the Federal Government should continue to protect habitat for wildlife and people. However, we believe that ceasing all future efforts to acquire lands for the refuge to permanently protect Federal trust resources and provide for wildlife-dependent recreation, would not accomplish the legislative purposes for the Refuge. We describe in chapter 4, under "Actions and Alternatives Eliminated from Detailed Study" additional rationale for that position.

As noted in our response above, we do not believe the 1995 plan to acquire small scattered parcels for the refuge is effective or efficient, and therefore, we have proposed larger, contiguous CFAs. Our proposal is detailed in the final CCP/EIS, appendix C. That being said, land conservation on a landscape basis is similar to assembling a puzzle in collaboration with many partners. There are many small pieces to arrange and it is a long-term commitment, especially when only working with willing sellers. It is true that refuge ownership may still result in disjunct parcels, although this is not the long-term design. We would also look to assembling a meaningful management unit with adjacent conservation landowners. We acknowledge that smaller, disjunct parcels are typically more expensive to manage.

As for refuge land acquisition funding, it is specific for that purpose and cannot be used for any other management purposes. For example, those funds cannot be used to manage a refuge, to build infrastructure, or to hire new staff. Funding for land acquisition for the refuge primarily comes from the Land and Water Conservation Fund (LWCF) which was set aside by Congress 50 years ago specifically to replenish public lands and waters. LWCF funds are used to purchase leases, easements, and fee owned land. These funds are used by Department of Interior and Agriculture agencies. It is not a grant program or education program. Another source of land acquisition funding is the Migratory Bird Treaty Act funds.

Like the States and municipal governments, if the Federal Government uses public funds for land protection purposes, they need to acquire an interest in that property that is equal in value to the amount invested.

Finally, the purpose and intent with developing a final CCP/EIS is to engage the public in a process that, when final, results in a plan that informs where and how we plan to work, and what goals and objectives direct that work. Given the geographic scale of this project, we recognize that many of our proposals are broad in scope. As we have noted in previous responses, we will develop stepdown plans following a NEPA compliant process, which would include State agency, local community, and partner involvement.

**Comment:** We received comments from many individuals who felt eminent domain is a threat and should not be an available tool to the Service. One commenter cites examples of eminent domain use by the State of Vermont for routing of utility corridors and pipelines and associated impacts to nearby landowners. Some individuals request the Service explicitly state we will not use eminent domain in the CCP/EIS. Another commenter cites a lack of communication with residents owning land within the "acquisition map" and implies that this is connected to potential future use of eminent domain. One individual comments that the CCP/EIS offers "no regulatory protection from hostile acquisition of their homesteads."

**Response:** While the Service technically has the authority to use eminent domain, it is Service policy not to use it and it has not been used for over four decades. We have no intention of acquiring any landowner's property against their will. We purchase land from willing sellers only at market value. We have more opportunities to acquire lands from willing sellers than there are funds available to use.

**Comment:** Some commenters voiced concerns that historical, recreational, and traditional uses would be restricted on newly acquired lands (including restrictions on trail access, hunting, fishing, snowmobiling, ATV use, etc.). In a similar vein, another commenter noted that "federal ownership results in lots of new rules and regulations being imposed that people don't anticipate or appreciate what the impact will be." One commenter stated that "if any protected species are discovered hunting and/or fishing can be discontinued." Organizations associated with VTC oppose additional land purchases "if they carry prohibitions above and beyond Vermont law, reduced trails, gated roads, reduced timber management, and local disfavor."

**Response:** While ATV use will not be allowed on refuge lands (as described in appendix D under a "Finding of Appropriateness"), we have supported continued snowmobile use on State recognized trails. As far as traditional uses such as hunting and fishing go, where they occurred prior to our purchase, we are continuing them consistent with the Refuge Improvement Act of 1997. Areas that were not open to hunting, fishing, and other public access and uses, will need to wait until we prepare a formal opening package in consultation with the States, communities, and other stakeholders as part of a publicly vetted process consistent with NEPA.

**Comment:** We received comments from individuals who did not see a need to expand the refuge. One individual did not recognize "any imminent threat for you guys to keep buying more land to preserve the water quality." Some commenters referenced State laws already protecting threatened and endangered species, wildlife habitats, and water quality; noting a lack of need for any further protection. The NHTOA and other individuals cite local conservation easement programs and private land ownership as superior to Federal management for land protection, sustainable timber management, and wildlife management.

**Response:** Our intent is to complement States' efforts to protect important resources such as those noted in the comment. Using land acquisition as a tool, we intend to protect these important habitats to assure ownership fragmentation does not eventually lead to habitat fragmentation. While water quality benefits are an incidental benefit to habitat protection, it is not the primary reason we are employing this as a tool. Ownership fragmentation impacts the resiliency of wildlife habitat in much the same manner it impacts a working forest or a working farm. We agree that voluntary incentive programs protecting working farms and forests are also a way to conserve wildlife and habitats. We will encourage landowners to pursue these voluntary programs and utilize Service resources elsewhere, as we would consider those areas already conserved.

**Comment:** We received comments from individuals who were concerned with social justice impacts as the Federal Government buys land. Some noted that the Federal land appraisal process inflates land values and prices locals out of their ability to compete as buyers. One commenter characterized the appraisal process as non-transparent, citing the heavily redacted nature of his copy of the land appraisal as evidence.

**Response:** The Service is required by law to acquire lands at market value. Market value is established within a Federal yellow book appraisal prepared by a private, independent certified appraiser who is knowledgeable of the local market. The value is based on recent comparable sales of like property in the area. The Service does not set the opinion of value—the appraiser does. The appraisal is then reviewed by an entirely separate Federal agency for consistency with Federal appraisal standards as well as whether or not the opinion of value is adequately supported within the appraisal report. Please refer to “Socioeconomic Impacts” for further discussion.

**Comment:** The NHTOA noted inappropriate timing of acquisition of the Mascoma River parcels for the refuge, and commented that “initiating these real estate transactions in conservation focus areas prior to receiving public comment has hurt the transparency and credibility of this planning process.” They further request that “the USFWS must reinitiate the Silvio Conte planning and public comment process.”

**Response:** The Mascoma River Easement was purchased using existing authorities established in 1995. In an effort to be transparent, the Service coordinated with the State, the community, and the abutting property owners. The State and the community sent letters of support for the purchase of the Mascoma River Easement.

**Comment:** Commenters note the need for State, local, and community approval of any additional Federal land purchases. Some commenters also voiced concerns about communication and timing during the land acquisition process. While some lamented the lack of outreach to landowners regarding land acquisition, others stated that any communication going out to “property owners asking if they would be willing to sell their property...is not right.” For example, the CLLTIA specifically suggests that future acquisitions should be “agreeable” to the State of Vermont and the host community given local tax implications. The group also states that they would evaluate future refuge land acquisitions on a case-by-case basis.

**Response:** Planning processes, such as the development of this CCP/EIS and Land Protection Plan provide State agencies, partners, and the public the opportunity to review and comment on proposed refuge land acquisition. Securing approval for land acquisition involves a public process, compliance with NEPA, and an opportunity to evaluate the entire proposal, instead of by a piecemeal approach. We involve all stakeholders in that process, including municipalities, States, etc. Once we have an approved land protection plan, it can be implemented as soon as willing sellers and funding is available. Because State agencies are partners with special status under law and policy, we often consult with them prior to acquisition to discuss the acquisition.

The proper point for general public engagement in the process is at the broadest level – such as offering comment on our proposed Land Protection Plan which accompanied this CCP/EIS. Out of respect, and the need, for the confidentiality of potential sellers, we also make a practice of informing municipal governments of pending acquisitions only after we have reached agreement with sellers in matters of terms and price.

## Support

**Comment:** We received comments from individuals expressing general support for Federal land acquisition to protect these lands for future generations, particularly in the face of increasing development. Some reported that they view the expansion of the Refuge as “responsible stewardship that protects and maintains the intact functioning of the Connecticut River Watershed ecosystems for the benefit of wildlife and humanity, now and into the future.”

One anonymous individual expressed their support, and further requested each of the deeds to future land acquisitions include permanent conservation restriction language. This would ensure these parcels could not be developed or sold by the government.

**Response:** The Service thanks you for your support. The Service will not purchase and essentially extinguish value in the property without just compensation to the American public. Should property ever become excess to the needs of any Federal agency, there is an established process for disposal. Once land becomes part of the NWRS, it is protected in perpetuity. It would take an act of Congress to dispose of NWR land—unless we had decided to do an exchange. In this case, it is Service policy to exchange dollar for dollar, and for equal or greater wildlife benefits. If this approach is employed, it must be done with interested stakeholders and vetted publicly, consistent with NEPA. At a minimum, an Environmental Assessment would need to be completed.

**Comment:** Commenters expressed support for increasing refuge area for the conservation of large landscapes to protect natural processes, wildlife corridors, and provide protection from climate change impacts. CTDEEP Bureau of Water Protection and Land Protection Planning and Standards Division further supports additional land protection for clean water and hydrologic watershed functions, throughout the watershed and especially in headwater regions and along riparian corridors. One commenter notes these efforts are consistent with policies contained in the 2014 TRORC Regional Plan.

One individual noted that the addition of Federal land for recreation will help relieve some of the overuse of other Federal lands in the area.

Another individual states the need for large protected areas where biodiversity and resilience is top priority is greater than ever, given the increasing severity of many “symptoms of human domination of the natural world.” The Center for Biological Diversity also supports the protection of large block of older forest to provide greater flexibility in adapting to climate and other landscape changes within a watershed context. Wildlife such as migrating fish and bird species, reptiles, and amphibians were cited as particular beneficiaries of large contiguous land protection.

**Response:** Your comment is noted.

**Comment:** We received comments in support of acquiring more lands, based in the desire for maintained or enhanced public accessibility and engagement. One commenter noted that none of the units in Connecticut are places that people can visit, and recommends future acquisitions include areas for public access with interpretive signage.

**Response:** We agree. As the Service acquires a manageable land base where we can provide public access opportunities and facilities, we will develop a detailed Visitor Services Plan that will be vetted publicly in compliance with NEPA.

**Comment:** We received a comment from a family expressing enthusiasm at the discovery of their lands included within the area outlined in alternative B. They recognize that inclusion in this area “in no way implies we have agreed to limit our property rights, but rather recognizes the particular conservation value of this area. We would be pleased to help identify the particular lots in question to maintain the accuracy of CCP mapping.”

**Response:** Your comment is noted.



**Comment:** Commenters expressed appreciation for the emphasis on “willing-seller only” policy described in the draft CCP/EIS. Several of these comments explained how this policy works, stating “this is not a Federal land grab,” and citing the “extensive track record of the Refuge System as a whole... eminent domain has been used in very, very few instances... at the request of the landowner who has sought to do it in order to clear title or dissolve discrepancies in price.”

Several other commenters also noted the importance of having willing buyers, which gives private landowners the opportunity to voluntarily put their land forward.

**Response:** Your comment is noted.

**Comment:** Several individuals expressed their support for the expansion of Conte Refuge for its local economic and community benefits, citing increased opportunities for outdoor recreation and tourism in the region and enhanced drinking water quality as examples. One commenter further noted, “It is important to highlight how habitat conservation, including the strengthening of water quality within the Refuge’s boundary, positively impacts the vitality of our economy, the quality of life we enjoy in New Hampshire and the health of our citizens.” Another individual from the City of Keene expressed a need to protect our water resources, “because without our water, our City is in trouble.”

**Response:** Your comment is noted.

**Comment:** The Connecticut River Gateway Commission urges the Service to remove the statement within draft CCP/EIS Summary, pg. 8, that the Conte Refuge “will not generally seek to acquire lands that are already permanently protected by another conservation agency or organization.” The CRGC supports a policy of flexibility and cooperation among conservation partners, and requests the Service revise the statements precluding a role for local agencies to make it clear that the Conte Refuge will welcome such local collaboration. The Middlesex Land Trust, Inc. further supports this sentiment.

**Response:** It should be emphasized that the original referenced statement does not preclude the Service from working with partners to acquire land in an effort to meet landowner needs and allow the Service to “catch up.” The intent of this statement is not to restrict the Service’s ability to work with partners who acquire land with the intent to resell to the Service. Given the ability of local land trusts and other conservation organizations to act quickly and meet the needs of the landowner, it is the common practice for the Service to collaborate with other conservation entities to serve as a conduit for Service land acquisition. Protected working farms, working forests, and land conserved by the States and other Federal conservation agencies are considered protected by the Service.

**Comment:** Commenters expressed the need to prioritize land acquisition over management, particularly in light of expanding population and development pressures. The Center for Biological Diversity asserts that fee-ownership “land acquisition will prove the greatest boon to wildlife and biodiversity... and to people, including and especially the residents of the Connecticut River watershed,” over other forms of land protection where habitat manipulation, single-species focused management, of commercial exploitation such as logging or agriculture remain. The Center further expresses that recreational, health, and economic benefits of public lands are even more valuable given increased human population and development pressures. Another individual states “the goals of the US Fish and Wildlife Service would be best realized if the available funds were deployed for land acquisition.” One commenter noted the shortsighted concern about people’s immediate access and use of the lands, and lamented the lack of concern for long range survival and integrity of lands for centuries onward.

Middlesex Land Trust, Inc. noted an associated benefit of further land acquisition: the reduction of borders of local, State, Federal, and NGO conservations lands which abut private land holdings and resulting enhanced management efficiency. They state, “as a land manager of many small and non-contiguous preserves, our experience is that we spend a significant amount of our resources and organizations focus on addressed boundary issues. The less time all of us spend on that, the more time we can spend on wildlife habitat management and community outreach.”

**Response:** Your comment is noted. We will pursue land acquisition from willing sellers only as funding and staff time permits.

**Comment:** We received comments from individuals expressing their support contingent upon the use of conservation easements. An individual commented that conservation easements would be more financially efficient and preserve generation of county and municipal property tax revenue. She further noted, “the ability of the Fish & Wildlife Service and/or local conservation partners to guide and participate in habitat management activities could be provided for in the easement language.”

Another commenter cited, “a very recent deal in NH that exemplified how private landowners can have easements acquired by the refuge that maintains property in a working forest.” This same commenter stated that “acquisitions focused on easements would be responsive to communities’ concerns about how the refuge expands.” Another individual states that wildlife populations and habitats can be better managed with easements, purchase of development rights, etc., in addition to expected fee ownership.

One individual noted the CCP aims to protect 65% of parcels through fee ownership and 35% through conservation easements and stated, “in our view, the agency should not be bound by such a fixed ratio. Instead, the agency should use the protection tool that best meets the goals of the Conte Refuge AND the goals of the private landowners with whom the Refuge is working.”

**Response:** The Service plans to use easements as a conservation tool. Project-wide, it is estimated this will occur on 35% of the target acreage. However, it is up to the landowner what interest and how much interest they are willing to sell. Therefore, the 65% fee acquisition/35% easement split may vary due to landowner preference.

**Comment:** A representative of the CRWC who regularly works with landowners reports enthusiasm by individuals interested in selling their property so it becomes part of a wildlife refuge.

**Response:** If our approved CCP includes an expanded acquisition boundary, we would be pleased to work with organizations to inform landowners of the Service as an option of many in meeting their conservation needs.

**Agricultural and Forest Working Lands Protection – General** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 37, 40, 41, 90, 100, 101, 135, 172, 226, 244, 293)

**General**

**Comment:** We had several commenters concerned with impacts to working agricultural lands and potential loss of farmland as a major regional issue. They emphasize the importance of protecting working forests and farmlands to minimize economic losses to local governments and residents. Many were concerned with the Service targeting working farms and forests. Other commenters voiced concerns over the lack of integration with local and community plans for energy and local food production. Another commenter requested that the Service work with MDAR when evaluating and appraising lands for acquisition, and expressed concerns with farmland prices rising because of FWS purchase prices driving inflation.

**Response:** In the final CCP EIS chapter 4 under section “Actions Common to all Alternatives,” we recognize the importance of sustaining working farms and forests. We do not intend to target working farms and forest lands for refuge acquisition. Instead, our priority would be to connect individual landowners with agricultural organizations and State and other Federal agencies to protect these lands as part of an integrated, working landscape. We support enrolling these lands into Federal and State agricultural conservation programs that focus on protecting working lands while also promoting economically viable practices that benefit wildlife, protect water quality, and provide other ecosystem services. We consider lands enrolled in these programs already conserved.

Occasionally, we may acquire agricultural lands from willing sellers when other programs are not available to keep the land in production and when there is a threat that the land will be converted to other uses. In these situations, we may acquire these lands to prevent development, ensure protection of important wildlife habitat, and support public recreation access. Conversion of working farms and forests

to other uses has a similar impact on wildlife habitat; the economic and/or ecological value is diminished or lost through the conversion. It is for this reason that the Service actively advocates for the protection of working farms and forests through voluntary incentive programs, for the benefit of wildlife and people.

The Service is required by law to acquire lands at market value. Market value is established within a Federal yellow book appraisal by a private, independent certified appraiser who is knowledgeable of the local market. The value is based on recent comparable sales of like property in the area.

**Comment:** While noting the Refuge's "excellent record of allowing farming", one commenter wanted us to ensure the continuation of farming – and not solely for hay. They suggested options such as: purchasing lands only within 200-feet of the Connecticut River and allowing farming pursuant to a conservation easement landward of that line – or purchasing agricultural lands outright and leasing the ability to farm without restrictions that would reduce yields.

**Response:** As noted above, farming is an important part of this watershed-based working landscape. It is our desire to facilitate the voluntary enrollment of working farms and forests into programs designed to sustain them. Once enrolled, the Service considers the land protected and we would take no further action to seek acquisition.

**Comment:** Connecticut Audubon supports the vision for "Supporting the Working Landscape—Integrating Conservation with Commercial Agricultural and Forest Lands." They suggest expanding this to encompass opportunities to work with private, municipal, and NGO-owned lands within the watershed, not just those lands associated with commercial agriculture and forestry. This aligns with Audubon's Working Lands focus and Forests for the Birds programs in Connecticut and Vermont.

**Response:** Our private lands coordination program encompasses the opportunities you identify. We look forward to complementing our efforts with Audubon's Working Lands and Forests for the Birds programs.

### **Integrated Pest and Invasive Plant Species Control – General** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 18, 60, 83, 156)

#### **General**

**Comment:** We received several comments from individuals and organizations on our invasive species program. They express concern of the presence of those species, including Asian bittersweet, water chestnut, and Japanese knotweed, and support refuge management efforts to reduce or eliminate them in partnership with local communities. One commenter suggests that we include white-tailed deer in our invasive management efforts. Another person expressed concern that some of our forest habitat management activities might create openings that could allow invasive species to spread.

**Response:** We will continue to prioritize and manage invasive species that impact native habitats within the watershed and work with local communities to treat those species beyond refuge ownership. White-tailed deer are not considered an invasive species, but can impact native habitats through overbrowsing. Hunting white-tailed deer would be allowed on refuge lands, consistent with the final compatibility determination and State regulations. We would work with the State if overbrowsing by white-tailed deer was impacting native habitats when appropriate.

With regard to our habitat management practices potentially encouraging the spread of invasive plant species, we respectfully disagree. Our stepdown HMPs include management practices to control for invasive plant species. As we develop our habitat management strategies, we specifically identify measures to avoid favorable conditions for invasive species. Example actions we might employ to reduce infestations include herbicide or mechanical treatments before creating openings, and establishing a monitoring program for detecting their presence.

**Refuge Staffing and Visitor Facilities (ID#s 32, 37, 82, 83, 90, 119, 120, 123, 135, 151, 167, 176, 180, 195, 200, 210, 213, 223, 230, 234, 237, 251, 278, 303, 313)**

**Staffing and Visitor Facilities**

**Comment:** We heard concern about decreasing staffing at the Great Falls Discovery Center in Sunderland, Massachusetts.

**Response:** We are hopeful that our future funding can support a presence at the Discovery Center. It is unlikely that presence will be permanent, and it will likely be someone whose involvement focuses on developing and implementing programs.

**Comment:** We heard support for fully staffing education centers, including consideration of partnerships for construction and/or operations of new centers with local organizations.

**Response:** Our current and future focus in environmental education, interpretation, and outreach is connecting people with nature to get them outside. Instead of indoor facilities, we will be looking toward providing universally accessible birding and nature trails where appropriate on refuge lands, and supporting our partners' outdoor programming. We will support partners' facilities where it is strategic, effective, and efficient for Refuge staff to do so. We do not have plans to build new facilities or dedicate more Refuge staff to existing partner facilities (except as indicated above for Great Falls Discovery Center). Rather, we would like to augment and contribute to our partners programming at their facilities.

We will continue to employ the WoW Express, Conte Corners, the BAT Express, and Adopt-A-Habitat programs as contributions to our partners' efforts in outreach and education activities in the watershed.

**Comment:** We heard from people who enjoy and appreciate the non-staffed interpretive displays in Conte Corners and in other visitor contact facilities. However, they encourage us to expand our messaging in the exhibits, or as we deliver programs, to include landscape-scale, science-based messages.

**Response:** We agree that providing a landscape context for conserving resources (e.g. describing relationship and resource connections of Atlantic Coast, to Northeast States, to Connecticut River watershed, to Conte refuge) in our education, interpretation, and outreach is important. We strive to make that point in all our "live" programming. Our current exhibits vary in how well they get that message across. As we develop new exhibits, or upgrade the old ones, this is a message that will be incorporated.

We will continue to consider and explore opportunities to expand our Conte Corners in a way that augments and complements the work of our partners, subject to the availability of funding and a host facility.

**Comment:** We heard from people who expressed concern about increasing our law enforcement capabilities, noting it was not needed.

**Response:** We respectfully disagree. Part of providing quality visitor experiences includes safety, visibility, and security. Law enforcement capacity is an integral part of our visitor services program. These officers conduct important outreach on behalf of the Service. In addition to making an annual refuge revenue sharing payment to local municipalities, having our own law enforcement capacity further augments and mitigates our impact on the local municipal services.

**Comment:** We heard from individuals and organizations who advocate the use of local labor whenever possible.

**Response:** We try to support local communities and businesses to the extent allowed by our Federal acquisition regulations. As a practical matter, the majority of our purchasing is directed to local businesses for items such as road work, heating fuel, vehicle maintenance, etc., given that such goods and services are most economical to obtain in proximity to the lands and facilities we manage.



## Refuge Operating Hours (ID#s 206, 252)

### General

**Comment:** The VFWD requests that we continue to keep refuge lands open to the public during any future Federal Government shutdowns to avoid confusion and frustration on the part of users.

**Response:** We understand this sentiment. However, direction to close refuges (as well as all Federal lands) during lapses in funding is made by the Administration. We would note that such occurrences are rare, with the most recent shutdown prior to the 2013 event occurring in 1996.

**Comment:** A commenter opposes the nighttime closure of refuge lands, given that it deprives the public star-gazing opportunities. The person notes that the Mascoma Division contains one of the best dark sky observational areas in the region. They state that a nighttime closure will create a problem that does not exist and make future land acquisitions more difficult.

**Response:** With the exception of the Nulhegan Basin Division that contains deeded roadway rights-of-way and access to cabin leaseholders both on and off refuge lands, Conte Refuge is open ½ hour before sunrise to ½ hour after sunset by regulation. This is established primarily to minimize wildlife disturbance. We encourage people to find these types of opportunities on other public lands or along public points of access, such as municipal and State roads that often transect refuge lands, such as on the Mascoma River Division. We will consider requests for night sky observation on the refuge on a case-by-case basis; contact refuge headquarters for more detailed information.

## Environmental Education and Interpretation (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 32, 82, 83, 119, 123, 167, 210, 223, 237, 246, 297)

### Support

**Comment:** Commenters support our environmental education and interpretation efforts. Some suggest expanding programming to increase connections with urban audiences. Others think our efforts should enhance “cultural traditions.”

**Response:** We will be preparing Visitor Services Plans for each division. That planning process will include the State, stakeholders, and a public involvement and NEPA compliant document. As we indicated in chapter 4, in the section “Actions Common to All Alternatives”, connecting with urban audiences is a priority for us. Through our existing programs and our urban partnerships, we will increase environmental education and interpretation offerings for those audiences. We are not clear what is meant by the commenters mention of “cultural traditions,” however, if related to hunting and fishing, we state our intent to promote these activities in chapter 4, goal 3, objective 3.1 and 3.2.

In 2015, the Springfield (Massachusetts) Urban Wildlife Refuge Partnership was established. We plan to accomplish the same status in Hartford, Connecticut. In 2015 Hartford was designated an Urban Bird Treaty Area, and Springfield followed in 2016. Further, we have Conte Corners in Springfield at the Science Museum, and in East Hartford at Cabelas.

**Comment:** A commenter suggests we link our educational programming to nationally significant resources within the watershed, such as the Appalachian Trail Conservancy's *Trails to Every Classroom* program.

**Response:** As we develop our Visitor Services Plans, we will encourage others to identify existing programs that would be appropriate for us to adopt. As appropriate, we would prefer to incorporate those existing, successful programs to creating new ones.

**Comment:** An organization appreciates the Watershed on Wheels (WoW) Express mobile visitor center and notes its value to Hartford, Connecticut, area summer camps and festivals. They suggest updating the existing WoW Express and building a second unit to highlight “relationships between people and the quality and character of the refuge.” They note the possibility to partner with foundations to fund operation of the WoW Express.

**Response:** We are pleased with the enthusiasm generated by the WoW Express. While we took a hiatus during 2016 due to a lack of funding, we encourage interested educators to contact us at refuge headquarters to schedule the WoW for 2017. Additionally, we plan to develop a mobile Biological Assessment Trailer (BAT) that would contain sampling equipment in support of field-based environmental education opportunities with schools and summer camps or at partner facilities where there are "adopted" habitats. We do not have intentions of building a second WoW; however, the suggestions above may be accomplished as we update the panels included in our exhibits.

**Comment:** A commenter suggests we partner with Springfield Armory/Coltsville National Historic Parks to develop exhibits highlighting the relationship of natural resources to the regional culture and economy.

**Response:** We agree this would be a mutually beneficial endeavor; however, quality interpretive exhibits are expensive and our resources are limited. We hope to enter into further discussions with the National Park Service about shared opportunities. Depending on the availability of staff and funds, we could offer programming to the Armory as well as other partner locations.

**Hunting on Refuge** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under the respective headings for each geographic area. Also, trapping is discussed under Furbearer Management)(ID#s 11, 32, 34, 63, 69, 82, 94, 123, 131, 135, 139, 152, 156, 164, 167, 170, 180, 182, 194, 195, 200, 213, 223, 237, 249, 252, 287)

### Support

**Comment:** Several commenters support hunting on refuge lands. Some note that hunting is a cultural experience that has occurred on the land for hundreds of years.

**Response:** Hunting was among the priority wildlife-dependent activities identified in the 1997 Refuge System Improvement Act and is an important and traditional public use activity on the refuge.

**Comment:** Commenters recommend we work expeditiously to provide additional hunting opportunities as additional refuge lands are acquired and that hunting should be maintained as a management option for easements.

**Response:** Our intent is to open future lands to hunting. With regard to easement purchases, while we would advocate for hunting, the landowner would also have an important voice in the ultimate decision. As an example, we were able to acquire the interest necessary to manage public access on land presently administered as an easement on the Mascoma River Division. It is our intent to continue to provide priority public uses in support of the Refuge Improvement Act and consistent with State regulations where compatible.

**Comment:** CTDEEP suggests we encourage landowners within CPAs and CFAs to allow access for hunting; especially to address area where wildlife populations exceed available habitat and therefore adversely impact forest regeneration and endangered species habitats.

**Response:** Although we do not envision a formal outreach program that advocates for certain land uses, we will make an effort to discuss the habitat-related benefits of a State regulated hunting program. We also would be interested in discussing this matter in more detail to determine if there is some joint effort between CTDEEP, the refuge, and other partners that could be employed.

**Comment:** A commenter requests we not limit existing hunting accessibility while conducting studies given that such investigations can be time consuming.

**Response:** We are not clear exactly to what this comment refers and will assume it relates to the status of hunting on newly acquired refuge lands. Our past practice and future intent is to maintain any existing opportunities via an interim compatibility determination while we prepare a formal hunt opening package.

**Comment:** A commenter observes that numerous areas exist for outdoor recreation that are not open to hunting and therefore recommends we favor the opening of more areas to hunting in our future compatibility determinations. This individual also notes that large tracts of land along the Connecticut River in Connecticut are closed to hunting and that because of firearms-related safety zones, the presence of homes on adjacent lands can effectively limit the ability to hunt on public lands.

**Response:** While we have no direct influence or authority over the use of privately held lands or the establishment of safety zones, our intention is to promote hunting on lands we acquire as well as to express the benefits of hunting to those private landowners with whom we discuss land stewardship options.

### Opposition

**Comment:** A commenter notes that as a “wildlife refuge,” wildlife should be protected from human activities such as hunting; that many areas throughout New England are available for hunting.

**Response:** As previously noted, hunting was identified in the Refuge System Improvement Act as a priority public use of national wildlife refuges. Although identified as such, not all refuges or portions of refuges are open to hunting. In order for a refuge to allow hunting, we must complete an opening package that consists of an environmental assessment, hunt plan, and compatibility determination. Such documentation establishes the rationale and sustainability of a hunt program, and whether the activity would conflict with the wildlife conservation purposes for which the refuge was established. These documents are also subject to public review and comment. We would follow these practices in evaluating hunting opportunities at future refuge divisions and do so in collaboration with the States, stakeholders, and the public.

**Fishing on Refuge** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 32, 63, 82, 94, 99, 123, 139, 156, 167, 194, 195, 213, 223, 237, 249, 252)

### Support

**Comment:** Commenters support our proposal to continue to allow fishing on current and future refuge lands. Some elaborate to note fishing should occur as per State regulations with no additional limitations and it is important to allow this traditional use in order to “maintain the respect of neighbors.”

**Response:** As described in chapter 4, “Actions Common to All Alternatives,” we will continue to evaluate current and future refuge lands for opportunities to provide fishing opportunities. Where found compatible, we will complete all administrative requirements to formally open the unit to fishing. Our intent is to follow State regulations as we have in the past, however, there may be circumstances warranting additional refuge-specific regulations. Given the concern for lead in the environment we are also proposing under all alternatives to encourage the use of nontoxic tackle (chapter 4, “Actions Common to All Alternatives,” page 4-39).

**Comment:** Commenters support fish stocking in refuge water bodies; some note this enhances the fishing experience and reduces the pressure on native fish.

**Response:** Navigable water bodies and Great Ponds occurring on refuge lands fall under State jurisdiction. In those areas, the location, amount, species, and timing of fish stocking is not something we control; it is a decision made by State fish and wildlife agencies.

On refuge waters within Service jurisdiction, where an evaluation identified concerns with native fish populations, we will work with State partners to stock native fish species only.

**Comment:** A commenter suggests collaboration with State fish and wildlife agencies to emphasize the use of native fish of local origin in their stocking program. They note that the stocking of non-native trout is considered by some as the introduction of non-native invasive species that can damage, rather than enhance stream ecosystems. They recommend data recovery to determine the consequences of non-native stocking programs to the fishery.

**Response:** Please see our response above. In most instances, waters stocked on refuge lands are under the jurisdiction of the State. For those waters within our jurisdiction, we will work with State partners when concerns for native fish populations arise.

**Wildlife Observation and Photography, Infrastructure, and Access on Refuge (ID#s 21, 40, 101, 110, 122, 180, 182, 210, 242, 246, 250, 262, 268, 275, 297, 311)**

**Support**

**Comment:** Commenters voiced their appreciation for visitor opportunities for recreation and wildlife observation and their accompanying support for Refuge expansion. One individual notes that his family travels annually to the Refuge to enjoy hiking and wildlife observation.

**Response:** Your comment is noted.

**Comment:** Several individuals and groups expressed their support for increased visitor opportunities and requested further detail on how refuge lands could specifically connect to regional water- and land-based trails, and include paddling and hiking as uses allowed on the refuge. Some noted the importance of establishing trail connections with other local, regional, and State trail networks.

The Northern Forest Canoe Trail felt paddling waterways and access points merited more recognition in the CCP/EIS. Park Watershed recommended the development of a Conte Refuge cultural travel map to help paddlers find safe access to regional historic sites. Audubon Society of New Hampshire suggested the Service collaborate with partners to update and extend the Connecticut River Birding Trail through Massachusetts and Connecticut. Appalachian Mountain Club listed several suggestions for relevant maps and note their willingness to work with the Refuge to develop these materials.

**Response:** We recognize the importance of providing public use opportunities. We would address these types of uses and connections with regional trail systems as part of our Visitor Services Plan. In chapter 4, goal 3, objective 4 we discuss how we will generally support connections with national and regional trail systems. We plan to develop detailed visitor services stepdown plans which will look at each of the CFAs more specifically in consultation with the States and stakeholders and vetted publicly consistent with NEPA.

**Comment:** CTDEEP recommends the CCP/EIS include a requirement to consider and use best management techniques to reduce storm water and nonpoint source pollution impacts in any future visitor infrastructure projects associated with new acquisitions.

**Response:** We recognize the importance of best management techniques to prevent and/or reduce storm water and nonpoint source pollution impacts on water quality. We agree and will abide by all applicable Federal laws and regulations as they pertain to any activity on Refuge lands.

**Comment:** We received comments from individuals who support the expansion of visitor opportunities, but voice a need to monitor visitation numbers and adjust them as warranted to protect Refuge resources.

**Response:** We are increasing our monitoring of public access to include type and amount of access. For instance, we use trail counters on our universal access trails and on our snowmobile trails. Our visitor services stepdown plans will include monitoring protocols to more accurately assess visitor use and impacts. That information will be used to adjust management in response.

**Accessibility**

**Comment:** Several commenters expressed appreciation for the Fort River Division ADA-accessible trail, and requested further ADA-accessibility and infrastructure in newly acquired refuge lands. The Town of Randolph Conservation Commission favors designating the stretch of Presidential Rail Trail that runs from Route 115 A in Jefferson to the Airport Road in Whitefield as wheelchair-accessible.

**Response:** In chapter 4, under goal 3 we identify specific our intent to develop universally accessible trails once a manageable unit has been configured. While we do not own the Presidential Rail trail, we have and will continue to work with partners to improve universal access and connecting people to nature, with priority given to areas within CPAs.



## Opposition to Increased Infrastructure/Visitation

**Comment:** Some commenters suggested public use and recreation should be limited to non-motorized, low development opportunities. These individuals note that impacts to wildlife should be minimized above all else, and that some areas should be closed to public recreation.

**Response:** Currently, the vast majority of public access is non-motorized and is envisioned to remain that way. Further, the needs of wildlife are paramount. Consistent with the Refuge Improvement Act, all public uses that we permit have been publicly vetted and deemed compatible with our wildlife and habitat protection objectives. Appendix D details what refuge uses will be allowed or prohibited on refuge lands.

In chapter 4, under "Alternative D," we developed an alternative focusing on minimal development and primitive, non-motorized backcountry recreation.

## Dog Training (ID#s 11, 32, 82, 94, 123, 124, 167, 223, 237) (also see "Hunting" discussions)

### Administration and Support

**Comment:** The CLTTIA and others request that we rescind a proposal to develop a contact list of individuals engaged in certain hound training and hunting activities. In their opinion, such a proposal is only of marginal value and only adds red tape for users. They suggest that an alternative to a contact list is to use signage as a means to notify houndsmen. In addition, VFWD supports no restrictions on training and hunting with dogs beyond Vermont State regulations and notes that they will work with us to assess any concerns regarding dog training or hunting.

**Response:** The presence of pursuit hounds in Canada lynx (lynx) natal locations at a time when lynx may be raising their young (e.g. summer), is of concern, as is the potential pursuit of lynx by hounds. Both could constitute "take" under the Endangered Species Act. Maintaining a contact list of these users during this time is proposed as a means of continuing this activity without changing the season or methods, while gaining the ability to contact users should new information related to lynx presence or proximity become available. We do not consider this to constitute a measurable amount of "red tape" since no permit or other application is intended. We are only requesting users names and phone numbers. This could be facilitated by cooperation with the VFWD which has a long-standing relationship with such users, including the issuance of permits to bear houndsmen. The use of signage to notify hunters is viewed as ineffective and impractical given that it is uncertain where such signage could be strategically placed and noticed by all houndsmen.

**Comment:** The Vermont Bearhound Association advocates that restrictions applied to hounds should be applied equally to all dogs.

**Response:** Our intention is to address the issue of potential disturbance to lynx in the least impactful way possible. In consultation with the Service's Endangered Species program, it was thought the nature of hound hunting and the start of the training season in June had much greater potential to negatively impact lynx than those presented by other types of dog hunting activities, or from pet walking. Our proposal is consistent with the Endangered Species Act, while also being responsive to this user group.

**Comment:** The Vermont Traditions Coalition believes our requirement that hounds be under voice command at all times is unrealistic. They state that while hunters generally have command over their dogs, "hounds have a mind of their own, particularly when they're engaged in pursuit of game..." The wording of this requirement could be modified to be more realistic.

**Response:** We corrected sub-objective 3.1a. in appendix A (Nulhegan Basin and Putney Mountain) to read the same as our 50 CFR 32.65 regulation: "We allow the use of retrieving, flushing, pointing, and pursuit dogs; however dogs must be under control as is reasonable and customary for that activity, such as voice command or remote telemetry." This same language is used in the compatibility determination for hunting in Vermont in appendix D.

**Comment:** A commenter states that we allow the training of bird dogs and beagles at the Pondicherry Division beginning October 1, which coincides with the start of the hunting season, while New Hampshire regulations allow training year-round on a permit basis. They ask that we consider following New Hampshire State laws for the training of hunting dogs.

**Response:** Given the relatively large amount of public use at Pondicherry Division for a wide range of wildlife-dependent activities, such as wildlife observation and nature photography, in addition to hunting, we felt the inclusion of an earlier dog training season would not be compatible with the use and enjoyment of other priority public uses. However, as we develop our stepdown plans for this division, we will address this again in the context of a more comprehensive evaluation.

## **Non-Priority Public Uses Allowed on Refuge (ID#s 16, 21, 31, 32, 51, 60, 64, 82, 91, 94, 123, 127, 139, 167, 183, 210, 223, 236, 237, 252, 254, 284) (also see "Furbearer Management" discussion)**

### **General**

**Comment:** Our discussion of recreational activities beyond our legislated priority public uses (i.e., hunting, fishing, wildlife observation, and photography) generated a wide variety of comments. The VFWD commends our consideration of a range of compatible uses, including hiking, snowshoeing, cross-country skiing, bicycling, and canoeing. Another commenter objects to our "anti-hiking, anti-cross-country skiing tone". They thought we should express greater tolerance for pedestrian activities and that such users can represent a significant base of support for the refuge's land acquisition efforts; more so than hunters and anglers.

The CLLTIA and their supporters offer a comment advocating for a continuation of traditional uses as occurred in the past and express opposition to activities that directly conflict with traditional uses, such as hiking trails.

**Response:** As legislated in the Refuge System Improvement Act, we are compelled to favor the priority, wildlife-dependent uses of hunting, fishing, wildlife observation, and photography wherever such activities do not compromise the purpose for which the refuge was established and is within our means to administer in a safe manner. We therefore have a clear legislated directive to promote these activities and they take precedence over other potential recreational uses. That said, we are interested in enhancing our relevance to the broader public. That is why we are proposing a range of activities that are not all wildlife-dependent when determined to be compatible. In appendix A (by CFA), and appendix D, we detail our proposals for uses such as bicycling, cross-country skiing, snowshoeing, canoeing, snowmobiling, commercial guiding, the collection of berries and other natural products for personal use, and establishing at least one hiking trail in CFAs.

### **Snowmobiling**

**Comment:** We received a large number of comments on the topic of snowmobiling; a majority from Vermont, and many of these focused on the Nulhegan Basin Division. A common sentiment involved maintaining the long-established 35-mile trail network at the Nulhegan Basin Division, and expanding the network if warranted. Reasons for doing so included: benefits to the local economy and that snowmobiles provide the only means of reasonable access to all but the division's fringes during winter. Snowmobiles can provide wildlife viewing opportunities and access to areas in order to view wildlife tracks in snow.

We also received comments on our proposed change at the Nulhegan Basin Division – to offset any new trail construction to access the refuge's visitor contact station with closure of redundant trails elsewhere. This is addressed more fully in the Nulhegan Basin CFA section below.

Viewing our proposed CCP/EIS more broadly across the landscape, the Vermont Association of Snow Travelers (VAST) shared a desire for the continuity of their trail system on those lands we might acquire as part of our preferred alternative C. They and their supporters also noted that in addition to trails presently occurring on acquired lands, any future refuge acquisitions might also serve as connector trails or trail re-routes involving neighboring private lands in order to maintain overall network connectivity.

Commenters who opposed snowmobiling noted impacts to wildlife, soils and vegetation, air and water quality, as well as noise pollution and impacts to aquatic and terrestrial ecosystems. habitat loss associated with creating new trails, interfering with ever diminishing wildlife travel corridors, damage caused to vegetation, their exhaust, and generating noise levels above the normal forest baseline which are critical to wildlife. They generally supported alternative means of accessing refuge lands during winter, such as snowshoeing or cross-country skiing.

**Response:** We intend to maintain our proposed action regarding snowmobiling as shown in chapter 4 of the final CCP/EIS on map 4.42 at Pondicherry Division, and on map 4.47 at Nulhegan Basin Division. Our only change in the final CCP/EIS is that we plan to keep a section of Trail 114 that we originally proposed to close in the draft plan at Nulhegan Basin Division. We believe our compatibility determinations in appendix D for snowmobiling supports our decisions on this use. We further describe our future intent in final CCP/EIS chapter 4 to evaluate existing regional snowmobile trails for their appropriateness and compatibility as new lands are acquired. That said, we also acknowledge the desire for pedestrian access during winter (e.g., North Branch Trail was opened at Nulhegan Basin Division several years ago, and our current proposal to allow pedestrian use of snowmobile trails.) We also describe in chapter 4 our desire to support snowshoeing and cross-country skiing on newly acquired lands as a means to enhance visitor use and enjoyment of the refuge.

### Camping

**Comment:** One commenter shares their family's enjoyment for camping and primitive camping and would appreciate such opportunities within the Nulhegan region.

The Vermont Fish and Wildlife Department requests clarification regarding the extent of camping proposed for the Nulhegan Basin Division. They suggest that designated camping areas within the remote refuge lands would increase the public's ability to enjoy the refuge, especially because many people are traveling great distances.

**Response:** Our proposal for camping is limited to a designated site adjacent to the Nulhegan River in support of a request by the Northern Forest Canoe Trail. While we did consider a more extensive camping option, we decided to not pursue it at this time. We agree that such opportunities would expand access to visitors from afar, however, it also represents administrative challenges that may exceed our capacity and it also represents a potential loss of business for private lodging establishments in the Nulhegan Basin Division's general area.

### Commercial Guiding Services

**Comment:** The CLLTIA, Vermont Forest Products Association, and several of their supporters appreciate our proposal to allow commercial guiding for wildlife-dependent activities for their value to the sporting experience.

**Response:** The comment is noted – and we hope that such activity can add value to a visitor's experience while also contributing to the local economy. We will evaluate commercial guiding activities on a case-by-case basis to ensure compatibility

### Bicycling

**Comment:** We received support for our bicycling proposal from the Brighton, Vermont, Selectboard and a local individual. Given its growing popularity, they view biking as an economic boon to the community. The VFWD commends our consideration of a range of compatible uses, bicycling riding among them.

One commenter requests clarification as to whether prohibiting "off road bicycling" equates to a disallowance of off trail riding. They further note that Massachusetts DCR and Quabbin Reservoir allow extensive non-motorized trail biking and that this use should not extend to refuge lands. Along this theme, another commenter opposes creating new trails as this would constitute a loss of habitat and interfere with the ever diminishing wildlife travel ways.

**Response:** A long-standing desire to allow bicycling originated at the Nulhegan Basin Division, which has an extensive gravel road network and except for certain times, is lightly traveled by vehicles. As such, we are proposing to allow bicycle riding on roads open to vehicular traffic at the Nulhegan Basin (re: appendix A, Nulhegan Basin Division, goal 3, subobjective 3.4c.), as well as other refuge lands, as applicable. We are not proposing new bicycle trails, the use of bicycles on pedestrian trails, or off-road bicycling.

## **Non-Priority Public Uses Not Allowed on Refuge (ID#s 21, 32, 51, 82, 94, 123, 167, 223, 225, 237, 284, 311)**

### **ATV/ORV/UTV Use**

**Comment:** We received comments regarding the use of ATVs on refuge lands. Comments by the CLLTIA and their supporters consider ATVs to provide a legitimate recreational opportunity enjoyed by residents and guests and favor allowing ATVs on refuge roads and permitting refuge lands to be used as connector trails. They suggest it could be an economic boon for the area. Most “favorable” statements focused on Vermont and advocated for some reasonable ATV access to Conte Refuge lands. Commenters note that the Vermont ATV Sportsman’s Association (VASA) now operates a successful network of roughly 800 miles of ATV trail Statewide. Disallowing the use of ATVs across our proposed level of land acquisition would therefore have a detrimental effect to VASA’s trail network. It was also noted that ATV trails would be a “boon to the refuge and local economy.”

The CLLTIA Association also contends that our finding of appropriateness exaggerates the impacts of managed ATV trails in a manner that conflicts with the State of Vermont’s recent analysis of a trail at the Les Newell Wildlife Management Area.

We also received comments opposed to allowing ATVs. The principal objection was to the activity’s detrimental effect to habitat and wildlife, including that associated with creating new trails.

**Response:** It is important to recognize that national wildlife refuge lands are subject to particular laws, regulations, and policies, and that these may differ from those laws, regulations, and policies that apply to State lands or other Federal lands, such as National Forests. Federal laws and regulations take precedence over State authorities and as a refuge unit, we adhere to those measures specific to our agency, the National Wildlife Refuge System, and our specific authorizing legislation. Specific to recreational activities, the 1997 National Wildlife Refuge System Improvement Act requires that a proposed use first be found “appropriate” in a finding of appropriateness and if appropriate, then be found “compatible” via a compatibility determination. Our Finding of Appropriateness (page D-1) determined that ATVs were not an appropriate use of refuge lands; and therefore by applying the appropriateness policy would not be allowed.

Based on our understanding VASA maintains trails in roughly 16 “cells” across Vermont, many of which are outside the Connecticut River Watershed. Of those cells within the watershed, we are not proposing any acquisitions that would affect trails in the northern portion of the State; we are less familiar with the trail networks as they relate to our proposed acquisitions in the southeast quadrant of Vermont. It is our understanding that at least some VASA trails overlay class IV town public roads. If this is the case, we will not be acquiring such roads as part of our proposed land protection strategy and would therefore have no effect on such existing trails. In short, should we pursue acquisition of a property containing an ATV trail at some future date, the disposition of the trail could be a point of negotiation between the seller and Service; we also suspect that while perhaps not the preferred option, ATV trails may be re-routed, thereby enabling a local trail network to remain intact.

We further contest the commenter’s reference to our non-compliance with State law. We would emphasize that the Vermont Agency of Natural Resources recently proposed a *rule* to provide for connector trails on their wildlife management areas. In a follow-up email, the commenter confirmed that the rule was not finalized – “the Legislative Committee on Administrative Rules felt the rule was beyond the Agency of Natural Resources statutory authority and voted against it. The Governor can proceed with the rule in such a case, but decided to respect the Committee’s decision”. We would contend that such State land-specific rules are intended for State-managed properties and would have no bearing on refuge lands. Lastly, we would note, because existing refuge lands do not bisect an existing ATV trail, the absence of an opportunity to facilitate a connector trail further makes this proposed rule moot.



Specific to the Nulhegan Basin Division, the implication this activity was allowed prior to our acquisition of these lands and subsequently banned by the Service is false. While illicit ATV riding may have occurred on the Champion International timber lands, the company did not allow their use and we continued the practice of not allowing ATVs following our acquisition of the property. Likewise, the other entities purchasing the Champion lands (State of Vermont and Essex Timber Company) also continued to disallow ATVs. Therefore, to this day, ATVs are not allowed on any of the properties bordering the Division: the neighboring Weyerhaeuser timber lands, McConnell Pond tract, Wenlock Wildlife Management Area, or the West Mountain Wildlife Management Area to the immediate south of the Division. In summary, there is no currently existing network to which the Division can provide “connector” trails.

The Nulhegan Basin Division's road network already allows adequate access for “street-legal” vehicles in order to pursue the range of allowed recreational activities (e.g., hunting, fishing, wildlife viewing, hiking, cabin access, canoeing, etc.) The road network is also available to pedestrians and as proposed in this action, bicycles. A further reason to not consider ATVs is the potential conflict with safe access by these other users.

### Target Shooting

**Comment:** The inability to target shoot on the refuge is a significant issue for some of those associated with recreational cabins within the Nulhegan Division and surrounding public and private timberlands. The CLLTIA and several individuals request that we rescind a ban on target shooting, based on a history of safety on neighboring lands and that such use teaches people about safe gun handling and helps hone hunter skills. It was suggested that people be allowed to target shoot in sand pits and other safe places. Several of these same commenters also urged that target shooting “be allowed as per Vermont law with no extra Federal requirements.”

A more specific comment references section 5(a)(3)(k) of the 1997 National Wildlife Refuge System Improvement Act. This section states: “With respect to the System, it is the policy of the United States that {the Refuges} provide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities, such as fishing and hunting.”

**Response:** Prior to acquisition by the Service, target shooting occurred in a random fashion at multiple locations on the lands now contained within the Nulhegan Basin Division. We disallowed the use upon acquisition and are proposing not to allow target shooting on any existing or future refuge lands. Target shooting was found not appropriate in the Findings of Appropriateness (final CCP/EIS appendix D) based on safety and environmental concerns, as well as, an inconsistency with Federal regulations. Activities determined to be “not appropriate” may not be allowed on national wildlife refuges. We performed an online search of shooting range-related statutes in Vermont and only found regulations applying to the use of ranges located on Vermont Fish and Wildlife Department lands.

We believe the use of section 5(a)(3)(k) is a mischaracterization of the Improvement Act. This section pertains to wildlife-dependent recreation. Target shooting is not a wildlife-dependent activity. As described in our Finding of Appropriateness in appendix D, while target shooting can hone certain hunting skills, it is not in fact hunting. We would further note that the section cited, as well as, the Improvement Act overall base authorized activities on their “compatibility”. Target shooting was found to be not appropriate and by definition, is therefore, not compatible. That said, we do agree with the value of teaching firearms safety and enhancing hunting skills – and are pleased to note that the Vermont Fish & Wildlife Department opened the West Mountain Shooting Range at West Mountain Wildlife Management Area in 2016. This new shooting range is near the Nulhegan Basin Division and should provide the opportunity desired by the commenters.

**Comment:** A commenter from Massachusetts suggests establishing shooting ranges throughout the Connecticut River corridor in order to provide a controlled environment under which contamination could be better managed.

**Response:** We agree that a controlled environment is best suited to manage lead contamination; however this is a State and/or municipal regulatory issue and not something within the refuge's authority, nor are shooting ranges an appropriate use of refuge lands (re: final CCP/EIS appendix D).

### Model Airplane Use

**Comment:** In response to our proposed prohibition on model airplane use in the draft plan, a commenter suggested we use a more encompassing term that could address future innovations that pose unwarranted stress to wildlife. One option would be to also note that drones would not be allowed.

**Response:** We have modified our Finding of Appropriateness in appendix D of the final plan for model airplanes to address a broader context. It includes manned and unmanned aircraft for recreational uses (e.g. model airplanes, recreational use of drones, ultralights, etc.). We found these uses to not be appropriate on the refuge.

### Other Uses Not Evaluated in Detail (ID#s 32, 82, 105, 167, 200, 206, 223, 237, 252)

#### Horseback Riding

**Comment:** A commenter suggests implementation of a permit system to allow for horseback access to Nulhegan Basin Division. Such an activity would be limited to a small group, for day use only, limited to specific roads, and require manure management. They point out that such activity is currently allowed at the adjoining West Mountain and Wenlock Wildlife Management Areas.

They contend that our current allowance of certain activities constitutes greater environmental impacts than horses. For instance, permitting snowmobiles poses greater impacts through noise and emissions pollution and the translocation of weed seed from more southerly areas that can be picked up during low-snow conditions. They further note that fishing also offers the potential for introduction of invasive species.

The VFWD commends our consideration of a range of compatible uses, horseback riding among them.

The CLLTIA and their supporters offer a comment in opposition to activities that directly conflict with traditional uses, such as equestrian trails.

**Response:** Chapter 4, objective 3.4, discusses our approach to regional and unit-based recreational trail activities. Where our ownership coincides with existing regional trails, we note our intent to maintain their continuity where appropriate and compatible. With regard to the existing refuge lands, a proponent would first have to demonstrate how the proposed trail provides a linkage to an existing trail network. If such a trail connection appeared reasonable, we would then prepare a site-specific compatibility determination that would evaluate the effects of such a use and describe measures needed to ensure compatibility. As necessary, the Service would coordinate with the State, stakeholders, and the public to comply with NEPA. These actions would be best addressed in a comprehensive way as part of a visitor services/public access plan.

A compatibility determination for snowmobiling may be found in appendix D. We will likewise prepare compatibility determinations for fishing when refuge units are formally opened to this use and will address issues related to invasive species.

#### Rock and Ice Climbing

**Comment:** A commenter references the tradition, and we presume support for, rock and ice climbing at Lyme's Holts and Winslow Ledges. The commenter also notes that this activity can extend into the evening hours; beyond our proposed daily closure time.

**Response:** We are not familiar with the area referenced nor are we aware of the extent and location of this activity. It is not occurring on existing refuge lands. If we should acquire these lands, we would need more information on where these activities are occurring in order to prepare an appropriateness finding and compatibility determination. We would have concerns with disturbance to wildlife, degradation to rock faces, access, parking, etc. We encourage the rock and ice climbing community to provide us with additional information for future reference.

### Motorized Boating Access

**Comment:** The Connecticut Chapter of Delta Waterfowl points out the benefit in providing access for 20-foot motor boats given the strong currents and high winds along certain reaches of the Connecticut River. The ability to launch boats of this size would also foster the work of rescue organizations.

**Response:** This request is beyond our typical range of activities and abilities - and is perhaps best directed to the respective State fish and wildlife agency. We do not have plans to build infrastructure to support boats of this size on the refuge and most of the water bodies supporting boats of this size are under the jurisdiction of the respective States. Should some future opportunity present itself and we have staff and funding to collaborate with the States, we will evaluate our potential role in such process. Although perhaps not meeting the commenter's desire, we believe there are marinas along the Connecticut River mainstem that can accommodate boats of this size.

### Cabin Leases at Nulhegan Basin Division (ID#s 32, 82, 123, 156, 167, 223, 237)

#### General

**Comment:** Comments regarding the cabin lease program at the Nulhegan Basin Division ranged from appreciation that there are no changes proposed to the administration of recreational cabins, an acknowledgement that leaseholders are good stewards of the land and should receive greater weight in planning decisions, and that leases should be extended beyond the 50-year sunset date in order to perpetuate the "camp culture".

**Response:** We are proposing no changes to the way recreational cabins are administered at the Nulhegan Basin Division, including adherence to the 2049 termination of leases that was established in planning documents following our acquisition of the Nulhegan Basin Division in 1999. We would note that as described in the plan, identical practices would be applied to cabins located on the McConnell Pond tract should this parcel be acquired by the Service.

We have enjoyed a positive relationship with leaseholders since the Division was acquired in 1999. They will, as well as the general public, be included in refuge management considerations (as exemplified in this CCP process). We would point out that with the exception of State fish and wildlife agencies, "greater weight" is not afforded to any group; public input is not a vote – rather it is a means to obtain valuable insights, perspectives, and clarifications/corrections. We would also note that due to privacy concerns, we have not requested and do not maintain an email directory of leaseholders. Those individuals desiring direct notification of proposed actions are invited to supply the refuge manager with their email address – or request US Mail notification in the absence of an email account.

**Comment:** One current cabin leaseholder requested that without ready access to appropriate firewood adjoining his cabin, that firewood be made available elsewhere on the division.

**Response:** The 2011 special use permit (SUP) for privately-owned cabins notes that "only trees downed by natural causes within or adjacent to the premises, or those that have fallen as a result of natural means across a refuge roadway, or other trees as specified by the refuge manager, may be cut for camp firewood." Please contact the refuge manager with suggested firewood collection location(s) if you are unable to gather sufficient wood as per the quoted stipulation. The SUP further limits the importation of firewood from nearby counties in order to minimize the chance of introducing devastating forest pests such as emerald ash borer and Asian long-horned beetle.

**Furbearer Management, Including Trapping** (ID#s 2, 5, 6, 8, 12, 14, 17, 19, 22, 23, 25, 26, 27, 28, 33, 34, 36, 48, 49, 50, 52, 55, 56, 57, 63, 65, 69, 74, 80, 84, 93, 94, 95, 96, 98, 104, 108, 111, 112, 115, 124, 125, 126, 131, 146, 150, 154, 159, 163, 164, 165, 168, 169, 170, 171, 173, 177, 180, 185, 186, 187, 190, 192, 193, 194, 195, 200, 201, 203, 207, 208, 211, 215, 218, 219, 223, 224, 227, 228, 235, 247, 248, 249, 253, 255, 256, 270, 273, 285, 291, 292, 295, 302, 304, 307, 318)

### Opposition

**Comment:** Among the comments opposed to trapping included a petition hosted by Protect Our Wildlife that collected more than 2,500 signatures. The petition's key points include:

- Furbearer trapping is NOT compatible with the stated purpose of a wildlife refuge.
- Federal law requires an Incidental Take Permit (ITP) (presumably for Canada lynx); an ITP has not been granted, yet USFWS is still allowing trapping.
- Only effective way to protect lynx from trapping is to prohibit trapping in areas where there have been confirmed sightings, such as Nulhegan Basin.
- Lynx are often mistaken for bobcats - a species targeted with trapping.
- Trapping is indiscriminate.

Many of the other comments in opposition included these points as well. Commenters noted concern for Vermont's protected species such as Canada lynx, grey wolves, and bald eagles, hawks, American marten, as well as other non-target species. Some commenters asserted that the Nulhegan Basin Division is used by "many protected species" as an added reason to disallow trapping and that many other opportunities for trapping exist elsewhere in Vermont. They further noted our legal obligation to protect federally listed species, such as lynx.

The Center for Biological Diversity also contends that trapping is not necessary for professional wildlife management and runs counter to the State of Vermont's conservation priorities. More specifically, they note that three species trapped at the Nulhegan Basin Division (muskrat, bobcat, and river otter) are on Vermont's list of Species of Greatest Conservation Need.

**Response:** We recognize trapping as an historic and traditional activity on many areas in the Northeast.

Trapping is a management tool employed on many refuges across the Refuge System, including Conte Refuge. We also allow a general trapping season on the Nulhegan Basin Division according to Vermont regulations. We describe our current program in chapter 4 under "Actions Common to All Alternatives, Furbearer Management" and in appendix D "Compatibility Determination for Furbearer Management." Trapping occurred on the Nulhegan Basin Division prior to acquisition by the Service and has continued since the property was acquired in 1999 under VFWD regulations. On future land acquisitions, we propose to allow trapping to continue as a tool to manage wildlife populations where it is presently occurring, and where the management need is supported by the respective State fish and wildlife agency. Prior to opening refuge lands to trapping, we would coordinate with the State, stakeholders, and complete a NEPA compliant document, a compatibility determination, and a furbearer management plan that is vetted publically.

The VFWD adopted new trapping measures in 2013 since the detection of lynx in and around the Nulhegan Basin Division. We have adopted those same measures in our public trapping program. We will continue to monitor for the presence of lynx and the potential for trapping related impacts.

**Comment:** A fundamental perspective held by many is that trapping is inhumane and unnecessary, and that "to allow trapping to simply appease a handful of trappers, while simultaneously endangering so many different species of animals is in direct conflict of what a refuge is supposed to represent."

One commenter notes that while a need for wildlife management exists; trapping is inappropriate because its original purpose no longer exists. The commenter continued that there is no "human need so dire as to justify the unfair use of technology against fur-bearing creatures."



**Response:** While this is clearly an activity that elicits strong emotions, we would contend that trapping as practiced according to State regulations serves to maintain a balance among wildlife populations without “endangering” any species. Trapping is an important management tool used on National Wildlife Refuges throughout the Refuge System and is common to all alternatives. See chapter 4, “Actions Common to All Alternatives,” and appendix D “Furbearer Management Compatibility Determination” for more details.

**Comment:** A commenter contends that the rationale of controlling predator species with trapping so that they do not “starve to death when their prey runs out” is inaccurate. Rather, they note that predator/prey populations have always fluctuated in predictable patterns, and that trained biologists are best suited to manage these species.

**Response:** In appendix D “Furbearer Management Compatibility Determination,” under “Impacts to Furbearers,” and “Impacts to Other Wildlife,” we address these concerns.

**Comment:** Several commenters expressed a desire to ban trapping throughout the entire Conte Refuge.

**Response:** We are only responsible for practices occurring on those lands we administer. Currently, trapping occurs at Nulhegan Basin Division consistent with State regulations, whereas we enlist trappers at Pondicherry Division as a management action to address beavers whose activities threaten infrastructure.

**Comment:** In the furbearer management compatibility determination (final CCP/EIS appendix D), it notes a temporary disturbance to wildlife by trappers as they drive the division’s roads and walk out to their trap sets. Therefore, a commenter asked, what benefits does trapping provide that would “justify the wishes of the minority who trap?”

The compatibility determination also notes that trapping coyotes, a lynx competitor, may increase available prey for lynx. A commenter noted that killing coyotes only stimulates greater reproduction.

**Response:** Trapping is a longstanding, sustainable, legitimate use of renewable resources recognized by the State. A trapping minority today does not preclude potential future growth in numbers. Please refer to appendix D “Furbearer Management Compatibility Determination” under “Beneficial Effects” for further details regarding benefits of trapping. We are unaware of research that determines that killing coyotes stimulates greater reproduction and would be interested in any information you may have.

**Comment:** A commenter addressed the special use permit (SUP) process we use to administer this use. They suggested our proposed measures, such as setting traps on leaning poles at a minimum 45-degree angle, are inadequate to protect lynx. They contend lynx were trapped and died in Maine where this stipulation was in effect. They further noted that our measures involving leg-hold traps do not prohibit lynx from becoming immobilized from 24 hours or more and subjected to predation, hypothermia, and other threats.

**Response:** We are working with our Ecological Services office and the State to ensure compliance with the Endangered Species Act. Our Furbearer Management compatibility determination in appendix D contains further details on monitoring protocols and administrative plans.

## Support

**Comment:** Several comments note that, similar to their comments on hunting and fishing, that we allow trapping following regulations established by the State fish and wildlife agency.

**Response:** The Nulhegan Basin Division is the only refuge unit currently open to a general trapping seasons. We apply VFWD regulations to manage this use at this location. Appendix D includes the compatibility determination for trapping on Nulhegan Basin Division and describes how it is managed. With lands to be acquired on other divisions, we propose to allow trapping to continue as a tool to manage wildlife populations where it is presently occurring, and where the management need is supported by the respective State fish and wildlife agency. Prior to opening refuge lands to trapping, we would complete a NEPA compliant document, a compatibility determination, and a furbearer management plan.

**Comment:** Comments ranged from general support for trapping as a biologically sound wildlife management tool with regulations established according to biological and scientific data, to a traditional land use in Vermont that provides a connection to the natural world. One commenter noted that conservation is predicated on the benefit afforded the whole population. Other commenters stated that trapping is a means to reduce overpopulation that may lead to disease, as well as, a way to earn money in an economically depressed part of the State.

One person describes the benefit gained by her daughter attending a conservation camp and learning trapping skills, among others. This experience provided a deeper understanding of ecosystems and the care for the environment. When traps are properly set, this commenter states there is no unnecessary suffering by animals.

**Response:** Your comment is noted.

**Comment:** CTDEEP suggests that we evaluate trapping opportunities and prepare compatibility determinations on all refuge units. Other commenters recommend we work expeditiously to provide additional trapping opportunities as additional refuge lands are acquired and that trapping should be maintained as a management option for easements.

**Response:** We use trapping as a management tool across the refuge to achieve specific objectives, usually to prevent damage to infrastructure, promote safety, or minimize degradation of habitats. We use either refuge staff, or a certified or contract trapper, to conduct trapping under those circumstances. We have completed the administrative process to open refuge lands to a public trapping program only at Nulhegan Basin Division. On future land acquisitions, we propose to allow trapping to continue as a tool to manage wildlife populations where it is presently occurring, and where the management need is supported by the respective State fish and wildlife agency. Prior to opening refuge lands to trapping, we would coordinate with the State, stakeholders, and the public, and complete a NEPA compliant document, a compatibility determination, and a furbearer management plan (e.g. the requirements of our administrative process).

With regard to easements, if we acquire the right in the easement to manage the land, trapping could be used as a management tool to accomplish our objectives. Under this type of easement, we may trap to benefit wildlife and species, and/or to protect infrastructure or habitat.

**Comment:** Several comments involved Canada lynx. One person noted that lynx had expanded from northern Maine into New Hampshire and then Vermont – and this expansion had occurred in concert with trapping and that trapping is part of this success. Others requested no additional regulations beyond those administered by the State, and believed that recent regulations instituted by VFWD to protect lynx would be effective. Some commenters noted that no lynx had been documented in recent years, or are being used as a “red herring” to attack trapping. A commenter also noted that the use of the proposed lynx exclusion devices would eliminate the incidental capture of lynx.

**Response:** We believe the characterization of the spread of lynx across northern New England is correct, although we cannot attribute the role of trapping to this occurrence. It is also correct that despite increased surveillance in recent years, we have not detected a lynx since February 2014 at the Nulhegan Basin Division. We are awaiting a review of the results from the winter 2015/16 survey effort. We would caution that our inability to detect lynx does not mean they are absent. Our responsibility to protect and manage federally listed species is paramount, and we will be vigilant to the presence of lynx and adjust or adopt new management strategies as warranted.

**Comment:** We also heard a sentiment that these lands, “bought by federal dollars collected through taxes paid by citizens...should be left open for all uses,” including trapping. Another commenter stated that the amount of posted land in Vermont is making it difficult to find places to hunt and trap; we should be trying to open more land to the people for these uses, not closing areas.

**Response:** We believe our history of public use and future intent as described in the draft CCP demonstrates a commitment to allow access to a broad range of uses. We want to be an asset to local communities and have done so by offering environmental education programming for local school children, providing forest firefighting equipment, and leveraged Federal dollars for local road improvements. That said, we have a responsibility to manage Federal lands for all citizens.

We agree that the posting of private lands can be a serious problem for outdoor recreationists - and that over time, access to lands will only become reduced further. We would contend that the acquisition of refuge lands is one way to ensure greater access for wildlife-dependent activities over time - and also a way to maintain the type of landscape desired by longtime residents.

**Comment:** The Connecticut Chapter of Delta Waterfowl Foundation requests that the current fee to trap State land be waived for trapping on the Federal wildlife refuge.

**Response:** We require no special or additional fees for trapping.

## Special Areas Designations (ID#s 32, 82, 90, 123, 135, 167, 213, 215, 223, 237, 241)

### National Natural Landmarks

**Comment:** We received support for our proposal to expand the National Natural Landmark designation to an additional 694 acres at the Pondicherry Division. Support for including these previously unmanaged peat lands was offered by the National Park Service, Jefferson Conservation Commission, and Friends of Pondicherry. Among the notable benefits are augmenting the existing designation to both aid management and offer a natural laboratory for the study of wetland processes.

**Response:** Your comment is noted.

**Comment:** The National Park Service noted our error in misstating the date of the National Natural Landmark designation at Pondicherry Division as 1974. The correct date is 1972. They also offered a correction to the number of existing National Natural Landmarks within the Connecticut River watershed (page 3-35, App. C-45). Rather than the three we noted, all of which are in New Hampshire, there are actually 14 dispersed across all watershed States. They provided us with a list and map of locations.

**Response:** Your comment is noted and we have made the change.

### Wild and Scenic Rivers

**Comment:** The Center for Biological Diversity advocated for designation of suitable wild, scenic, and recreational rivers in cooperation with intergovernmental and private partners during the life of the CCP

**Response:** In the final CCP/EIS under appendix F, we detail our wild and scenic rivers review. We identify rivers that met some of the criteria for designation, but we do not make any recommendations. Our strategy is to work with partners to look more comprehensively at entire river stretches or segments. To be respectful of jurisdictional boundaries, we will be focusing on collaborations that include existing and/or potential refuge lands and stretches of river and stream beyond those boundaries.

### Wilderness

**Comment:** The CLLTIA, and several supporters noted “Federally designated “wilderness”, “ecological core areas” or other restrictive land classifications that prohibit such things as timber cutting, road access, motorized uses, and other uses should not be imposed on the Refuge” because this would “conflict with traditional uses and is exclusionary” to a majority of the public. They also described managed forests as beneficial to a majority of wildlife species.

This organization further believe it inappropriate to re-evaluate wilderness consideration 30-50 years hence as described on page E-13, noting the existence of wilderness areas in the Green Mountain National Forest and other national forests in New England, as well as more locally, a contention that “wilderness-like” areas exist at the West Mountain Wildlife Management Area and Weyerhaeuser timber lands.

The Center for Biological Diversity would prefer a wilderness designation at the Nulhegan Basin Division. They noted that although lands with the greatest potential for wilderness quality presently lack important

criteria, selection of alternative D, or a similar alternative that emphasizes minimal habitat manipulation and backcountry character; it's likely that some parts of the Nulhegan, as well as other Refuge lands, would eventually meet wilderness criteria. They urged us to manage certain parts of the Refuge for wilderness characteristics that will return over time.

**Response:** We are required to do wilderness reviews as per Service policy 602 FW 2 during the development of CCPs. This review includes an evaluation of lands owned in fee by the Service to determine whether they meet the criteria and should be recommended for National Wilderness Preservation System lands. CCPs are reevaluated every 15 years, including the wilderness review. The next review will include all lands acquired in fee for the refuge.

Our wilderness review on existing refuge lands owned in fee by the Service is detailed in appendix E. The wilderness review did not recommend a further consideration of wilderness designation for any current refuge holdings at this time. This was based on current characteristics and the need for active habitat management at the Nulhegan Basin Division (the only refuge unit meeting minimum wilderness criteria) in order to meet refuge purposes and achieve our wildlife and habitat goals and objectives.

One consideration for future evaluations of wilderness will include our plans for habitat management. We will be developing an HMP for each division. That process will include public involvement and a NEPA compliant document.

We would clarify that wilderness designations are made by Congress and apply to Federal lands, including those managed by the Service. Therefore, any State or private lands designations referenced by commenters do not factor into the evaluation.

## Blueways

**Comment:** Audubon Connecticut highlighted the existence of the Connecticut River watershed's designation as the nation's only National Blueway. They advocated the inclusion of the Blueway's principles in the final CCP/EIS.

**Response:** We highlight this status in chapter 3. We also reference it in chapter 4, goal 4, objective 4.5, Special Designation Area partnerships.

## Non-toxic Ammunition and Tackle (ID#s 32, 53, 82, 99, 135, 167, 213, 223, 237)

### General

**Comment:** The CLLTIA and several of its members note that "A ban on lead ammunition was rejected by the 2007 Vermont Legislature as unnecessary and not supported by the science presented." Another commenter states that lead poisoning was not an issue in an upland environment.

The Jefferson, New Hampshire, Conservation Commission, Friends of Pondicherry, and Mattabesec Audubon Society point out the harm caused by lead shot and sinkers. Recommendations include the use of non-toxic shot for small game hunting (mammals and birds) and the banning of lead tackle from refuge waters.

**Response:** We are not proposing a ban on lead ammunition or lead fishing tackle (chapter 4, "Actions Common to All Alternatives," page 4-39). Rather, we are proposing to work with the respective State fish and wildlife agency "to identify and evaluate the impacts associated with requiring the use of non-toxic ammunition for hunting on refuge lands." With regard to fishing tackle, we are proposing to promote the use of lead-free tackle in our fishing publications. As we move forward, we will take into account any relevant legislation passed within the States, and will also rely heavily on the science related to the effect of lead on fish and wildlife.



**Facilities and Infrastructure** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 32, 82, 94, 99, 105, 134, 167, 223, 237)

**General**

**Comment:** CLLTIA, VFPA, VTC, Board of Governors of Unified Towns and Gores, Vermont, and other individuals emphasized the maintenance of existing facilities and infrastructure as sufficient and discouraged any further development of trails, buildings, or roads. Most of these same commenters also suggested keeping current roads open to public use.

They note the West Mt. WMA public hearings concluded a public majority in support of maintaining the raw and rugged nature of undeveloped recreation as opposed to trail development. These same commenters also requested “refuge buildings be compatible in scale and style to the rustic character of the region,” noting “Federal Refuge Headquarters did not meet this objective.”

**Response:** We will look at infrastructure in more detail as we develop visitor services and habitat management stepdown plans. We have no plans to construct any new buildings. Rather, we are removing infrastructure such as buildings that are excess to our needs for operational purposes. Subject to availability of funds and completion of our environmental compliance process, we do intend to provide a universal access opportunity on most of our existing and proposed CFAs/divisions.

**Comment:** Mattabesek Audubon Society suggests re-purposing of existing logging and farm roads for trails should be emphasized over new construction.

**Response:** We agree that it is important to repurpose old roads for management access or public use, where appropriate, rather than create new ground disturbance. We currently follow this practice. Examples include the North Branch Trail at Nulhegan Basin Division and the Mud Pond Trail at the Pondicherry Division - both follow existing roads.

**Habitat Management** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 32, 45, 62, 82, 83, 94, 99, 102, 122, 123, 127, 141, 143, 155, 156, 167, 174, 179, 180, 183, 195, 214, 222, 223, 237, 244, 251, 252, 263, 268, 272, 278, 282, 306)

**Support**

**Comment:** Many commenters wrote in support of active habitat management, and more specifically active forest management.

**Response:** Our habitat management, as outlined in the CCP, identifies the potential for forest management on all of the proposed CFAs. More detailed management prescriptions that identify appropriate areas, the scale and form of management, and other considerations will be outlined in CFA-specific HMPs as lands are acquired. These HMPs will also be made available for public review and comment. We remind readers that our forest management is driven by the habitat needs of refuge resources of concern, including focal species identified within each CFA (re: appendix A). This is in contrast to more traditional economic or timber goals.

**Comment:** We heard from individuals and organizations that were disappointed in the low level of proposed forest management, suggesting it didn't represent a 'healthy balance.'

**Response:** Forest management on national wildlife refuges is driven by the habitat needs of identified focal species, refuge trust resources, and the legislated purposes of a refuge, rather than a balanced rotation as might occur on private lands. The CCP is a long term strategic plan. We expect it would take decades to accomplish, depending on willing sellers and our track record on land acquisition for this refuge. The HMP for each division will determine where, how, and how much forest management is recommended to achieve our wildlife and habitat goals and objectives.

For purposes of the CCP analysis (final CCP/EIS, chapter 5, table 5.4 and appendix I - Table I-40), we proposed treating 750 acres/year. This acreage figure is intended as an estimate of the scale of management the refuge felt it could accomplish given a number of assumptions: full staffing as envisioned in alternative C, our current administrative rules and policies, and full acquisition of 197,000 acres. We recognize that should the refuge acquire all 197,000 acres as proposed in the CCP that habitat needs of focal species may call for more than 750 acres a year in forest management. It is possible, with additional funding, that we may be able to accomplish more. We view a healthy balance as including unmanaged areas with those managed using even-aged and uneven-aged techniques. Appendix J in the final CCP/EIS references forest management guidelines we will follow. The ratio of even-aged vs uneven-aged approaches within a given CFA will be outlined in stepdown HMPs. Ratios will reflect current conditions of the forest at the time of acquisition, as well as forest conditions on surrounding ownerships – an approach we feel represents both our mandate and a healthy balance. As we develop HMPs, we will explore ways to engage partners to facilitate implementation. The Nulhegan Basin Division HMP is our highest priority HMP to complete after CCP approval.

**Comment:** New Hampshire Audubon wrote to affirm the importance of managing lands the refuge currently owns and hopes to acquire, specifically: “a focus on protecting and restoring wetlands and floodplain forests in the southern reaches of the watershed.... protect and manage areas of unfragmented forest in the northern reaches will maintain breeding habitat.” The commenter suggests rewriting the goal to emphasize partnerships to achieve wildlife and habitat goals.

**Response:** We agree that wetlands and floodplain forest are vital habitats to conserve in the watershed. We identified the Quonotuck CFA specifically to address these resources. They are also identified as priority habitats in individual CFAs in appendix A.

We agree that partnerships are critical to accomplishing the CCP and established goal 4 to reflect how significant those relationships are. However, we do not think it necessary to rewrite goal one to mention partnerships. We address the importance of partnerships in its own goal - goal four.

We agree that habitat conservation, coupled with the restoration of altered habitats throughout the watershed are important goals the Refuge must follow to meet the intent of the Conte Refuge Act of 1991. And we agree that partnerships are critical in achieving these goals.

**Comment:** A number of commenters encouraged refuge staff to aggressively manage the timber resource to benefit wildlife, particularly in areas known to aid wintering deer. These commenters noted that a lack of active forest management can be detrimental to suites of species dependent upon forest disturbances.

**Response:** We agree with commenters that forests on the refuge must be managed. Our proposed management in the CCP attempts to find the appropriate balance of forest management within a given CFA, with the priority to manage for focal species we identify in appendix A by CFA. We propose management to create early successional conditions vital to focal species, such as woodcock in northern areas and chestnut-sided warblers in southern areas. However, our management also include promoting late successional forests which are largely missing from the New England landscape, allowing some forests to mature creates important ecological conditions for some of our focal species.

In appendix A, for those CFAs we know to have critical deer winter yards, we have a strategy to work with the State and other partners to manage those deer winter yards and corridors since they may straddle refuge lands and other ownerships.

**Comment:** A commenter from Massachusetts Audubon noted their support for the CCP's efforts to protect “grasslands, shrublands, and interior forests.” This commenter also noted that the expansion of early successional management proposed in the plan was a priority shared by Massachusetts Audubon, MassWildlife, and other organizations.

**Response:** Early successional habitats are critical for a number of declining songbirds and other species. This is a particular problem in the southern portions of the watershed where landowners may be reluctant to manage their forestland. The CCP recognizes this problem and outlines our intent to manage early successional habitats, particularly in southern portions of the watershed.

**Comment:** A commenter noted that the Ruffed Grouse Society reported to Congress a study showing the Forest Service has only met 25 percent of its young forest target on Federal forest lands. The commenter goes on to argue the importance of young habitats, and their creation on Conte refuge lands.

**Response:** We do not expect a similar outcome on Conte refuge lands. Our forest management is habitat driven and young forest habitats are in decline throughout much of the watershed. We note this decline in our discussion of southern CFAs in appendix A. Our CCP documents our intent to create young forest habitats where appropriate to benefit Refuge focal species (e.g. appendix A, page A-205, Whalebone Cove CFA). HMPs will provide the details on the priorities for where and when management is proposed within respective CFAs.

**Comment:** Representatives from CTDEEP suggested the importance of working with State and local partners from the agriculture industry before managing floodplain forests. This commenter goes on to note the importance of “working with Federal, State, municipal, and NGO partners within CFAs and CPAs to facilitate cooperative management strategies.”

**Response:** The success of the Conte Refuge CCP and landscape-scale conservation more broadly is predicated on working closely with partners at local scales. We acknowledge this importance, as evidenced by our goal 4 which specifically elevates the significance of partnerships in accomplishing conservation in the watershed (see chapter 1, Refuge Vision). We intend to work closely with our State and non-governmental partners, as well as those in private industry, to achieve restoration actions on the ground. This is particularly true in reference to many of the proposed actions suggested by the commenter: containing invasive plants and pests; protecting and restoring floodplain forests; and facilitating fish passage through removal of dams or culverts.

**Comment:** The Vermont Traditions Coalition and the CLLTIA had many positive comments on habitat management at the Nulhegan Basin Division and more broadly in the watershed. In particular, this organization is concerned with an insufficient level of proposed forest management, forest management within the deeryard in the Nulhegan Basin, and recognition of the role forest management plays in the local economy of Essex County.

**Response:** We respond to comments regarding the level of active forest management and management of deer winter yards above. We appreciate the concern that refuge acquisition and management may impact the local economy of Essex County and other forest-dependent communities. In managing land for priority wildlife and habitats, any economic benefits are incidental to what is driving our management. A fuller discussion of economic considerations is presented in section 28 (Socioeconomic Impacts) of final CCP/EIS appendix I.

We acknowledge the importance of conserving working farm and forest lands in chapter 4, “Actions Common to All Alternatives”. We state in chapter 4 that we will continue to seek opportunities to facilitate the enrollment of these lands into programs that conserve these uses. Once enrolled, we consider these lands conserved and an important part of the working landscape. Easements will be a tool we will employ to help private landowners continue forest management consistent with accomplishing wildlife and habitat goals.

**Comment:** The NHTOA suggests “the low-level of current and proposed forest management will adversely affect wildlife population within the species which are dependent upon early successional habitat.”

**Response:** We respectfully disagree with NHTOA's characterization of consequences to early successional wildlife and our early successional management intentions for two reasons: our CCP does propose forest management to benefit early successional dependent species where a larger-scale analysis shows this forest condition to be lacking (see appendix A discussion for CFAs in the southern portion of the watershed); and early successional forests are commonly created on private forests, particularly in the northern portion of the watershed.

The intention of the refuge is to provide appropriate habitat for our focal species, particularly when that habitat is lacking on surrounding public and private lands. The CCP takes the general view (which follows FIA data) that northern portions of the watershed are subject to greater and more intensive forest management, which in turn creates early successional habitats. The CCP contrasts this with the southern, more urban portion of the watershed where forest management occurs far less frequently, and early successional habitats are in decline. The broad forest management guidelines in the CCP call for early successional management on all refuge lands where appropriate, with an emphasis on areas in the southern part of the watershed.

**Comment:** A reviewer felt adding “flood resiliency to the goals of protecting floodplain forests” would improve the floodplain forest goals.

**Response:** The comment is noted. The floodplain forest objective, under final CCP/EIS goal 1, objective 1.1, has been modified to include language highlighting the importance of flood resiliency.

**Comment:** One commenter is concerned “with the lack of management this proposal will bring upon these acreages and the long-term negative impacts to forest health.”

**Response:** The CCP outlines our plans to actively manage Refuge forests where doing so will benefit identified focal species. The types of management and their extent will be outlined in forthcoming HMPs.

In our response above, we describe how our forest management decisions are driven by the habitat needs of the identified focal species for a CFA. There are species that benefit from forest management and species that are negatively impacted by forest disturbance. Put differently, forest succession is paced by changes in the relative abundance of a handful of conspicuous, dominant plants, but along with these species, thousands of plants and animals come and go too - their populations waxing and waning - as succession proceeds. Managing forest landscapes for diversity (as required by Service policy) involves managing patterns of succession for two reasons: some successional stages have more species than others; and each stage has a different, although not usually unique, set of species. Forest management on the refuge will work to provide all successional stages common to a particular forest type. In some cases this will mean a lack of active forest management.

Our review of the literature has been unable to find any information, outside of invasive species outbreaks, suggesting that failing to harvest trees leads to “long-term negative impacts to forest health.”

**Comment:** A commenter emphasized that “all of these areas can benefit substantially through careful forestry stewardship with an emphasis on habitat management and recreational benefits.”

**Response:** The commenter’s insights are duly noted. We agree that refuge lands will benefit from careful forest stewardship.

**Comment:** The White Mountain National Forest supervisor wrote to compliment our emphasis on floodplain and riparian forests. They noted this is an identified priority in the White Mountain National Forest Land and Resource Management Plan, and suggested collaboration with the Refuge as a possibility.

**Response:** We look forward to any collaboration, whether they be in floodplain forests or elsewhere, with the Forest Service.

**Comment:** CTDEEP notes the importance of consulting and including relevant State-level plans when developing CFA-specific stepdown HMP. They are particularly concerned that we incorporate existing watershed management plans.

**Response:** In developing our stepdown HMPs and VSPs across the watershed, we begin with an inventory of existing State, local, and NGO plans for adjoining resources. If we use the CCP as an example, it includes reference and information from national, State, and local plans produced by partners. Our work in developing stepdown plans will incorporate feedback from State and local partners, both from existing plans and from active engagement in these planning processes. Goal 4 of the CCP specifically outlines the importance of partnering with State, local, and NGOs within the watershed.



**Comment:** The modeling work completed by Dr. Kevin McGarigal at the University of Massachusetts as part of the Massachusetts Critical Linkages project is emphasized by one commenter. They suggest this modeling work confirmed the importance of habitat connectivity, and identified areas where habitat restoration work would have the largest impact.

**Response:** We are familiar with Dr. McGarigal's work both in Massachusetts and more broadly in the watershed. The tools produced at the University of Massachusetts are used by the Refuge to affirm existing planning and management efforts, including the role the identified CPA and CFAs would play in connecting existing conserved lands. Future efforts within Massachusetts will employ these tools to ensure refuge restoration efforts are targeted in appropriate locations.

**Comment:** A commenter notes that the "uncertainty over how much habitat will be managed" has led to a "strong undercurrent of distrust of the federal government."

**Response:** We recognize that the planning process that governs national wildlife refuges can be confusing at times, particularly with a refuge as complex as Conte Refuge. The refuge CCP is the first step in a multi-step process of identifying and outlining the amount of forest management that is appropriate to benefit our focal species. Following the CCP, we will be developing HMPs for each refuge division. In these HMPs, we identify how many acres will be subject to forest management, the kinds of management we will prescribe, and the timing of those treatments. We will use local contractors to assist in management to the extent practicable.

**Comment:** It was suggested that "USFWS should make use of its unique position to address issues that cross State lines such as invasive plants and wildlife-habitat connectivity."

**Response:** We agree with this commenter. Indeed, the design of the refuge allows us to enter partnerships and apply management actions on spatial scales that cross administrative boundaries. Invasive species management and the identification and protection of wildlife-habitat corridors are two areas of critical importance where this landscape scale approach is applied. Our discussion in chapter 4 of the CCP includes objective 4.4 which specifically mentions our intent to collaborate with partners in the identification, monitoring and treatment of invasive species throughout the watershed.

**Comment:** One commenter noted Federal land management agencies have a poor track record of active management of their lands. This commenter noted Federal agencies are at the whim of Congressional budgets, must meet requirements of administrative and complex legislation, and often times are the subject of lawsuits leading to expense per-acre costs of management as compared to private landowners. Easements could achieve wildlife habitat objectives more effectively and efficiently than Federal fee ownership.

**Response:** We agree with commenters that administrative, budgetary, and legislative requirements placed on Federal agencies who manage forests are often more cumbersome, and therefore more expensive, than those of private landowners. We also agree that conservation easements may, in some instances, represent a viable option that meets the desires of both the landowner and the refuge. We have recently acquired an approximately 725-acre easement in the Mascoma CFA, and have proposed approximately 35 percent of our future acquisitions be easements (see appendix C, page 42). In order for this to be an effective option, at least two conditions must exist: an easement is desired by the landowner (as opposed to outright fee sale) and the landowner would agree with the anticipated forest management objectives that benefit our focal wildlife species.

**Comment:** The Vermont Traditions Coalition notes a concern over the emphasis on management for "old forests". They felt this may negatively impact snowshoe hare populations in the Nulhegan Basin, an important prey species for Canada lynx and a popular game species.

**Response:** Forest management at the Nulhegan Basin Division will be detailed in a forthcoming HMP. The CCP attempts to provide the reader with the general direction our forest management may take, but does not prescribe the quantity or type of management at a given location. Canada lynx are a federally threatened species and our forest management at Nulhegan Basin and in other areas suitable to lynx will work to create ideal habitat. In some cases, this will include creation of early successional softwood habitats.

Canada lynx represents a single species for which we are responsible. Other species identified in the CCP may require differing forest conditions than lynx. Appendix A lists refuge focal species by CFA. Many of our identified focal species are forest interior nesting birds who often require some component of a mature forest. Our forest management - at the Nulhegan Basin Division and elsewhere - will combine the creation of early successional habitats with efforts to maintain or create closed canopy conditions for focal species.

**Comment:** It was noted that our discussion of hardwood and softwood management did not specifically cite the importance of beavers in maintaining hydrological function. The commenter asked us to “research and evaluate the role of beaver as a wetlands management tool to help maintain soil moisture” and to “clarify what has been used on past sites or what might be used on future sites.”

**Response:** We agree with the commenter that beavers play an integral role in both wetland and swamp management and state this in appendix A CFA discussions where beaver activity is known to occur (e.g., sub-objective 1.1c for the Nulhegan Basin CFA, appendix A, page A-557). Wherever beavers occur, provided they are not negatively impacting infrastructure, our intent is to allow their manipulation of the hydrological regime. Our historical discussion of hardwood and softwood swamps attempted to make general points about the ways they have been altered by humans. Where appropriate, our management efforts within swamps will restore plant species composition and hydrological function to the extent practicable. Site-specific management techniques will be outlined in a much more detailed HMP for each CFA.

### Opposition

**Comment:** A single commenter wrote to suggest fish and wildlife Refuges are natural places and by definition should not be “managed” but rather “protected” unless the “management” is of a nature to erase or reduce previous or current man-made impacts.

**Response:** New England has seen human occupation for thousands of years. In that time humans have impacted their environment in ways big and small. We discuss this in detail in chapter 2 of the CCP. Further, we are tasked with managing refuge lands to benefit our trust species, identified focal species, and the biological integrity, diversity, and environmental health of ecosystems.

This is all a way of saying ‘natural’ is a complicated word. We agree that national wildlife refuges can be a place of respite for people and wildlife alike. However, we disagree regarding placing limits on active management. Currently, Conte Refuge is home to habitats overrun with invasive species; streams restricted by undersized culverts; and forests of simplified structure and composition. Many of these man-made conditions are manageable. Habitats that are judged to be providing appropriate habitat for focal species will be monitored, but there is much work to do to improve wildlife habitat in the Connecticut River watershed.

**Comment:** A suggestion was made by a commenter that areas set aside for passive management may “serve to support or modify the actively-managed parcels.”

**Response:** We agree that areas we reserve from active management, whether they be forests or some other ecosystem, can serve as reference or monitoring sites for all practitioners.

### Clarifications

**Comment:** New Hampshire Audubon felt we could improve our discussion of habitat types by identifying States where Woodlands occurred, as well as providing examples of State and Federal resources of concern as they relate to shrub swamps and floodplain forests.

**Response:** The CCP has been changed to reflect these comments. Refer to the final CCP/EIS chapter 3, under the section entitled “General Habitat Types.”

**Comment:** One commenter noted the CCP calls for forest management “where appropriate” and asks if our determination of appropriate would be similar to those used by other foresters in the watershed.

**Response:** Our intent in using the word “appropriate” with regard to active forest management is to recognize that the plan was written with incomplete information in some areas. For example, as we acquire land over the life of the plan we may decide some areas are appropriate and others inappropriate for active forest management. This may be due to ecological reasons (e.g., wet soils, invasive plant infestations, sensitive habitats), economic reasons (e.g., the land was heavily harvested prior to our ownership), or legal reasons (e.g., the selling landowner places an encumbrance on the parcel that removes forest management as an option). While we cannot speak for other foresters in the watershed, we believe our process for identifying appropriate places to manage forests is a sound one and is likely replicated outside of refuge lands. The HMPs we develop for refuge divisions will identify the criteria used to select management areas.

**Comment:** A commenter noted that many of the management activity descriptions in appendix J lacked site-specific details. The commenter asked: “provide examples...of how management operations specific to individual stands have removed timber in the past, their results, and plans to deal with insect and disease invasions when they occur.” The commenter specifically raised concerns about our description that our management would favor spruce in all stand types.

**Response:** We appreciate this commenter’s attention to detail. Indeed, the CCP is lacking stand-level details for all of the forests under discussion. The CCP is a landscape-scale plan designed to illustrate four refuge goals: Partnerships, Wildlife and Habitat Management, Education and Outreach, and Recreation at the watershed scale. Discussing wildlife and habitat management goals at the stand-scale is beyond the scope of the document. Each CFA will have an accompanying HMP where smaller-scale investigation of forest conditions will be discussed and management techniques described.

With regard to our emphasis on spruce management, we recognize this as a typo. The text in appendix J has been changed accordingly to reflect our intention to favor softwood species where appropriate.

**Wildlife, Fish, and Plant Populations Management** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 32, 45, 60, 82, 83, 90, 102, 109, 119, 122, 128, 166, 167, 179, 180, 215, 223, 237, 249, 252)

### General

**Comment:** We heard from individuals that they would like refuge habitat management to focus on supporting popular game species such as deer, grouse, and rabbit. Another individual wanted to make sure that we managed deer appropriately to ensure the species does not become overpopulated and impact habitats on refuge and adjacent lands.

**Response:** Managing habitat to support game species is the responsibility of State agencies. The Service has primary legal mandates and Service policies that direct priorities for wildlife and habitat management on refuges. Management mandates include policy and law that: (1) identify refuge purposes, (2) that govern management of refuges and Refuge System resources of concern, and (3) that directs management to achieve biological integrity, diversity, and environmental health on each refuge.

Appendix B provides a detailed description and step by step process on the selection of priority refuge resources of concern. Nevertheless, management for these priority refuge resources on refuge lands will benefit a variety of species including deer, grouse and rabbit. Management for American woodcock, rusty blackbird and chestnut-sided warbler, for example, will provide young forest and shrublands that will be used by the above mentioned game species.

White-tailed deer are managed by State agencies. Refuge divisions are open or are proposed to be open to hunting following State regulations. Hunting is a management tool to maintain healthy deer populations. We will work with State agencies if there is evidence that deer populations are negatively impacting habitats. Also, as noted in our discussion above on forest management, in appendix A, for those CFAs we know to have critical deer winter yards, we have a strategy to work with the State and other partners to manage those deer winter yards and corridors since they may straddle refuge lands and other ownerships.

## Fisheries, Fish Passage, and Aquatic Habitats

**Comment:** A commenter noted the importance of removing barriers to fish passage within the watershed, whether they are dams or culverts. They suggest the Refuge conduct a culvert assessment and take the lead on replacing those crossings deemed to be a barrier on Refuge lands.

**Response:** We agree that dams and improperly constructed crossings are a problem throughout the watershed, both on and off refuge-owned lands. The commenter will be pleased to learn the refuge has conducted aquatic barrier assessments on some refuge owned lands in the past, and efforts are underway to assess all aquatic crossings in the Northeast Region. These surveys are designed to identify and prioritize crossings that are barriers to aquatic organism passage. We direct the commenter to chapter 4 of the final CCP/EIS, objective 4.3, which outlines our intent to enter partnerships throughout the watershed to restore and manage aquatic habitats.

**Comment:** We heard from an individual who would like to see more emphasis in the plan on how the refuge will provide support to restore migratory fish or enhance resident and sport fisheries. This same individual would like to see more narrative and descriptions about how the existing fisheries program that operate within the refuge and river coordinator's office relates to the refuge.

**Response:** We describe our support for fish and other aquatic species passage and habitat in chapter 4, Objective 4.3—Aquatic Species Protection, Restoration and Management Partnerships. Under this objective, we state that the refuge will work with partners including the Service's Connecticut River Coordinators Program "to develop and implement species recovery plans, species conservation strategies, habitat conservation plans, State wildlife action plans, and other conservation measures with a goal to avoid new species listings. Those measures may include land protection, public use and access management, and invasive species control." We would also "work closely with other Service programs to mobilize agency resources toward coordinated conservation work in the watershed." Under this same objective the refuge will work with partners to ". . . actively seek funding, and implement on-the-ground projects and monitoring with the goal to restore and maintain. . . native species (e.g. American shad, eastern brook trout, American eel, sea lamprey, etc.) to their historic range in the watershed."

**Comment:** VFWD suggests that the refuge not limit its land acquisition to Eastern Brook Trout Joint Venture (EBTJV) "priority" subwatersheds. They also suggest conducting enhancement and restoration in subwatersheds with reduced or extirpated brook trout populations rather than just conserving.

**Response:** The EBTJV subwatershed list will be used to guide management within refuge CFAs. We recognize the importance of working outside refuge CFAs and engaging partners in restoration and enhancement projects. This is mentioned in final CCP/EIS chapter 5: "Across all alternatives, we would restore and protect key spawning reaches for priority fish species, where feasible, (re: table 5.3) and would participate with our partners in the Eastern Brook Trout Joint Venture and other partnerships to do so. We recognize, however, the imperative to work with others since refuge lands would not compose an adequate habitat base to independently influence a significant fish population response." We added information in chapter 5, table 5.3, to better inform the reader of our intent to not only protect aquatic species, but to also manage habitats: "We would continue to work with partners (e.g., Connecticut River Coordinator's Office, Eastern Brook Trout Joint Venture, etc.) to conserve, restore and enhance aquatic species and their habitats in the Connecticut River mainstem and its tributaries (e.g., land conservation, removing barriers to aquatic organism passage, improving water quality)."

**Comment:** VFWD suggest only listing Atlantic salmon in the lower parts of the watershed (i.e. up to the Dodge Falls Dam in Ryegate, Vermont) because adult salmon can theoretically return and spawn in these lower reaches. But remove mention of salmon above Dodge Falls Dam, since stocking of this resource no longer occurs.

**Response:** Thank you for your comment. We removed Atlantic salmon from our list of priority species in CFAs north of Dodge Falls Dam.



**Comment:** VFWD suggests that the Service have the capacity to perform stream assessments on their own, rather than only relying on partners to do this work.

**Response:** The staffing chart in appendix H shows that we propose to hire a fisheries biologist to conduct stream assessments, monitor aquatic species, restore habitats, etc. on refuge lands and across the watershed. This person would also be responsible for coordinating and working with our partners on these aquatic projects. Until we hire a fisheries biologist, we will continue to rely heavily on partners to assist with this work, and it is therefore, a strategy in the CCP.

### Species and Habitats—General

**Comment:** We heard from Connecticut Audubon about their concerns with the decline of grassland birds in New England and the Northeast and the importance of the Connecticut River watershed in supporting the Northeast metapopulations of these birds. They suggest that the refuge have the flexibility to partner with State and local agencies and NGOs to seize opportunities to protect and restore grassland bird habitat within the watershed as these opportunities arise.

**Response:** The protection of large intact tracts of grassland habitat is one of the refuge's priority resources of concern (see appendix B). In the final CCP/EIS, we have requested Service authority to acquire up to 10% of the total acreage target, on average, within Refuge CPAs. This latitude would allow refuge acquisition of important habitat areas or connectors, outside refuge CFAs and within surrounding CPAs. Appendix C provides additional details and details the criteria that would be used to guide the 10% acquisition authority within CPAs. These criteria, listed below, are designed to support the Service's Strategic Growth policy (602 FW 5), Conte Refuge's legislative purposes, and support the *Connect the Connecticut* LCD:

- Contributes to the recovery of federally listed species, including the protection of critical, occupied, or historic habitat for those species.
- Contributes to sustaining populations of migratory birds in decline by protecting breeding, migration, and wintering habitat.
- Contributes to sustaining populations of waterfowl identified as priority species in the North American Waterfowl Management Plan (NAWMP) and Atlantic Coast Joint Venture (ACJV) Implementation Plan.
- Contributes toward the refuge purposes legislated by Congress in the Conte Refuge Act of 1991.
- Facilitates the implementation of the *Connect the Connecticut* LCD project, including the protection of core areas or their connectors within the existing 1.8 million-acre conservation mosaic.

**Comment:** We heard comments from NH Audubon who recommend that we add rusty blackbird among migratory birds as a resource of conservation concern for all Massachusetts and Connecticut CFAs that include hardwood swamp, shrub swamp, and floodplain forest. They also suggest adding rusty blackbird migration and wintering surveys as CFA inventory and monitoring strategies. NH Audubon also suggests that the Service engage with representatives of the International Rusty Blackbird Working Group regarding potential acquisition targets that would benefit rusty blackbirds within the Quonotuck CFA.

**Response:** Thank you for your comment. We have added rusty blackbird as a priority refuge resource of concern to forested wetlands, shrub swamps and floodplain forests as you suggest, but with more emphasis on wintering habitat within Massachusetts and Connecticut CFAs (see appendix A). We look forward to working with partners and organizations that can inform our land protection process.

## Endangered and Threatened Species

**Comment:** We heard from a local who lives on the Ashuelot River about concerns with the fluctuating water levels of the Ashuelot River. This individual is surprised that the dwarf wedge mussel, native to the Ashuelot River, requires reliable water depths to survive. They feel that this mussel can tolerate extreme water level changes based on observations of changes in water depths in the river over the last 25 years. They would like to see the river returned to its pristine condition to support aquatic species.

**Response:** Thank you for your comment. We were unable to find the section in the CCP that suggests dwarf wedgemussel requires reliable water levels. According to the dwarf wedgemussel five-year review summary and evaluation (USFWS 2007), very little research has been done on habitat requirements for this species. Habitat assessments in various rivers within the Connecticut River watershed have found dwarf wedgemussel using a variety of habitat and water depths (McLain and Ross 2005, Nedeau 2002, 2005, 2006a, and 2006b). The 1993 Recovery Plan identifies four primary factors responsible for the decline of the dwarf wedgemussel: impoundments, pollution, riverbank alteration, and siltation (USFWS 1993). There is evidence that severe flooding will destroy occupied habitat resulting in the loss of dwarf wedgemussels (USFWS 2007). Based on this information, the dwarf wedgemussel will use a variety of water depths under non-extreme conditions such as flooding.

We would also like to provide habitats that support native aquatic species, and will work with our partners to analyze current available data, and conduct additional assessments, as needed, to inform more detailed management and monitoring strategies for aquatic habitats within the Ashuelot River CPA.

**Comment:** We heard from CTDEEP on the importance for the refuge to collaborate with CTDEEP on the development of comprehensive resource protection, monitoring and management plans for dwarf wedgemussels and puritan tiger beetles in Connecticut. They suggest that additional inventory work should be completed within the first five years of the CCP's implementation in order to better inform land protection priorities and target sites for restoration. They also feel that promoting public awareness of the importance of the CT River to Federal Trust resources and the potential negative impacts of boating and beach activities to these species is essential. They suggest that we increase law enforcement capacity along the entire CT River mainstem and strategically place interpretive signage at major access points along the CT River to increase on-site awareness of the Refuge's presence to river recreationists, especially the boating community.

**Response:** Below we address comments by species.

### *Puritan Tiger Beetles—*

The following are strategies under sub-objectives 1.1 and 1.3a in the Deadman Swamp Unit and Quonotuck CFA Fact Sheets in appendix A:

- Work with partners to develop and begin implementation of actions to conserve the existing Puritan tiger beetle metapopulation that includes the Deadmans Swamp unit. This should include identifying potentially suitable sandy beach habitat, land protection options for suitable habitats, actions that will contribute to recovery, and management of Service lands to complement tiger beetle recovery efforts.
- Work with partners to manage beach habitats to benefit Puritan tiger beetles which includes hand-pulling or herbicide application to encroaching vegetation in puritan tiger beetle larval habitat.
- Continue to support puritan tiger beetle research opportunities.
- Work with partners to monitor puritan tiger beetle populations.
- Work with partners to educate the general public about recreational use impacts on puritan tiger beetle populations using outreach, visitor contact, restricted access and other tools, as warranted.
- Partner with CTDEEP and other partners to establish two additional meta-populations as called for in the Recovery Plan.

*Dwarf Wedgemussel* —

- Work with partners to continue monitoring dwarf wedge mussel populations, and educate adjacent landowners on land use impacts to the species.

*For both Species Objectives* —

- Work with partners to develop comprehensive resource protection, monitoring and management plans for dwarf wedgemussels and puritan tiger beetles within the CFA boundary.
- In chapter 4 under Objective 4.2 Terrestrial Species Protection, Restoration, and Management Partnerships, we state that we will work with partners “. . . to develop and implement species recovery plans, spotlight action plans, species conservation strategies and targets, habitat conservation plans, State wildlife action plans, and other conservation measures with a goal to avoid new species listings. Those measures may include land protection, public use and access management, and invasive species control.” Priority will be given to federally listed, candidate, and proposed species which includes puritan tiger beetles and dwarf wedgemussels.

**Comment:** We heard from individuals and organizations that encouraged us to continue to prioritize the protection and restoration of federally endangered and threatened species, since this is one of the refuge's purposes. The Center for Biological Diversity states, “To the extent that small-scale habitat manipulation is needed to advance the conservation of federally listed species, and will not, harm other rare and imperiled species, we are in support of such action on the Refuge.”

**Response:** We are legally mandated to manage and protect federally listed species. Primary legal mandates and Service policies direct priorities for wildlife and habitat management on refuges, and guide the process for selecting resources of concern. Management mandates include policy and law that: (1) identify refuge purposes, (2) that govern management of refuges and Refuge System resources of concern, and (3) that directs management to achieve biological integrity, diversity, and environmental health on each refuge.

As you mention in your comment, one of the establishing purposes of the refuge is “to protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act (ESA) of 1973 as amended (16 U.S. 1531 *et seq.*)”

The National Wildlife Refuge System Mission, Goals, and Refuge Purposes Policy (601 FW 1) also provides guidance for resource management on refuges. One of these goals is to “conserve a diversity of fish, wildlife, and plants and their habitats, including species that are endangered or threatened with becoming endangered.”

**Comment:** We heard from VFWD about their concerns with the lack of management strategies for Canada lynx. They emphasize the importance of following through on the objective written in the CCP that discusses the development of a lynx management plan for northern Vermont and New Hampshire.

**Response:** The refuge is coordinating with VT and NH State agencies, as well as the USFWS Endangered Species Office to standardize protocols used to monitor lynx populations across both States. We are also participating in a research project that is assessing potential impacts of climate change on carnivore occupancy and snowshoe hare demography along elevational and latitudinal gradients in northern NH and VT. This research will provide relevant information to predict the direct and indirect impacts of climate change on species along the trailing edge of boreal forests in New England. From a lynx conservation perspective, this study will identify if hare populations in the peripheral range meet thresholds for supporting lynx populations in northern VT and NH. Refuge staff and partners involved in this study will use results from this research and climate projections to build predictive maps of potential boreal forest refugia and hare distribution to identify areas that may be important for lynx, marten, and hares in 2050 and 2080. Results will also help inform land management. All of which will be used to develop a lynx management plan for northern Vermont and New Hampshire.

**Comment:** VFWD would like the CCP to address how the refuge will manage and conserve lands in a way that is mindful to recovery of imperiled bat species and, in particular, northern long-eared bats.

**Response:** Management of federally listed T&E species, including the northern long-eared bat, are a priority for the refuge. We mention management of bat species within those CFAs where we have population information. See appendix A for specific management and monitoring strategies. Further detail, including management prescriptions, location of management efforts, and how we will implement bat conservation measures, will be provided in each CFA HMP. We will implement the conservation measures that were stipulated in the listing package for the species.

At the watershed scale, we discuss the importance of working with partners to protect and manage for the recovery of Federal endangered and threatened species in chapter 4 under Objective 4.2. The northern long-eared bat is mentioned as a species in need of a coordinated conservation effort. And in chapter 5, we mention that “we will take appropriate management action to help recover any Threatened or Endangered species if new lands acquired are known habitat areas for these species, and such lands are identified as needing protection and management in an approved recovery plan. Such management actions would be taken after appropriate review and consultation with recognized experts and Service approval.”

**Comment:** VFWD comment that additional information is needed on the critical habitat required for the Jesup's milk-vetch. They suggest expanding the Quonotuck CFA Goal 1: Wildlife and Habitat Conservation Objective 1.2: Non-forested Uplands and Wetlands to include a sub-objective for riverside rock outcrops and ledges which is the sole habitat for the milk vetch.

**Response:** We are using the North Atlantic Landscape Conservation Cooperative (NALCC) habitat headings for each sub-objective which is linked to the National Vegetation Classification System (NVCS) providing access to spatial data for analysis. Your suggestion to add “riverside rock outcrops and ledges” as a sub-objective under Objective 1.2 makes sense based on the habitat type, but would not fit our current CCP framework, nor would we be able to look at the information spatially. We've added this habitat to Objective 1.3 instead, as it is consistent with other CFA sub-objectives, and the habitat is associated with open water.

We changed the Quonotuck sub-objective 1.3a heading to: “Open Water and River Shore.” We also added the following paragraph to the Rationale: “The endangered Jesup's milk-vetch is restricted to three locations within rocky outcrops and ledges of the Connecticut River in central New Hampshire and Vermont. Jesup's milk-vetch requires open areas with very little competition from other plants to germinate. This habitat is provided by frequent ice scours and spring flooding.

Native and non-native invasive plants are altering the habitat suitability at all three sites. Intensive invasive species management efforts have been on-going since 1998 and have kept invasive populations at low levels, but long-term management strategies to control or eliminate invasive plants needs to be developed and implemented. Changes in weather patterns including unusual flooding events, lack of ice-scour and drought in recent years may impact Jesup's milk-vetch reproduction and ability to compete with other species for available habitat. Long-term investigations on impacts from these changes are needed to determine what impacts weather events are having on populations.

Introduction efforts of Jesup's milkvetch to other locations on the Connecticut River mainstem have occurred intermittently since 2009. One site has proven successful with over 35% survival of planted seedlings the first year, and over 45% of those seedlings producing fruit the second year (Popp personal communication 2016).

Recovery of this species will be a long-term commitment. Efforts include annual monitoring of established and introduced populations, management of invasive plants, continued introduction of new sub-populations, and conservation of all sites.”

We added the following management strategies:

- Work with partners to secure existing Jesup's milk-vetch populations. Actions may include herbicide and mechanical treatment of encroaching vegetation and monitoring species status using a standardized approach.



- Work with partners to develop a long-term management plan for Jesup's milk-vetch.
- Support long-term research for Jesup's milk-vetch including investigations on impacts from climate change and genetic studies.
- Work with partners to establish additional Jesup's milk-vetch populations on public and conserved lands along the Connecticut River mainstem.

**Comment:** We heard from VFWD that a correction is needed on the habitat requirements for the Northeastern bulrush.

**Response:** We changed the rationale in the Putney Mountain Unit freshwater marsh subobjective (appendix A for Putney Mountain unit, subobjective 1.2a) to read: "The northeastern bulrush, a wetland plant, occurs in various beaver wetlands within the unit. Large beaver flowages are the primary habitat for the bulrush. This species is federally listed, and has adapted to seasonal water fluctuations. Habitat alterations that change the natural hydrology of a wetland to be consistently wet or dry may have negative consequences for this species. Light availability is known to influence plant growth, reproduction and distribution. Managing forest habitats that often surround beaver wetlands to minimize shade on areas where bulrush populations occur would be an effective management strategy. Biologists are currently monitoring known populations, but more information is needed on the habitat requirements, reproductive strategy, and genetic variability (U.S. Fish and Wildlife Service 2006).

The Putney Mountain Unit population has fluctuated in the number of plants over the past few years likely due to water fluctuations and competition from other plant species. Continued monitoring of this population will help determine trends and assess threats impacting the species. The refuge will maintain beaver activity and the natural hydrology of wetlands within the Unit, as well as manage adjacent forested habitats to ensure shading does not impact bulrush populations."

We also added this information to the West River CFA Fact Sheet in appendix A: "The northeastern bulrush, a wetland plant, occurs within various beaver wetlands in the CFA. This species is federally listed, and has adapted to seasonal water fluctuations. Habitat alterations that change the hydrology of a wetland to be consistently wet or dry may have negative consequences for this species. Biologists are currently monitoring known populations, but more information is needed on the habitat requirements, reproductive strategy, and genetic variability (USFWS 2006)."

The 1993 Recovery Plan for the species called for protection measures such as land acquisition and conservation easements (USFWS 1993). The 5-year review echoed these recommendations, stating that the highest priority actions are to resurveying populations that have not recently been surveyed, securing protection on public and private lands, conducting periodic surveys of populations to determine trends and threats, and implementing management tools to reduce threats and monitor effectiveness of these actions (USFWS 2008)."

**Comment:** We heard from various individuals who felt that lynx did not need to be protected due to their large home range and adaptability. These individuals feel that restrictions on hunting and trapping to protect lynx, is not warranted.

**Response:** Lynx are listed under the Endangered Species Act, and the refuge has an obligation to protect the species. The presence of pursuit hounds in Canada lynx natal locations is of concern as is the potential pursuit of lynx by hounds. Both could constitute "take" under the Endangered Species Act. We are only requesting user names and phone numbers as a means of continuing these uses without changing the season or methods, while gaining the ability to contact such users should new information related to lynx become available.

**Comment:** We heard from an individual who supports hunting and trapping on the refuge as a means to manage wildlife populations. He suggests that these uses would benefit lynx by maintaining populations of competing carnivores at low levels. He asks that we use sound wildlife management practices.

**Response:** Your comment is noted. We plan to keep the Nulhegan Basin Division open to hunting and trapping to maintain healthy wildlife population levels.

**Historic, Cultural, and Archaeological Resources** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 205)

**General**

**Comment:** A commenter implies that the Schell Memorial Bridge has historic significance and wants it saved because it provides good access to the Connecticut River. The person notes however that it is likely to be razed.

**Response:** Although as a Federal agency we conform to the National Historic Preservation Act and other laws governing historic artifacts when contemplating our management actions, our responsibility is limited to those features occurring on refuge lands.

**Socioeconomic Impacts** (ID#s 1, 4, 32, 67, 70, 77, 82, 99, 103, 109, 114, 139, 141, 157, 167, 176, 183, 188, 197, 214, 220, 222, 223, 226, 232, 237, 245, 261, 263, 265, 267, 271, 277, 281, 293, 294)

**Concerns over Proposed Action**

**Comment:** Several individuals and organizations characterized the economic and socioeconomic analysis within the draft CCP/EIS as incomplete and/or incorrect and expressed the need for a more comprehensive analysis of alternatives. The West Fairlee Center Conservation Commission of Vermont, Windmill Hill Pinnacle Association, NHTOA, and other individuals specifically requested:

- Comparison of property taxes paid under Federal Government ownership vs. under private ownership.
- The Federal Government's track record of making PILT/refuge revenue sharing payments.
- Evaluation of differences between tax revenues to towns from property taxes and timber yield/severance taxes of land under Federal ownership with minimal active management vs. privately owned land under the current level of active management.
- Evaluation of economic impacts to local and regional economies (due to proposed change from active management to minimal or no management over large acreage).
- Evaluation of impacts on forest product mills, wood chip power plants, and firewood processors that rely on timber production from these lands.
- Evaluation of specific loss to logging and forestry operation revenue.
- More comprehensive information regarding actual government outreach to rural communities to support the service economy, actual government purchase of conservation and public access easements, etc.
- Comparison of implications of fee vs. easement acquisition.

**Response:** In appendix I and summarized in chapter 5 of the draft and final plans, we analyze the socioeconomic impacts of our proposal, including the tradeoffs between the potential loss of property tax revenue, refuge revenue sharing payments, and the benefits of open space and conserved lands. However, as stated in chapter 5, while there may be some up front reductions in local tax revenues, reduced dependence on municipal services could more than counter these losses. In addition, open space often increases neighboring property values and provides a public good, such as recreational opportunities, aesthetic beauty, and water quality protection. Other unknowns, such as relocation and spending decisions, and property enhancement effects, will ultimately determine the extent of the economic and fiscal impacts within the region. While these relationships are identified and discussed in our document, estimating these impacts quantitatively requires a large degree of speculation given the unpredictable timing of land acquisition from willing sellers, and is beyond the scope of our analysis.

Our proposal would not create any additional Federal regulations on private, local, or State lands. There would be no restriction of activities on lands not acquired; private landowners retain all their rights of private ownership. Also, the Service would only acquire lands from willing sellers.

As noted in final CCP/EIS, appendix I, the point is made that it is difficult to fully assess the economic and fiscal impacts on towns with this proposal due to the unknowns about location and timing of land acquisition, and knowing what condition the land would be in when it was received. However, we hired Innovative Natural Resource Solutions, LLC to assess two towns in New Hampshire, using the assumption about a 25% of full entitlement of revenue sharing payments (report available upon request). In this assessment, the tax burden that is transferred due to the estimated deficit between revenue sharing payments and existing tax revenues would be \$0.28 cents per \$1,000 assessed valuation in Surry, New Hampshire and \$0.20 in Columbia, New Hampshire. If we were to achieve full entitlement in the future, the revenue sharing payments would exceed the existing tax revenues. A payment of about 48% of full entitlement would extinguish the deficit in Columbia and a payment of 85% of full entitlement would extinguish the difference in Surry.

We believe our socioeconomic analysis in appendix I is adequate for our proposal. Please see Table 3.7 "Refuge Revenue Sharing Payments to Towns, 2007-2015" for details on historic payments.

**Comment:** Many individuals, businesses, and organizations note the federalization of land entails severely adverse economic impacts to local communities. These impacts may include a rise in property tax rates, a significant loss of jobs (namely in the timber industry), and great harm done to small town economic development and the local populace from lost property and income tax revenue. Some note small rural areas have no available alternatives to offset the lost tax revenue and have already seen lost jobs because of Conte Refuge existence. Those sharing these beliefs include the Town of Columbia Board of Selectmen, HPP, Inc., G.H. Evarts & Co., Inc., TRORC, Chesterfield, MA Select Board, Vermont Traditions Coalition, Durgin & Crowell Lumber Co., Town of Alstead, NH Board of Selectment, Precision Lumber, Inc., Windmill Hill Pinnacle Association, Town of Canaan, and other individuals.

While some of these commenters acknowledge potential conservation benefits resulting from Refuge expansion, they all believe the economic losses to local citizens are more significant and outweigh the benefits. Many estimates of local losses are quoted, ranging from \$260,000 to \$3,315,200 and varying depending on location.

**Response:** In appendix I, we explain our economic analysis. Due to the scope and scale of our project, this economic analysis was done on a regional basis and impacts were not assessed for individual towns. We would like to point out that the actual economic impact of land acquisition is quite complex. For example, when we retain land as habitat, it reduces the need for the services each town provides and increases the revenue to local businesses from visitor, staff and refuge purchases. Those effects further mitigate the economic impacts on each town. We also believe that the towns around the refuge will continue to develop, further increasing their tax base. Please see the response to comment directly preceding this for further details.

Regarding impacts on timber industry, while we manage forests for wildlife habitat first and economic benefits are incidental to these efforts, the Service does employ private loggers to harvest timber to meet our wildlife habitat objectives. Therefore, timber harvest and the production of timber products from these properties will continue in some amount. The Service will be responsibly harvesting timber in support of achieving wildlife habitat objectives. The Service will contract with private independent loggers. The Service will also actively work with landowners to promote enrollment in Forest Legacy programs, to protect working forests from ownership fragmentation and conversion to uses other than forestry production and/or wildlife habitat. At present, refuge ownership is comprised of 97% fee and 3% easement. Over the life of the land protection plan, our target split is 65% fee and 35% easement. This ratio could vary depending upon landowner preference. Further, easement acquisition by the Service is not the only opportunity for landowner to enroll their land in easement program. Forest Legacy and other conservation opportunities are available. As stated elsewhere in document, the Service considers land enrolled in the farmland protection or forest legacy program protected, requiring no further action by the Service.

**Comment:** An individual notes that “traditional ownership, part of the area’s history, will be lost.” She advocates allowing local farmers to rent Federal pastures, and hiring local foresters, loggers, and mills to harvest the land in order to preserve the traditional ownership of the area.

**Response:** We actively support the enrollment of working farms and working forests into voluntary incentive-based easement programs. We do contract with local loggers when we are harvesting timber to achieve desired wildlife habitat objectives. Other examples include contracts with local businesses to manage grasslands and mow fields for the refuge.

### **Benefits of Proposed Action**

**Comment:** Some individuals and organizations note the economic benefits of the proposal. Several suggest the additional outdoor recreation locations and services anticipated by the plan would result in an increase in tourism, and in turn benefit local economies.

TNC cited the statistic that for every \$1 of Federal funding appropriated to the Refuge system, an average of \$4.87 is returned to local economies (Banking on Nature 2013). Another individual notes the annual value of sales and output of New Hampshire’s forest products industry equals the annual value of sales of New Hampshire’s forest-based recreation economy--\$1.4 billion (Northeast State Forester’s Association Report 2013).

One individual suggested expanding the Refuge further into Winchester, New Hampshire, as the Refuge “would contribute to the economic development of the tourism industry in this corner of New Hampshire.”

**Response:** Your comment is noted. See appendix I for our detailed economic analysis.

**Comment:** Some commenters highlighted the environmental benefits that result from the activities of the Conte Refuge. TNC notes, “protecting land for future generations and protecting vital wildlife habitat in strategic locations has a lasting impact on the character and quality of our natural environment.”

**Response:** Your comment is noted.

### **Refuge Revenue Sharing Payments (ID#s 32, 77, 82, 90, 102, 119, 123, 139, 155, 167, 176, 188, 197, 223, 236, 237, 266, 271, 311)**

#### **General**

**Comment:** Many commenters note that refuge revenue sharing payments are not sufficient to offset property tax losses to towns. One points out that losses due to inflation are not addressed and funding for these payments is “at the whim of Congress.” The CRWC suggests that this underfunding of refuge revenue sharing “has a direct impact on state expenditures on education funding.”

**Response:** In chapter 2, in the discussion of planning issues, under the section on “Landscape-level Land Resource Protection and Conservation”, we acknowledge public concerns about the impacts of Federal ownership removing land from town tax rolls, and how the Refuge Revenue Sharing program is not adequate to replace the property tax revenue losses.

The Federal Government is not required to pay property taxes. However, the Service has a program specifically authorized by the Refuge Revenue Sharing Act of 1935, as amended, under which revenues earned on refuges are collected and then disbursed to local taxing authorities where refuge land is located. These payments are intended to help offset property tax losses in communities due to land acquisition and property ownership by the Service; however, they may be less than the historical property tax levels. This can be an important issue for small towns if payments are reduced under Service ownership, but may be insignificant in towns with larger, more diverse tax bases. In chapter 3, table 3.7, we present the revenue sharing payments made to towns over the last 8 years.



Congress sets the revenue sharing payment rate each year. The maximum rate is approximately three-fourths of one percent of the market value of the property. The Service has no control over what rate Congress sets. Although historically revenue sharing exceeded the corresponding tax revenues generated from private lands, payments in the past decade have fallen considerably. We reappraise lands every 5 years to ensure that payments are based on market value. More information on refuge revenue sharing can be found online at: <https://www.fws.gov/refuges/realty/rrs.html> (accessed December 2016).

As noted in final CCP/EIS, appendix I, the point is made that it is difficult to fully assess the economic and fiscal impacts on towns with this proposal due to the unknowns about location and timing of land acquisition, and knowing what condition the land would be in when it was received. However, we hired Innovative Natural Resource Solutions, LLC to assess two towns in New Hampshire, using the assumption about a 25% of full entitlement of revenue sharing payments (report available upon request). In this assessment, the tax burden that is transferred due to the estimated deficit between revenue sharing payments and existing tax revenues would be \$0.28 cents per \$1,000 assessed valuation in Surry, New Hampshire and \$0.20 in Columbia, New Hampshire. If we were to achieve full entitlement in the future, the revenue sharing payments would exceed the existing tax revenues. A payment of about 48% of full entitlement would extinguish the deficit in Columbia and a payment of 85% of full entitlement would extinguish the difference in Surry.

**Comment:** The CLLTIA and several other individuals state that “payments in lieu of taxes to towns should be maintained and increased consistent with current tax trends.”

**Response:** As we note in chapters 3 and 4, the Federal Government does not pay property taxes; however, the refuge system makes annual Refuge Revenue Sharing payments to municipalities in which refuge lands are located. Annual payments are calculated by a formula determined by, and with funds appropriated by, Congress. All of the alternatives would continue those payments in accordance with the law, commensurate with changes in the appraised market value of refuge lands, or new appropriation levels dictated by Congress. Additional towns would be added to the program with future acquisitions. The revenue sharing program is administered nationally by our headquarters office and is beyond the control of the refuge. Please refer to response directly preceding this for further details on Refuge Revenue Sharing payments. Interested individuals can learn more about the Refuge Revenue Sharing Act here: <http://www.fws.gov/refuges/realty/rrs.html>

## Climate Change (ID#s 214, 252, 301)

### General

**Comment:** The VFWD notes the importance of and need for more detailed discussion of climate change in the CCP/EIS, as the Connecticut River and tributary floodplains and riparian areas are essential for maintaining climate change resilience.

**Response:** We recognize the importance of addressing climate change for the Connecticut River watershed. Chapter 2 includes Executive Orders and Secretarial Orders that direct us to address climate change. Chapters 3, 4, and 5 were updated to include the most recent and best available science on climate change, reflecting additional potential impacts of climate change to the Refuge. New and updated sources include the Third National Climate Assessment, the National Fish, Wildlife, and Plants Climate Adaptation Strategy, the IPCC Fifth Assessment Report, and the Northeast Climate Impacts Assessment.

The description of “Actions Common to All Alternatives” and “Actions Common to Alternatives B, C, and D” in chapter 4 provide details and extensive discussion on how managers can promote a refuge more resilient to the impacts of climate change. For example, in the section on adaptive management (found in the former section), we explicitly include maintaining the integrity and function of forest floodplains and wetlands as a method of minimizing negative impacts from climate change. A discussion on developing models and tools to inform management in the face of climate change is included in our description of how alternatives A, B, and C will help meet Goal 1 – Wildlife and Habitat Conservation. For each objective under Goal 1, we have added specific information on the predicted impacts to that objective, including a section on climate change adaptation and the rationale for it addressing floodplains and riparian areas under objective 1.3, Inland Aquatic Habitats.

A discussion of how the effects of climate change will impact Conte Refuge's ability to execute the CCP and modify the impacts from CCP implementation is included in the section *Climate Change Impacts* in chapter 5, which underwent extensive revision to better comply with the CEQ Final Guidance on how to consider impacts on and from climate change. As part of this discussion we outline the anticipated changes to climate in the watershed, such as changes to air temperature and CO<sub>2</sub> concentrations, changes in water temperatures, changes in frequency, timing, and amount of annual precipitation, and changes in the rate of sea level rise. These are coupled to the management goals and objectives that could be affected by each component of climate change. The importance of floodplains and riparian areas for long-term ecosystem resilience is discussed in the "Cumulative Impacts" section of chapter 5.

In appendix C "Land Protection Plan," climate change is identified as a threat to the watershed. We also discuss our support for and plans to utilize the Connect the Connecticut LCD, which incorporated climate change resiliency in its conception and modeling. The Service will continue to take steps to adapt our strategies in response to new information and a changing climate and land uses. We specifically structured our land protection strategy with these anticipated changes in mind. First, the location of CFAs along the mainstem of the Connecticut River was specifically chosen to accommodate the landward migration of the coastal wetland complex to include tidally influenced salt, brackish, and freshwater wetlands. Secondly, the remainder of the CFAs were positioned to facilitate connectivity in area, elevation, latitude, aspect, substrate, and process in an effort to promote redundancy, resiliency, and diversity in the existing conservation mosaic within the watershed.

**Comment:** The Environmental Protection Agency recommends several climate-change resources, including:

- The relevant work of the U.S. Global Change Research Program 2014 National Climate Assessment, including the chapters on regional impacts, coastal issues, and adaptation.
- National Fish, Wildlife, and Plants Climate Adaptation Strategy.
- 2014 report, "Climate Smart Conservation: Putting Adaptation Principles into Practice."
- NatureServe Climate Change Vulnerability Index.

**Response:** Thank you for the information.

**Comment:** An individual commenter notes the CCP does not provide an adequate position on managing lands for climate change effects. She requests that climate change objectives be incorporated into the proposed plan, particularly when looking at long-term rotations for some forest stand management (100 to 130 years).

**Response:** The Service defines objectives as actions to be accomplished to achieve a desired outcome or goal. Objectives are more specific, and generally more measurable, than goals. In chapter 5, we discuss the potential contribution or mitigation of greenhouse gases in the atmosphere from the Refuge's conserved lands and management actions. However, given the scale of climate change, the Refuge cannot expect to be able to scientifically measure its isolated impact on climate change. Measuring the effects of forest stand management on less than 1000 acres per year would be even more difficult, if not impossible to do with reasonable scientific and statistical confidence given uncertainties in both climate models and the precise timing and location of forest management treatments. For this reason there are no "climate change objectives" included in the CCP.

Current climate adaptation strategies are based on general concepts about what we know confers resilience to landscapes under change. We have incorporated such strategies throughout the plan, including actions that support our objective of wildlife and habitat conservation in forested uplands and wetlands, citing the scientific literature as appropriate. For example, providing for unfragmented forests with compositional and structural diversity connected by forest corridors is a key component of this objective, and reflects our best scientific understanding about how to manage forests for climate change resilience. Our plan also provides the opportunity to pursue adaptive management, especially in response to localized climate change impacts that cannot be precisely predicted decades into the future.

We agree with the commenter that it is important to discuss potential impacts from climate change and how the Refuge can address them. We did so in the draft CCP and have updated and expanded our analysis in the final CCP.

Chapters 3--5 were updated to include the most recent and best available science on climate change, reflecting additional potential impacts of climate change to the Refuge. New and updated sources include the Third National Climate Assessment, the National Fish, Wildlife, and Plants Climate Adaptation Strategy, the IPCC Fifth Assessment Report, and the Northeast Climate Impacts Assessment.

The description of "Actions Common to All Alternatives" and "Actions Common to Alternatives B, C, and D" in chapter 4 provide details and extensive discussion on how managers can promote a refuge more resilient to the impacts of climate change. For example, in the section on adaptive management (found in the former section), we explicitly include maintaining forest integrity and promoting forest health and diversity as methods of minimizing negative impacts from climate change. A discussion on developing models and tools to inform management in the face of climate change is included in our description of how alternatives A, B, and C will help meet Goal 1 – Wildlife and Habitat Conservation. For each objective under Goal 1, we have added specific information on the predicted impacts to that objective, including a section on climate change adaptation and the rationale for it addressing forests under objective 1.1, Forested Uplands and Wetlands. For example, under objective 1.1 we highlight our plan to support complex, aging forests and develop networks of core and corridor habitats that include a diversity of habitats as components that will contribute to climate resilience.

A discussion of how the effects of climate change will impact Conte Refuge's ability to execute the CCP and modify the impacts from CCP implementation is included in the section *Climate Change Impacts* in chapter 5, which underwent extensive revision to better comply with the CEQ Final Guidance on how to consider impacts on and from climate change. As part of this discussion we outline the anticipated changes to climate in the watershed, such as changes to air temperature and CO<sub>2</sub> concentrations, changes in water temperatures, changes in frequency, timing, and amount of annual precipitation, and changes in the rate of sea level rise. These are coupled to the management goals and objectives that could be affected by each component of climate change. The importance of promoting health, functioning forests for long-term ecosystem resilience is discussed in the "Cumulative Impacts" section of chapter 5.

In appendix C "Land Protection Plan," climate change is identified as a threat to the watershed. We also discuss our support for and plans to utilize the Connect the Connecticut LCD, which incorporated climate change resiliency in its conception and modeling. The Service will continue to take steps to adapt our strategies in response to new information and a changing climate and land uses. We specifically structured our Connect the Connecticut Land Conservation Strategy with these anticipated changes in mind. First, the location of conservation focus areas along the mainstem of the Connecticut River was specifically chosen to accommodate the landward migration of the coastal wetland complex to include tidally influenced salt, brackish, and freshwater wetlands. Secondly, the remainder of the CFAs were positioned to facilitate connectivity in area, elevation, latitude, aspect, substrate, and process in an effort to promote redundancy, resiliency, and diversity in the existing conservation mosaic within the watershed.

Site-specific habitat management strategies will be outlined in future stepdown habitat management plans. These plans will be prepared in consultation with the States, stakeholders, and vetted publicly, consistent with NEPA. Consequently, they will consider the effects of climate change and evaluate cumulative impacts.

## **Comments on Alternatives—General (ID#s 1, 4, 35, 39, 53, 72, 103, 129, 166, 172, 178, 214, 222, 239, 260, 261, 293, 305)**

### **General**

**Comment:** We received comments from individuals opposed to all four alternatives. Some people did not substantiate a rationale, others expressed opposition to a Federal Government presence. (See "Federal Land Ownership: Opposition" above.) One individual felt our entire focus should be on education and outreach to private landowners. Several individuals introduced a 5th alternative to manage currently owned properties and "refrain from buying any more property." One individual further suggested to "actually shrink it...start to actually downsize it a little bit and maybe give the land back to the state instead of having it under federal control." Another individual asked why we did not propose an action alternative incorporating CPAs and CFAs under our current acquisition authority.

**Response:** We agree that education should be a major component of our work, and one of our strategies include education. For those advocating no additional refuge land acquisition or a reduction in refuge land ownership, refer to the final CCP EIS, chapter 4, under the section "Alternatives or Actions Considered but Eliminated From Detailed Study." For the individual asking why we did not propose an alternative incorporating CPAs and CFAs under current acquisition authority, we believe alternative B is responsive to your suggestions.

**Comment:** We heard from individuals who were concerned with alternatives not being clear as to the distinction between alternatives B, C, and D.

**Response:** In chapter 4 of the final CCP EIS, under the subheading "Detailed Descriptions of the Alternatives," we strive to distinguish alternatives from one another. While the goals and management objectives are common between alternatives B, C, and D, the magnitude of our ability to meet these goals and objectives differ. In alternative B, we are working within the same acreage allocation already within Service jurisdiction. Alternative D assumes the largest refuge expansion proposal, but contains the most reduced developmental proposal. We would be the most limited in active management abilities under alternative D. Alternative C provides the greatest opportunity for a balanced approach to achieving our goals of conservation, recreation, education, partnerships. While alternative D is the largest in acreage and provides the best opportunity to create more robust ecological connections within the watersheds conservation mosaic; our opportunities for recreation, education, and partnerships are more limited. Alternative A is also limited in all four of these areas given the size and distribution of the original special focus areas outlined in the 1995 EIS and master plan. While alternatives B and C have very similar objectives and strategies, alternative C provides twice the opportunity to make strategic and sustainable contributions towards our stated goals.

### **Alternative A (ID#s 39, 43, 44, 47, 87, 113, 222, 226, 232, 236, 240, 266, 280, 292, 293)**

#### **Support for Alternative A in Full**

**Comment:** Some commenters who support alternative A state this alternative is the most financially sound. They note it minimizes loss of tax revenue to towns or employment in the private sector, and ensures refuge management and budget is not spread too thin (as may occur in other alternatives). Several commenters also note the lack of trust in FWS to "focus on the full mandate of the Conte" in general, but particularly under other alternatives.

**Response:** Your comment is noted.

**Comment:** One commenter notes "Everything seems to be working. The process doesn't seem to be broke, and I don't see any reason to change any of that." Other commenters agree that maintenance of the current plan and acreage is best.

**Response:** Your comment is noted.

**Comment:** Some commenters support alternative A due to a belief that the onus of responsibility should rely more on "private landowners and community non-profit organizations. Stewardship should be encouraged, not mandated, through partnership projects as well as education at the grassroots level." The NHTOA believes "current management (Alternative A) achieves this through its use of cooperative landowner agreements/working forest conservation easements."

**Response:** Your comment is noted.

#### **Support for Alternative A with Modifications**

**Comment:** The NHTOA supports alternative A but suggest it include a "zero expansion" policy, rather than the current policy of seeking additional land within the approved refuge acquisition boundary.

**Response:** In chapter 4, "Alternatives or Actions Considered but Eliminated from Detailed Study," we discuss this suggestion and why we eliminated it from detailed study.



## **Alternative B (ID#s 7, 39, 44, 102, 119, 127, 172, 205, 250, 251, 267, 278, 286)**

### **Support for Alternative B in Full**

**Comment:** The CRWC, WHPA, MDCR, and other commenters expressed support for improved management of existing lands without acquisition of new lands under alternative B. One individual describes it as a “good compromise.” The MDCR appreciates that alternative B will continue to recognize several specific areas of ecological and recreational importance.

**Response:** Your comment is noted.

**Comment:** New Hampshire Department of Resources and Economic Development, Parks and Recreation, Bureau of Trails supported the protection of existing established snowmobile trails of State and regional importance, and additional recreational opportunities such as ADA-accessible trails and hiking trails.

**Response:** Your comment is noted.

### **Support for Alternative B with Modifications**

**Comment:** The Connecticut River Joint Commissions Mt. Ascutney Subcommittee supports alternative B and encourages increased partnership with TransCanada, existing watershed and other conservation groups to inform and expand their capacity to conduct habitat improvement activities and public/landowner outreach and education.

**Response:** Your comment is noted.

### **Opposed to Alternative B**

**Comment:** The New Hampshire Farm Bureau opposes proposed alternative B, especially the expansion of the Refuge's approved acquisition authority. The commenter notes concern with the impact on farm and forest land management activities in the watershed.

**Response:** Your comment is noted. However, we have and will continue to actively promote the enrollment of working farms and working forests in farm and forest land protection programs. We further describe our support in chapter 4 “Actions Common to All Alternatives” under “Agricultural Lands Protection, Including Working Farms and Forests.”

## **Alternative C (ID#s 3, 10, 15, 18, 31, 39, 43, 44, 45, 60, 64, 77, 78, 79, 83, 88, 90, 91, 97, 99, 101, 116, 117, 119, 120, 122, 132, 133, 137, 138, 139, 147, 148, 152, 158, 160, 161, 172, 174, 175, 180, 182, 183, 191, 198, 200, 204, 212, 213, 216, 217, 220, 225, 245, 246, 250, 251, 252, 262, 264, 265, 269, 271, 274, 276, 278, 279, 281, 282, 290, 296, 303, 311, 313, 314)**

### **Support for Alternative C in Full**

**Comment:** Several commenters express their support for alternative C in full for a variety of reasons. The New England Forestry Foundation and other commenters support alternative C, stating the protection of environmentally significant land and the responsible use of forest resources are furthered by this plan.

One individual notes the CCP is “based on a great deal of research, time and effort,” and they “trust their judgment as to which alternative should be followed.”

Many recreational benefits were addressed in comments, such as hunting, fishing, and snowmobiling. Enhanced trail access was cited by commenters, as well. Commenters noted alternative C protects against overdevelopment and affords wildlife, water quality, and watershed protection.

Some commenters note that alternative C affords a good balance of resource protection, management, and public use. One individual noted alternative C is in favor of opening the Peterson Unit to public access, which he supports. Audubon Society of New Hampshire believe alternative C represents a more effective strategy for protecting the watershed than other alternatives.

Commenters noted alternative C protects and restores a variety of habitats, including floodplain and riparian areas. A variety of wildlife species were cited by commenters. Previous governmental success stories (such as the Mascoma River being cleaner today than in the 1950s or 1960s) were noted.

Farmington River Watershed, Mascoma River Local Advisory Committee, Massachusetts Audubon, the Hanover Conservancy, Audubon Connecticut, Canaan Conservation Commission, the Selectboard of the Town of Brighton, Mattabeseck Audubon Society, Audubon Society of New Hampshire, the Town of Bloomfield Connecticut's Conservation Energy and Environment Committee (CEEC), Biocitizen School of Environmental Philosophy, SCI, the four chapters of the Nature Conservancy representing the Connecticut River, VFWD, MDCR, ARLAC, and others all support alternative C.

**Response:** Your comments are noted.

### Support for Alternative C with Modifications

**Comment:** An individual commenter supports alternative C, but suggests the land acquisition policy as laid out in alternative D is superior and advocates for its use.

**Response:** Your comment is noted. Our Regional Director has the authority to blend aspects of the four alternatives we evaluated in detail. We will share this suggestion with the Regional Director.

**Comment:** The Connecticut River Joint Commissions Mt. Ascutney Subcommittee supports alternative C, but without an increase in Federal land ownership. The Subcommittee rather suggests focusing on conservation easements to private landowners to enable continued productive use of land when compatible with habitat management objectives.

**Response:** Your comment is noted. Our Regional Director has the authority to blend aspects of the four alternatives we evaluated in detail. We will share this suggestion with the Regional Director.

**Comment:** An individual supports alternative C with the addition of more emphasis on enhancing fish access to native habitats.

**Response:** Removing barriers to fish passage is a priority to the Northeast Region, including the Refuge. In chapter 4, under goal 4, we describe partnerships we hope to engage to address this issue.

**Comment:** Audubon Connecticut, Winchester Conservation Commission, and several other commenters support alternative C, but suggest incorporating the "acreage flexibility" of alternative D. Audubon Connecticut notes the presence of an acreage cap does not make sense, and the boundaries should be determined solely based on ecological and potential additional values related to the six priority public uses. Important Bird Areas (IBAs) are suggested as one potential basis for these expansions. Winchester Conservation Commission suggests expansions specifically into Winchester and Richmond.

**Response:** Your comment is noted. Our Regional Director has the authority to blend aspects of the four alternatives we evaluated in detail. The Regional Director will be made aware of this suggestion.

We recognize the significance of IBAs and took them into consideration when developing our CPAs and CFAs. Please notice our adjustments to CPAs and CFAs in proximity to IBAs. We made other adjustments to the Sprague Brook Conservation Partnership Area. Please see appendix C "Land Protection Plan" for a detailed description of our boundary delineation decision making process under the preferred alternative.

**Comment:** Kestrel Land Trust supports alternative C and suggests adding more partner conservation focus areas in the area between the Fort River and Mount Holyoke Range, or working with landowners who want to conserve farmland in that same area. The Land Trust further supports the Mill River expansion and Dead Branch expansion.

**Response:** We recognize the importance of working farms and forests and describe our support in chapter 4, "Actions Common to All Alternatives." While we did not expand the Fort River or Mill River CPAs or CFAs, we look forward to working with our partners to affect conservation action in the area.

**Comment:** The Town of Randolph, NH, Conservation Commission generally favors alternative C, with the following suggested changes:

- Designating the stretch of the Presidential Rail Trail from Route 115 A in Jefferson to Airport Road in Whitefield as wheelchair-accessible.
- Support the connecting trail from Mud Pond trailhead to Little Cherry Pond trail, but only for non-motorized winter recreational uses (cross-country skiing, snowshoeing, and hiking) and not for summer use.
- Oppose hunting of bobcat and crows.
- Oppose all nighttime hunting on the refuge, both because it is incompatible with other nighttime uses and because it facilitates poaching.

**Response:** We appreciate your comment and attention to detail. We will be developing a visitor services stepdown plan that will address these topics in the future. Regarding hunting, with few exceptions, the hunt programs will be consistent with State regulations. There are no current plans to deviate from this approach.

**Comment:** The Connecticut Chapter of Delta Waterfowl generally supports alternative C and suggests USFWS explore ways to get critical information out to a broader set of users and potential partners about scheduling and holding working meetings and public meetings. They note the willingness of their State Chapter to help facilitate and participate in this process.

**Response:** We appreciate your offer of assistance. In chapter 4 goal 4 we discuss our outreach and collaboration efforts across our various programs. We look forward to collaborating with you on future outreach efforts as we begin implementation of the approved plan.

**Comment:** The Jefferson Conservation Commission supports alternative C but is opposed to the purchase of commercial forests in the Pondicherry Conservation Focus Area and prefers conservation easements instead.

**Response:** We recognize the importance of working farms and forests. In chapter 4, under "Actions Common to All Alternatives," we state our support for conserving working forests through voluntary incentive programs. We support easements as a means of acquiring the minimum interest necessary to protect our Federal trust resources. Once enrolled in these voluntary landowner incentive programs, the Service considers that land conserved and feels no further conservation action is necessary. We estimated a 65% fee and 35% easement split in acquisition, though this may vary depending on landowner preference. This is also detailed in our Land Protection Plan in appendix C.

**Comment:** One individual supports alternative C with more focus on backcountry-like experiences, as exist in alternative D.

**Response:** Your comment is noted. Our Regional Director has the authority to blend aspects of the four alternatives we evaluated in detail. The Regional Director will be made aware of this suggestion.

**Comment:** The Connecticut River Gateway Commission prefers alternative C regarding management proposals, but suggests incorporating alternative D's CFA boundaries for both the Salmon River and Whalebone Cove Focus Areas.

**Response:** In our final CCP/EIS, we adopted what was the alternative D boundary in the draft plan for Salmon River CFA and expanded Salmon River CPA. We did not change boundaries for Whalebone Cove CFAs. Please refer to appendix C "Land Protection Plan" for a description of our boundary delineation process, and the sections below specific to Salmon River and Whalebone Cove CFAs/CPAs.

**Comment:** CRWC is “not fixedly opposed to Alternative C but feel that that choice could exacerbate an already prevalent feeling about the insensitivity of the Federal Government to local town property tax issues. Indeed, with a renewed commitment to refuge revenue sharing CRWC would be an enthusiastic supporter of Alternative C.”

**Response:** Your comment is noted.

### **Opposed to Alternative C**

**Comment:** Cersosimo Lumber Company, the New Hampshire Farm Bureau, Town of Canaan Board of Selectmen, and other commenters expressed opposition to alternative C based on adverse economic impacts to small towns and businesses, and the inability of the Service to effectively purchase and manage newly acquired lands.

**Response:** Your comment is noted. Please refer to our discussions on “Socioeconomic Impacts” and “Refuge Revenue Sharing Payments” above for more details.

**Comment:** One individual voiced a concern with alternative C regarding potential adverse effects to habitats and wildlife resulting from the proposed additional visitor facilities.

**Response:** The only facilities or infrastructures we are proposing under alternative C is one potential trail within each division, and potential soft boat launches where appropriate. Given the amount of land that will be conserved relative to what we view as minimal infrastructure to concentrate public use, this is a small tradeoff. The potential trails and soft boat landings contribute to our mission to protect resources while also providing for the use and enjoyment of refuge lands where appropriate by the American people.

**Alternative D (ID#s 16, 31, 36, 40, 41, 43, 44, 59, 68, 90, 99, 125, 131, 136, 140, 162, 172, 184, 206, 215, 221, 223, 224, 229, 233, 258, 268, 271, 275, 283, 284, 311, 314, 315, 317)**

### **Support for Alternative D in Full**

**Comment:** Commenters expressed support for alternative D for several reasons. One commenter specifically cited avoiding cruelty to wildlife from trophy hunting and supporting the protection of land, water, flora, and fauna. Another commenter notes alternative D would allow for the greatest scope of valuable habitat to be acquired, which is necessary before any education, recreation, and partnerships may be developed. Several commenters echo these sentiments in favor of the most land preservation possible while it remains undeveloped.

Protect Our Wildlife Vermont (The Humane Society of the United States) believes alternative D is best for protecting wildlife. One individual notes this alternative best serves our goals of mitigating climate change and forest fragmentation, and the restoration of New England’s old growth forests. Several commenters state alternative D is best at promoting natural ecological functions and processes. Eightmile River Watershed Committee favors alternative D to preserve large forest blocks that provide critical habitat for wildlife. Haddam Neck, the Vermont Chapter of the Sierra Club, Middlesex Land Trust, Inc., Salmon River Watershed Partnership, and other commenters also favor alternative D.

**Response:** Your comments are noted.

### **Support for Alternative D with Modifications**

**Comment:** The Vermont Humane Federation and other commenters support alternative D, but with a no-trapping provision within the Nulhegan Basin Division.

**Response:** Your comment is noted.



**Comment:** The Massachusetts Sierra Club, Connecticut Yankee Conservation Project, and Center for Biological Diversity prefer a combination of alternatives D and C, where alternative D's greater size and protection of natural processes is present in conjunction with alternative C's visitor facilities plan and coordination with local, volunteer education, law enforcement, and stewardship efforts.

**Response:** Your comment is noted.

### Opposed to Alternative D

**Comment:** VAST, the New Hampshire Farm Bureau, Vermont Traditions Coalition, Town of Canaan Board of Selectmen, and other commenters expressed opposition to alternative D as it would preclude important contributors to local economies like snowmobiling and active habitat management. The Vermont Traditions Coalition notes that alternative D would eliminate the vast majority of public access, traditional uses, and "will deplete wildlife populations due to banning most habitat management and timber cutting."

**Response:** Your comment is noted.

**CPAs/CFAs** (\*Note: comments on a specific CPA, CFA, or Refuge unit, are noted below under their respective headings)(ID#s 41, 83, 90, 183, 210, 245, 252, 262, 281, 90, 101, 121, 180, 183, 210, 252, 257, 306)

### General

**Comment:** We received many comments suggesting specific changes to CPA and CFA boundaries. Most of these comments requested that we expand the size of our proposed areas to include certain geographic areas of interest.

**Response:** The remainder of this section provides our responses to comments made about specific CPA or CFA. However, we have a single response that addresses many of the specific comments raised. In order to minimize redundancy, we present it here.

In the final plan, we made only a few changes to CPA and CFA boundaries, which we believe, could be characterized as minor in nature. In the final plan, we updated our refuge-owned acres to be current as of February 2016 and we used an updated conserved lands layer (TNC Secured Lands, 2014, Gap Status 1, 2, 3 and 39). Minor changes were made to CFA and CPA acreages as a result of those updates. Our overall target acquisition acreage increased by only 41 acres from the draft plan.

Our principle response to those who suggested boundary changes is that we changed how the target acquisition acreage would be distributed. In response to comments, we are now requesting authority to acquire 90% of our target acreage, on average, within CFAs, and the remaining 10% of acreage in the surrounding CPA. The 10% authority would adhere to our willing seller only policy and based on the same priority criteria we used for CFAs. We believe the shift to 90% in CFAs, on average, better reflects future opportunities based on our willing seller only policy, expected land use changes, actions taken by our conservation partners, and landowner preferences to retain their property or sell to someone else. Given that the 10% of the target acreage is not defined in discrete boundaries, we will notify abutting landowners, and coordinate with the State and local municipalities before acquiring any interest in land.

**Comment:** Massachusetts Audubon, the Nature Conservancy, and other individuals are supportive of the concept of CFAs and CPAs, as they protect the biological diversity and resiliency of ecosystems within the watershed and maximize efficiency and conservation effectiveness. TNC further notes that CFAs and CPAs capture important targets identified by their Connecticut River Program. VFWD supports the creation of CPAs but notes disappointment in the apparent minor role played by federally listed plants in the design of the CFAs.

**Response:** Your comment is noted.

**Comment:** The Nature Conservancy suggests the CCP would "benefit by more definition as to the anticipated role(s) of USFWS in the CPAs." They further ask:

- Will USFWS acquire land or conservation easements in the CPAs?
- What other types of technical assistance, financial assistance, or other support will USFWS offer to partners and landowners in CPAs?

**Response:** In appendix C, we describe the anticipated role of USFWS within CFAs and CPAs. As noted above, a change was made in the final CCP/EIS to allow the Service to acquire approximately 10% of the target acreage in surrounding CPAs in fee or easement. In CPAs, we view our primary roles is to facilitate and leverage Federal funds and grant programs including the voluntary landowner incentive programs, and to provide Federal support to private landowners interested in managing for wildlife conservation.

**Comment:** The Connecticut River Joint Commissions Upper Valley Subcommittee states a need for a clearer distinction between CPAs and CFAs in the narrative, summary tables, and maps. Any changes proposed to CPAs need to be clearly shown and explained.

**Response:** Appendix C provides our detailed discussion on the distinction between CPAs and CFAs. See specific area discussions below for changes made between draft and final plans.

**Comment:** The Nature Conservancy suggests the addition of a CFA or CPA which includes ecologically significant floodplains identified by the Conservancy along the Scantic River in East Windsor and Enfield, in coordination with the recommendations of CTDEEP.

**Response:** The primary criterion for acquiring land within the Quonotuck CFA is floodplain forest protection. This is described in Appendixes A and C. In addition, several other CFAs along the Connecticut River mainstem will afford floodplain forest protection. For example, Whalebone Cove, Scantic, Pyquag, Mill River, and Fort River CFAs all include priority floodplain forests identified by The Nature Conservancy.

**Comment:** Audubon Connecticut feels that when IBAs overlap with CPAs, the entire IBA should be included in the CPA to facilitate habitat protection and stewardship of Important Bird Areas. They provided maps with suggested expansions of the Farmington River, Salmon River, and Whalebone Cove CPAs.

**Response:** We recognize the significance of IBAs and took them into consideration when developing our CPAs and CFAs. Please notice our adjustments to CPAs and CFAs in proximity to IBAs.

**Comment:** An individual noted the presence of their land included in alternative B adjacent to Quarry Hill Road in Haddam Neck, CT. They believe this depiction improperly implies agreement with a limitation on their property rights and requested a change to the map and plan.

**Response:** Owning land within a CPA and/or CFA has no impact on property rights or what a landowner decides to do with their property, if anything. Rather, it affords those property owners access to special assistance and/or options that may not be as readily available to other property owners.

**Comment:** Several comments related to CFAs more broadly. Commenters desired maximum flexibility for the Service to acquire lands anywhere within a CPA; such action would gain the support of CTDEEP within the Maromas CPA.

CTDEEP reflected that while the concept of CFAs has value for biological and administrative purposes, such a land conservation strategy fails to account for smaller areas of significant conservation value and furthermore limits the flexibility necessary to acquire these lands on short notice. In addition, the acreage cap within CFAs limits the ability for "adaptive conservation" necessary to meet CTDEEP's identified conservation goals.

**Response:** In the final CCP/EIS we propose that on average we would acquire 90% of the targeted acreage within a CFA and the remaining 10% would be within the surrounding CPA. Our strategy, reasoning, and rationale is explained in appendix C (Land Protection Plan).

In the final CCP/EIS chapter 4, under our description of alternative B, under “Actions Common to Alternatives B, C, and D,” and within appendix C (Land Protection Plan), we describe how CFAs were delineated. The most detailed description can be found in appendix C as to what criteria were used to delineate and refine CFAs.

**Comment:** The Vermont Chapter of The Nature Conservancy advocated for additional consideration of underrepresented biophysical features in our land conservation strategy – specifically the ecologically significant bedrock types as exemplified by the Waits River Formation. According to TNC, this area’s acid buffering capacity provides habitat for calcareous fens, supports ginseng and other rare herbs and orchids, and favors sugar maple-dominated forests that provide superior habitat for migratory birds. The comment noted further that a Cornell Ornithology lab study (Hames et al. 2002) found calcium soils to be a potentially limiting factor for wood thrush, one of our priority species. As a compromise, they suggested reducing our acquisition of acidic bedrock formations that are already partially conserved by the State of Vermont and through conservation easements, as occurs in the White River and Ottauquechee CFAs and the southern portion of the West River CFA and correspondingly increase the size and orientation of the Ompompanoosuc CFA to encompass a portion of the Waits River Formation within the Taylor Valley forest block.

**Response:** Between the draft and final CCP/EIS, we did not change boundaries for Ompompanoosuc, White River, and Ottauquechee CFAs and CPAs. We adjusted West River CPA boundaries to add the adjacent grassy brook area to the east to include a population of northeastern bulrush. While we did not change the CFA, about half of Taylor Valley forest block is within the Ompompanoosuc CPA.

As we have noted previously, in the final CCP/EIS, we propose that on average we would acquire 90% of the targeted acreage within a CFA and the remaining 10% would be within the surrounding CPA. Our strategy, reasoning, and rationale is explained in appendix C (Land Protection Plan). While we recognize the significance for geophysical diversity in light of climate change, our priorities for acquisition are described in appendix C in the LPP and are not necessarily based on geophysical features.

**Comment:** The VFWD appreciated the inclusion of ecological justifications for the corresponding CFAs, but advocated for a more detailed description of the process used to determine CFA boundaries.

**Response:** We refer the VFWD to the final CCP/EIS appendix C “Land Protection Plan” and chapter 4, under our description of alternative B, under “Actions Common to Alternatives B, C, and D.”

## **Quonatumuck CFA (ID#s 40, 102, 119, 180, 183, 245, 252, 262, 281)**

### **Species and Habitats**

**Comment:** Several agencies and organizations shared an appreciation for the inclusion of the proposed Quonatumuck CFA in the draft CCP and had a desire that it be included in the alternative ultimately selected. The CRWC’s rationale was based on the importance of the Connecticut River’s shoreline – as a wildlife corridor, via contributing large woody material to the river, and by providing shade for the immediate shoreline and aiding the reduction of thermal gain. Vermont Fish and Wildlife Department wanted to see greater emphasis on the Quonatumuck CFA given that the refuge was conceived to conserve the Connecticut River’s important ecological values.

**Response:** We appreciate the support for the Quonatumuck CFA. While we do not rank the CFAs in any priority order, we agree that conserving lands within the Quonatumuck CFA, whether by the Service or by other conservation partners, is essential given the many critical resources that would benefit and the array of ecosystem services the river main stem and its tributaries provide.

**Comment:** The Connecticut River Joint Commissions advocated protecting the remaining floodplain forests and wetlands along the mainstem Connecticut River.

**Response:** Your comment is noted and consistent with the criteria used to define the Quonotuck CFA. The Service will seek to protect and restore functioning floodplain forests and associated wetland habitat. In appendix A, under our overview for Quonotuck, we state that floodplain forest protection is a high priority for that CFA.

**Comment:** The Nature Conservancy had several comments about species and habitats within the Quonotuck CFA, based on their own research of floodplain forests on the Connecticut River mainstem. They suggest:

- identifying the historical period used as a reference for restoration, and suggest using the best-condition nearby occurrences of the habitat type to be restored may be a better reference.
- maintaining an early successional state by periodic brush cutting on the fertile alluvial soils in the valley can quickly lead to dominance by invasive shrubs and other non-native plants. TNC is concerned that floodplain succession is driven by floods and associated geomorphic change, unlike succession in upland forests driven by gap dynamics. Standard management techniques of upland forests may fail when applied to floodplain forests because the floodplain trees are adapted to germinating in fresh sediments on bars rather than in the forest understory or in windthrow canopy areas.
- Statements about the need to manage for more berry producing shrubs to support the fall migration are less well-supported in the literature. In the Conservancy study of floodplain forests, they observed that berry producing bird-dispersed woody plant species are abundant in the Connecticut River Valley landscapes.
- Removing black locust as invasive plant management priority and recommend adding Norway maple, Japanese knotweed and Japanese stiltgrass.
- Recommend replacing statements about increasing edges and gaps to promote berry producing shrubs for fall migrants with a statement about the need for research that identifies the factors associated with bird population declines and that future management of the refuge will be in accordance with those findings.

Removing the term “naturally occurring” from page A-20, second paragraph, as they are not aware of any naturally occurring grasslands along the Connecticut River.

**Response:** Your comment is noted and consistent with the criteria used to define the Quonotuck CFA. The Service will seek to protect and restore functioning floodplain forests and associated wetland habitat. In appendix A, under our overview for Quonotuck, we state that floodplain forest protection is a high priority for that CFA. Our detailed HMPs will be developed as soon as we have manageable units. That planning process will be NEPA-compliant and we look forward to involving the public in development of those plans.

## Boundary Delineation

**Comment:** We received several comments related to delineation of the Quonotuck CFA. The VFWD wanted us to include mapping of not only the actual river, but the more specific areas described in the draft CCP as conservation targets. Along these lines, CTDEEP suggested use of The Nature Conservancy's priority floodplain designation and the “*Connect the Connecticut*” joint effort of the NALCC. In addition to floodplains and wetlands, they noted the importance of including areas important to federally listed dwarf wedgemussel and puritan tiger beetles. They also recommended extending the CFA's boundary to include the entire river segment in Farmington or at least the segment within the Farmington River CPA. One individual recommended the area known as the “Floating Meadows,” a freshwater tidal wetlands at the confluence of the Coginchaug and Mattabeset Rivers be included in the Quonotuck CFA.

The Nature Conservancy suggests Quonotuck CFA boundary should encompass all the riparian areas along the Connecticut River mainstem from valley wall to valley wall except for areas permanently cut off from the river by engineered structures such as paved roads, railways, and levees. They recommend the primary focus for Quonotuck should be the floodplain areas most connected to the river.



MA DFW suggests the boundaries are not clear and would like a more accurate delineation of where the boundary is to ensure their agency and the Service are coordinating land acquisition efforts. To avoid working at cross-purposes, they request regular land acquisition meetings be conducted to “keep our mutual interests moving forward.”

**Response:** While we did not adjust the boundary of the Quonotuck CFA, we wish to point out it is an approximation of where we would intend to work with partners to achieve our objectives. By design, the Quonotuck CFA is not delineated down to the parcel level. As we describe in appendix A for this CFA, it is focused on conserving floodplain forests and wetlands, as well as tidal (salt, brackish, and freshwater) wetlands, and those areas supporting threatened and endangered species. We would seek to protect these habitats where they currently occur, where they can be restored, and/or whether they are projected to migrate into the future due to climate change. We would particularly focus on conserving ownerships that include river frontage. TNC's priority floodplain forests, and existing and potential habitat for dwarf wedge mussel and Puritan tiger beetle, as well as habitat for Jesups milkvetch, are included.

With regard to MA DFW's request for regular coordination meetings to discuss land protection, we included the following statement in chapter 4, goal 4, objective 4.1:

“Refuge staff would work in close cooperation with Federal and State agencies, land trusts, and other conservation partners, to foster a climate of cooperation and shared goals when pursuing land protection. In particular, we would ensure close coordination with State agencies by holding regular land acquisition coordination meetings to keep mutual agency interests moving forward and to avoid duplicative efforts.”

### **Specific Comments on CPAs/CFAs in Connecticut (ID#s 9, 30, 59, 61, 90, 117, 162, 180, 183, 209, 221, 245, 259, 262, 272, 281, 288, 303, 313, 315, 316, 317)**

#### **Farmington River CFA (proposed; Connecticut)**

**Comment:** Farmington River Watershed Association offers their candidacy as a potential partner for several of the Plan's objectives and management strategies:

- Maintaining forested buffers and aquatic habitat in the Farmington River CFA
- Stream crossing surveys (FRWA has been assessing culverts and other stream crossing structures in the watershed for several years)
- Monitoring of coliform bacteria, water temperature, and benthic macroinvertebrates.
- Environmental Education in partnership with both FRWA and Farmington River Coordinating Committee (FRCC)
- Environmental Interpretation in partnership with both FRWA and Farmington River Coordinating Committee (FRCC)
- Identification and water quality evaluations of high-quality headwater streams

They further suggest Sandy Brook Conservation Corridor map and Sandy Brook Natural Area Preserve Management Plan as potential online resources.

**Response:** Your comment is noted. We look forward to working with FRWA in the future.

**Comment:** CTDEEP recommends that first priority be given to protecting Sandy Brook, from the mouth of the Still River to the Massachusetts State line. This is a high-quality cold water stream that supports native brook trout and conditions will only be enhanced once fish passage is provided at the Collinsville dams. DEEP's proposed CFA includes numerous high ranking parcels (including two “Top 20” parcels (NB-11 and 19). The agency would support alternative D's land conservation proposal for this CFA. Connecticut Audubon supports CTDEEP's proposal.

**Response:** Between the draft and final CCP/EIS, we did not adjust boundaries for the Farmington River CFA, but did adjust the CPA boundary to account for the creation of adjacent Muddy Brook CPA. Much of Sandy Brook is within the Farmington River CPA.

Under the remaining 10% authority described in the "CFAs/CPAs – General" section above, opportunities to acquire the suggested habitat may be possible should willing sellers become available in the surrounding Farmington River CPA.

### **Farmington River CPA**

**Comment:** The Nature Conservancy is pleased to note the Farmington River CPA includes the significant tributary systems identified as important to the health of the Connecticut River watershed.

**Response:** Your comment is noted.

**Comment:** Audubon Connecticut, CTDEEP, and the Lower Farmington River and Salmon Brook Wild and Scenic Study Committee recommend including the "donut hole" exclusion area within Farmington River CPA to comprise areas suggested by the DEEP core team. These areas would provide high quality forest habitat and would account for key fisheries needs. Audubon Connecticut notes the particular importance of area bounded by Routes 4 and 202 South of the currently proposed CPA.

The Lower Farmington River and Salmon Brook Wild and Scenic Study Committee further request that the segment of river between the confluence of the Farmington River and Punch Brook in Burlington to the beginning of the CPA in Simsbury be included as a linear CPA, if possible, and that as much of the area surrounding this stretch of river as possible be given CPA status. They also request inclusion among the Partner groups in the CCP/EIS.

**Response:** We believe we addressed these concerns in our adjustment to Farmington River CPA and the creation of Muddy Brook CPA and CFA. The lower reaches of the Farmington River are part of the Quonotuck CFA.

Under the remaining 10% authority described in the "CFAs/CPAs – General" section above, opportunities to acquire the suggested habitat may be possible should willing sellers become available in the surrounding CPAs.

**Comment:** The Town of Simsbury Conservation Commission suggests the remainder of their town be included in the Farmington River / Salmon Brook CPA as they are under congressional consideration for designation as Wild and Scenic Rivers and areas of great conservation importance.

**Response:** Salmon Brook is contained within the Farmington River CPA. Please note our adjustments to the Farmington River CPA.

**Comment:** The Nature Conservancy suggests an expansion of Farmington River CPA's boundary to include the Stony Brook floodplains in Suffield and East Granby that have some of the best examples of the *Quercus palustris* floodplain forest type in the watershed.

**Response:** Please see our maps for the Farmington River CPA, Muddy Brook CPA, and Quonotuck CFA.

### **Maromas CFA (proposed; Connecticut)**

**Comment:** We received comments from a resident and the Middlesex Land Trust advocating that these lands, under pressure of continuing development, be conserved. The acquisition of this unfragmented forest will protect "a haven for wildlife and migrating birds" and tie together existing protected parcels including the Shailor Ledges Preserve and Cockaponset State Forest.

**Response:** Your comment is noted.

**Comment:** Audubon Connecticut suggested an expansion of this CFA across the river to the north to encompass the high quality aquatic resources and forests offering quality stopover habitat for migratory birds.

**Response:** Between the draft and final CCP/EIS, we did not change boundaries for the Maromas CFA. However, expansions of Salmon River CFA, Salmon River CPA and the existing authority within Quonotuck CFA, the Service has opportunities to acquire the described habitat under the 10% authority described in the "CFAs/CPAs – General" section above, should willing sellers become available in the surrounding CPAs.

**Comment:** A commenter provided an updated map of the CFA showing open space properties already conserved by the city of Middletown and others.

**Response:** Your comment is noted. Though additional conserved lands on a local basis may exist, we used The Nature Conservancy's 2014 conserved lands data (GAP Status 1, 2, 3, 39) as a consistent watershed-scale mapping standard to assess and map protected lands.

**Comment:** Our overall CFA acreage limitation has caused CTDEEP to withhold its support for this CFA based on their belief that this area is not as highly threatened in the near term or as biologically significant in terms of the number of priority refuge resources of concern supported when compared to other CFAs proposed by the Department. This relates especially to those areas proposed that are not included in our preferred alternative, most notably Podunk River/Strong Road CFA/CPA.

**Response:** We feel Maromas CFA is important as evidenced by the Connect the Connecticut LCD information and the Buler et al.'s migratory bird stopover study. (See appendix C for additional details on the importance of migratory bird stopover habitat.) Maromas CFA is important for connectivity and habitat quality alone, and as a key component to greater regional conservation efforts in combination with Salmon River CFA, Whalebone Cove CFA, and the Meshomasic Highlands.

#### **Maromas CPA**

No comments were recorded or changes made.

#### **Muddy Brook CPA/CFA (new to final CCP/EIS; proposed, Connecticut)**

In response to comments from CTDEEP, we replaced Salmon Brook CFA with Muddy Brook CPA and CFA.

#### **Pyquag CFA (proposed; Connecticut)**

**Comment:** Connecticut Audubon recommended expanding the proposed CFA to the south across the river to include floodplain agricultural lands known as "Great Meadows," that offer much potential for grassland bird habitat. The Middlesex Land Trust supported addition of the floodplains associated with the Pyquag, as suggested by TNC and supported by Audubon Connecticut.

**Response:** As part of the Quonotuck CFA, the Service plans to protect and restore a network of functioning floodplain habitats. In addition to habitat protected in the Pyquag CFA, some of these interests would be accommodated in the Quonotuck CFA. Otherwise there was no change to the boundaries of Pyquag CFA.

**Comment:** The Connecticut Chapter of The Nature Conservancy has worked to identify ecologically significant floodplains throughout the watershed. They and other commenters noted a close alignment of these areas with our proposed CFA.

**Response:** Your comment is noted.

**Comment:** The Great Meadows Conservation Trust noted the absence of several important areas within our proposed CFA (e.g., meadows surrounding Wethersfield Cove, South Glastonbury/Nayaug meadows, and floodplain in the Elm Street area of Wethersfield) and advocated for an expansion to include the entirety of

the floodplain associated with the "Great Meadows of the Connecticut River". They recommended defining the floodplain area and CFA boundary as depicted in the 2008 FEMA Flood Rate Insurance Map or the Stream Channel Encroachment Line.

**Response:** The Service used the FEMA information and a variety of other sources to define the Quonattuck CFA as well as other mainstem CFAs in an effort to focus on priority floodplain areas. Also, see the discussion above under "Quonattuck CFA – Boundary Delineation".

### **Salmon Brook CFA/CPA (both were eliminated from final CCP/EIS, and incorporated into the Farmington River CPA; Connecticut)**

**Comment:** The Farmington River Watershed Association noted the existence of a recent management plan (<http://lowerfarmingtonriver.org/about/themanagement-plan/>) containing recommendations similar to ours and a biodiversity study ([http://frwa.org/publications/biodiversity\\_report\\_final.pdf](http://frwa.org/publications/biodiversity_report_final.pdf)) containing detailed information for the subject area.

**Response:** Your comment is noted.

**Comment:** The Farmington River Watershed Association noted their interest as a potential partner within this CFA, in particularly in collaboration with the Lower Salmon Brook Wild & Scenic Committee.

**Response:** The Service looks forward to collaborating with partners in support of shared goals and objectives within the watershed; especially in the CPAs.

**Comment:** CTDEEP suggested an expansion of the CFA at the mouth of Salmon Brook in East Granby, given its species and habitat diversity and value as foraging habitat for bats, habitat for diadromous fish, and potential for grassland bird conservation. The area of greatest importance to American eel, herring, alewife, Atlantic salmon, and sea lamprey should extend from the mouth of Salmon Brook up both the East and West Branches to the gorges in North Granby (Silver Street) and West Granby (just above confluence with Beach Brook). The value to salmon, brook trout, and eels extends above the gorge on the East Branch all the way to Massachusetts including Belden Brook, and to Wright Brook on the West Branch.

Audubon Connecticut echoed this comment and recommended expansion of this CFA to include all areas contained within the CTDEEP proposal – in order to encompass areas important to grassland birds. In addition, they suggest expanding the proposed CFA to the west include the nearby critical habitat polygons.

**Response:** Much of the areas in the Salmon Brook CFA are now generally located within the Farmington River CFA and CPA. This is because much of what was within the Salmon Brook CFA was already conserved. In the surrounding Farmington River CPA, the Service proposes to invest about 10% of our land protection capacity, as described above in the "CFAs/CPAs – General" section. As is the case with CFAs, interest in land will only be acquired from willing sellers.

**Comment:** The Farmington River Watershed Association noted the existence of federally endangered dwarf wedgemussel upstream (i.e., south) of the Salmon Brook CPA, and therefore recommended a southward expansion of the CPA. (We assume the commenter refers to the Salmon Brook CFA, as there is no Salmon Brook CPA.)

Another commenter was "disappointed, surprised, and puzzled" to note the absence of Salmon Brook and its Granby tributaries in the CFA delineation, given the inclusion of nearby waters and CTDEEP's rating of these waters as among the premier cold-water fisheries in the State. They therefore requested a re-evaluation and reconsideration of our proposal.

**Response:** These areas are in the Farmington River CPA. See response above.



### Salmon River CFA (existing; Connecticut)

**Comment:** We received many comments supporting this CFA; many of whom also recommended an expansion. For instance, CTDEEP would support inclusion of the areas indicated in our alternative D, either by the Service or other partners to “fill in the gaps” by acquiring undeveloped parcels arrayed between existing conserved lands with the goal of enhancing habitat connectivity and facilitating species movement. Audubon Connecticut emphasized the value of these additional unfragmented forest lands to nesting wood thrush and other forest-dependent birds, while the Connecticut River Gateway Commission echoed support for acquiring the additional lands identified in alternative D because “protecting the mouth of the Salmon River and Salmon Cove without protecting the rest of the Salmon River would be counterproductive”. Additional local organizations, such as Salmon River Watershed Partnership and Middlesex Land Trust, also supported the land conservation attributes of alternative D.

An organization called The Haddam Neck Spirit suggested an expanded boundary to include land on both sides of Ague Spring Road up to and including the ridgeline. This would facilitate contiguity with George Dudley Seymour and Hurd State Parks. They contend that such an expansion would enhance long-term survival of the threatened and endangered species we've listed in table A.11, which may otherwise be threatened by increasing suburban development.

The Connecticut Yankee Conservation Project appreciated the past conservation efforts and advocated for continuing dialogue with Eversource Energy to ultimately acquire the remaining portion of the 582-acre former Connecticut Yankee power plant site while being thoughtful about proper storage of the spent nuclear fuel until it is shipped to a permanent repository. The Connecticut River Gateway Commission also recommended acquisition of the Connecticut Yankee site given its key role in the area's habitat conservation matrix as well as, its cultural resource attributes (i.e., Venture Smith homestead and Native American sites).

**Response:** We increased both the Salmon River CFA incorporating our alternative D boundary from the draft CCP/EIS, and we added a subwatershed to the northwest portion of Salmon River CPA in response to interest from the State and Audubon Connecticut.

These areas mentioned in the comments are generally located within the Salmon River CPA and some are specifically located within the CFA. In each case, the Service could provide some conservation alternatives that could accomplish the outcomes desired by the commenters. As we note under section “CPAs/CFAs – General” above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### Salmon River CPA

**Comment:** The Nature Conservancy is pleased to note the Salmon River CPA captures the entire watershed of the Salmon River, which has been identified as important to the health of the Connecticut River watershed.

**Response:** Your comment is noted.

**Comment:** Audubon Connecticut strongly recommends the Salmon River CPA be expanded to the northwest to include the critical forested resources of the Meshomasic Forest, which provides habitat for many important bird species. They provide maps outlining Audubon's suggestions in red, CTDEEP's suggestions in blue.

**Response:** Please see our discussion under the Salmon River CFA above.

### Scantic River CFA (proposed; Connecticut)

**Comment:** Several organizations supported our proposed land conservation efforts in this area, and many advocated for an enlarged CFA. Audubon Connecticut recommended expansion of the proposed CFA boundary to include those areas proposed by CTDEEP that are omitted from our alternative C. Such additional areas include habitats with high potential to support grassland and other early successional birds. The Middlesex Land Trust suggested the addition of the Scantic River floodplains given their value to neotropical migrant and nesting songbirds. The Nature Conservancy wished to see the addition of the confluences of the Farmington, Scantic, and Podunk Rivers given their high species richness and diversity associated with these small river floodplain forest types.

In a plea for action, CTDEEP pointed out that this region, particularly in the vicinity of Strong Road, contains some of the most imperiled natural resources in the State (including rare plant communities and a great blue heron rookery) and the highest level of threat due to development, yet lacks adequate resources to fund conservation measures. They also brought to our attention the presence of a dwarf wedgemussel population in the Podunk River, one-mile from our proposed CFA boundary.

**Response:** We did not adjust the Scantic CFA boundary, but added a CPA based on State and others comments. These areas discussed by commenters are generally located within the Scantic or Farmington River CPA, or in the Quonotuck or Scantic CFA. In each case, the Service could provide some conservation alternatives that could accomplish the outcomes desired by the commenters. As we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### **Whalebone Cove CFA (existing; Connecticut)**

**Comment:** As with our other proposed CFAs in Connecticut, several organizations supported our land conservation intentions and proposed an expansion of the final CFA boundary. CTDEEP advocated for the acquisition boundary represented by alternative D in order to enhance habitat connectivity and facilitate species movement. Audubon Connecticut echoed this sentiment as it relates to the protection of aquatic and marsh resources, as well as, high quality interior forest habitat that supports nesting wood thrush, cerulean warbler, and other forest interior-dependent birds. They recommended a further expansion to the east and northeast as shown on their attached map. The Eightmile River Wild & Scenic Coordinating Committee favored alternative D in order to protect remaining habitat blocks and create a network of corridors among the system of conserved lands. The Connecticut River Gateway Commission's advocacy for alternative D was based on The Nature Conservancy's goal of linking protected forest lands across five towns within a watershed that has qualified for "wild and scenic river status". They also noted the aesthetic value of the area to people on the river as well as travelers across the I-91 bridge.

**Response:** The Service did not expand the Whalebone Cove CPA or CFA. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### **Whalebone Cove CPA**

**Comment:** The Nature Conservancy is pleased to note the Whalebone Cove CPA captures the entire watershed of the Eightmile Rivers.

**Response:** Your comment is noted.

### **Deadmans Swamp Unit (existing; Connecticut)**

No comments were recorded or changes made.

### **Roger Tory Peterson Unit (existing; Connecticut)**

**Comment:** Several commenters had specific suggestions for recreation and partnerships on Roger Tory Peterson Unit. An individual whose family donated lands to the Old Lyme Land Trust desired a trail connecting the Lohman, Buck, Twining parcels to the Peterson Unit by securing an access easement across the intervening Giessen and Holt properties. Creating such a path along the northwest branch of the Lieutenant River "would honor Roger Tory Peterson's legacy."

Another commenter raised several questions about our intended public use of the property. They noted that the site is "an eyesore featuring what appears to be an abandoned building surrounded by uncleared woodlands", but could be improved with our dedicated actions. This individual offered several suggestions including: relocating the access point to Saunders Hollow Road with associated adequate parking, install a natural greenscape to obscure the view of Route 156, consider similar project on Saunders Hollow Road, and prepare a site development plan to accommodate our anticipated public use programming.

A commenter reported rumors of our constructing a viewing platform along the loop nature trail near the Lieutenant River headwaters. They are opposed because such a structure would offer little nature-viewing value to visitors while exposing a number of houses and thereby sacrificing the "illusion of seclusion" present currently.

A commenter disagreed with our characterization of the Peterson Unit as being located in a "rural portion of Old Lyme". They noted that while this area was rural when first acquired by Mr. Peterson in the 1905s it is now a residential area located along a busy State highway.

An individual noted that our maps contained red blocks signifying "development" along the steep slope of Saunders Hollow Road. They commented that there is not development currently in that location, and efforts to modify the slope for the purpose of accessing the tract and trail would be misguided.

We received a suggestion that a parking access could be developed near the York House and that it would be important to explain the risks of Lyme disease to visitors.

A commenter shared concerns that given our intention to manage this area without the presence of Service staff, the success of our public offerings is dependent on a non-existent Friends group that would staff the proposed visitor contact station. This person also emphasized that site development and program expenses would be dependent upon funds raised by the Friends group. They requested a better description of our involvement at the unit and our expectations of a Friends group.

**Response:** These proposals are thoughtful and warrant additional attention before final plans are made. We will review them again as part of our visitor services stepdown plan. That planning effort will be in consultation with the State, partners, and other stakeholders and will be vetted in a public process consistent with NEPA.

## Specific Comments on CFAs/CPAs in Massachusetts (ID#s 18, 83, 116, 147, 174, 183)

### Dead Branch CFA (existing; Massachusetts)

**Comment:** A commenter suggested that the Westfield watershed would be a great place to divert anadromous fish "considering what's going on in Holyoke and up at Turner's Falls" where the fish "don't seem to be up over those dams."

**Response:** Your comment is noted. While a major initiative of the Service is to improve aquatic species passage, especially anadromous fish, we do not anticipate creating infrastructure to "divert fish" from one place to another.

**Comment:** An individual commended the Dead Branch as an outdoor classroom and that the entire valley can provide an educational resource.

**Response:** Your comment is noted.

**Comment:** We received a comment in support of our role to assist with coordinating actions by the US Army Corps of Engineers, MA DEP and others – and bringing greater attention to the CFA.

**Response:** Your comment is noted. As stated previously, we will strive to facilitate conservation, education, recreation, and partnership activities within the watershed and do so in a way that does not duplicate or compete with work that others are doing. Rather, it is our intent to be "value added" by providing capacity to overcome gaps.

**Comment:** The Nature Conservancy advocated for an expansion of the CFA to the south to incorporate more land in Huntington. Such lands are identified as BioMap2 Core Habitat and Critical Natural Landscape – recognized as critical for biodiversity. They note that these lands also rank highly for climate change resilience.

**Response:** We did not adjust boundaries for Dead Branch CPA or CFA. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

**Fort River CFA (existing; Massachusetts)**

**Comment:** A commenter noted the presence of barn swallows in the former horse stable buildings. They requested that if we are to demolish these structures, alternative nesting structures be provided.

**Response:** Our plans are to take down the stables, but that is coupled with encouraging barn swallows to use another suitable structure on the refuge.

**Comment:** A commenter shared their appreciation for the universal access trail and noted "it is a great asset to the area, and provides us with many scenic views, while still protecting wildlife habitat."

**Response:** Your comment is noted. We hope to offer similar opportunities elsewhere on the refuge, provided we have the funding and have completed the appropriate NEPA-compliant process, including public involvement.

We did not adjust the CFA or CPA boundary for Fort River Division.

**Fort River CPA**

No comments were recorded or changes made.

**Mill River CFA (existing; Massachusetts)**

**Comment:** Massachusetts Audubon Society considers their Arcadia Wildlife Sanctuary and surrounding lands to be ecologically valuable properties and has prioritized the lands in this area for protection. They look forward to working with us in this effort.

**Response:** Your comment is noted.

**Comment:** We received a comment that a portion of runway associated with the Northampton Airport is included within the proposed acquisition area as part of alternative C. They recommended that we either alter our boundary to exclude the runway from our acquisition plans or state that we will continue operation of the runway in its entirety.

**Response:** We agree and the runway was excluded in the final CCP/EIS. We did not otherwise make any changes to the Mill River CFA or CPA boundary.

**Mill River CPA**

No comments were recorded or changes made.

**Westfield River CFA (existing; Massachusetts)**

**Comment:** The Nature Conservancy shared an interest in expanding this CFA's boundary to the south in order to include parcels in Becket and Chester that contain frontage on the West Branch of the Westfield River, the longest free-flowing river in the State and one in which we already own land.

**Response:** We did not adjust the CPA or CFA boundary for Westfield River. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.



### **Westfield River CPA**

**Comment:** The Nature Conservancy is pleased to note the area covered by Westfield River CPA encompasses many important areas that connect the Dead Branch and Westfield River CFAs. The Conservancy further notes the availability of solid data to prioritize corridors if there is future interest in maintaining landscape connectivity.

**Response:** Your comment is noted, and we look forward to cooperating on future projects.

### **Honeypot Road Wetlands Unit (existing; Massachusetts)**

No comments were recorded or changes made.

### **Mount Toby Unit (existing; Massachusetts)**

No comments were recorded or changes made.

### **Mount Tom Unit (existing; Massachusetts)**

No comments were recorded or changes made.

### **Third Island Unit (existing; Massachusetts)**

No comments were recorded or changes made.

### **Wissatinnewag Unit (existing; Massachusetts)**

No comments were recorded or changes made.

### **Specific Comments on CFAs/CPAs in New Hampshire (ID#s 86, 88, 135, 182, 183, 213, 220, 265, 277, 279, 282, 294, 306, 308)**

#### **Ashuelot River CFA (proposed; New Hampshire)**

**Comment:** We received support from The Nature Conservancy for inclusion of this CFA in our draft plan. They noted its value in creating important ecological connections and that it contains critical habitat for migratory birds, deer, and bear – and also provides important resources for people and the New Hampshire economy.

A resident commented that lax enforcement of laws intended to protect the environment has resulted in degradation of important wildlife habitats – specifically what the commenter identifies as the “highest ranked wildlife habitat corridor” connecting the Connecticut River with New Hampshire’s interior uplands for a 70 mile river segment. Its special status therefore supports the CFA’s conservation for use by all.

Another commenter reflected on the need to protect more of the Connecticut River’s tributaries, which our proposal will achieve in the Ashuelot watershed.

**Response:** The “wildlife habitat corridor” area in the comment is generally located in the Ashuelot River CPA. While CFAs are the primary target for refuge acquisition from willing sellers, we note under section “CPAs/CFAs – General” above, we are seeking authority to acquire 10% of our target acreage in CPAs. Regardless, we look to partner in CFAs and CPAs to protect significant wildlife resources, including wildlife habitat corridors.

**Comment:** The Nature Conservancy recommended expanding the CFA’s southern boundary to incorporate the entire Surry Mountain ridgeline and Sturtevant Brook and its watershed.

**Response:** We did not adjust the boundary for the Ashuelot River CPA or CFA. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### **Ashuelot River CPA**

**Comment:** A resident of the Ashuelot River Watershed notes the abundance of wildlife that existed in the (unspecified) past, such as hundreds of frogs, meadowlarks, dozens of yellow finches and bluebirds, etc., compared to their decreased numbers and/or absence today. He expresses his desire to see more conservation efforts in this area, "because we need it."

**Response:** Your comment is noted.

### **Blueberry Swamp CFA (existing; New Hampshire)**

**Comment:** We received a comment from The Nature Conservancy recommending expansion in the vicinity of Stoddard and Marshall Roads. This would allow a more complete connection to existing conservation lands and include both sides of Bungy Road. They provided a map with two options.

**Response:** In the Blueberry Swamp area, we made no changes to the CFA boundary in the final CCP/EIS, but reduced the CPA to remove a subwatershed that did not directly influence the swamp. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

**Comment:** A Columbia Selectman referenced a map we shared at a meeting in November 2007. That map displayed the entire Connecticut River watershed to provide some context to a specific land acquisition proposal. The Selectman misinterpreted the boundary map and assumed that we intend to eventually "attempt to take all of the land to the Connecticut River that is shown in your 2007 map." The commenter went on to note that of the town's 33,315 in taxable acres, 30,600 acres are already enrolled in New Hampshire's current use program.

**Response:** We hope the final plan makes obvious the areas we have targeted for Service acquisition from willing sellers only. The comment on taxable acres is duly noted. Please refer to the section titled "Socioeconomic Impacts" above for additional information.

### **Blueberry Swamp CPA**

**Comment:** The Nature Conservancy notes the addition to the CPA includes important additional streams rated as highly resilient to impacts of climate change. It also includes an important structural pathway for wildlife movement just south of Lyman Brook, which better captures areas that scored highly for terrestrial resilience to impacts of climate change.

**Response:** Your comment is noted.

### **Mascoma River CFA (existing; New Hampshire)**

**Comment:** Comments received were supportive of our proposed efforts – ranging from conserving habitats important to migratory birds and wide-ranging mammals to providing an area to recreate and appreciate wildlife.

**Response:** Your comment is noted.

**Comment:** The Hanover Conservancy expressed an interest in serving as a local conservation partner. They also shared a list of parcels that they have conserved within and adjacent to the CFA. They further noted the similarity with our considerations in evaluating conservation factors. More specifically they:

- Requested notification should we acquire Map 14, Lot 27, and asked that we avoid forest management activities that would disrupt access to their property.
- Recommend Map 13 Lot 54, and Map 14 Lots 1, 2, and 40, be included in our proposed acquisition area.
- Requested that we proceed cautiously when contemplating future forest openings in order to guard against colonization by invasive plants and asked whether openings created on adjoining lands would fulfill our objectives.
- Encouraged us to allow hunting on lands acquired.
- Supported hiking trails in the Moose Mountain region of Hanover; specifically connecting their McKinley tract with their Tunis Brook Mill parcel.
- Offered to partner with us in natural resource and cultural interpretive activities.
- Asked that we identify and protect cultural resources during habitat management activities.

**Response:** Your comments are noted. The Service looks forward to partnering with the Hanover Conservancy and having more detailed discussions about how to best move forward with our shared goals and objectives. Generally, we promote hunting and hiking along with other priority public uses. Further, we are required by law to protect cultural resources under the stewardship of the Service.

**Comment:** One commenter offered specific suggestions, such as establishing a cross-country ski trail at the Mascoma Division from Dartmouth's Winslow Ledge land east to NH 118 in Dorchester. Further, they recommended creating a hiking trail from Hanover's Moose Mountain northeast to Rumney's Rattlesnake Mountain. The commenter suggested that these trails would not significantly impact wildlife or our habitat management goals and that similar activity already occurs in and adjacent to the proposed Mascoma Division.

**Response:** These suggestions, along with other public access related proposals, will be addressed as part of a specific visitor services stepdown plan. That planning effort will be in consultation with the State, partners, and other stakeholders and will be vetted in a public process consistent with NEPA.

### Mascoma River CPA

**Comment:** The Nature Conservancy notes the CPA connection to the Connecticut River includes Grant Brook, which rates highly in relative resilience and may facilitate connections to already protected land. They suggest one area of expansion on the southwest boundary to include important wetlands and oxbow complexes along the Mascoma River, Lovejoy Brook, and two State Wildlife Management Areas.

**Response:** We added a subwatershed to the Mascoma River CPA in response to public comments, but made no changes to the CFA. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### Pondicherry CFA (existing; New Hampshire)

**Comment:** The Friends of Pondicherry recommended we place a stronger emphasis on the State's wildlife action plan rather than the more geographically expansive Bird Conservation Region 14 goals. They further suggested we update our list of Priority Refuge Species of Concern by using the 2015 New Hampshire Wildlife Action Plan rather than the 2006 edition given changes made to the priority species list. They specifically asked us to consider adding the following to our list of Priority Refuge Species of Concern:

- Marsh Wren
- Mourning Warbler
- Snowshoe Hare

**Response:** Thank you for your comment. The USFWS Region 5 Biological Team has provided refuges with specific guidelines on identifying and selecting priority refuge resources of concern. Please see appendix B which provides details on this process. We strongly feel that it is important that we are consistent in the process of selecting our resources of concern. Various individuals and groups will have their own opinions as to which species should be on our priority list. We do not disagree that the species you've suggested would be worthwhile considerations; however, they do not meet various criteria required under our selection process (e.g. are not a high conservation concern species in selected plans). Nevertheless, these species will benefit from management of refuge resources of concern.

We were remiss to not mention the importance of Moorhen Marsh and Hazen Pond to marsh wren, and have added this information to the freshwater marsh rationale in appendix A for the Pondicherry CFA, goal 1, objective 1.2. We also included a strategy "to investigate the need for a beaver baffle in areas where high water levels are impacting marsh vegetation." We recognize that snowshoe hare are an important species in the boreal forest. They are an important prey species for numerous predators, including Canada lynx which are federally threatened and a species of concern for the refuge. Habitat management for snowshoe hare will be integrated into a region wide lynx management plan. Our proposal to manage habitats for rusty blackbird populations, and increase the structural diversity within the forests of Pondicherry, will benefit snowshoe hare. We also propose to manage habitats for woodcock, which will benefit other early successional species, including mourning and chestnut-sided warblers.

**Comment:** The Jefferson Conservation Commission and Friends of Pondicherry express a general concern that we maintain a greater number of the old fields on the division, suggesting an increase of 15 acres, before they advance into forest growth. Such actions would benefit woodcock, monarch butterflies, and bumblebees among other early successional species. They noted that map A-516 does not display all of the fields that are currently mowed or brush hogged. They can provide a map showing the full extent of mowed fields and recommend others whose maintenance would benefit wildlife habitat needs.

The Friends also advocated mowing as a means to improve habitat for ruffed grouse and woodcock along Airport and Hazen Roads – an area of former pasture that could be enhanced for game species with periodic mowing. In their opinion, periodically mowing the fields along Slide Brook Trail would benefit wildlife, as well as, scenic and historic landscape values. The Friends also encouraged planting native plants for the benefit of wildlife, such as milkweed along appropriate segments of the rail trail to benefit monarch butterflies

**Response:** We will continue to maintain old fields on the Division until we conduct a detailed habitat analysis associated with drafting the HMP for the Division. We have not maintained a few fields due to concerns with spreading invasive plants, but we would welcome suggestions from the Friends of Pondicherry and the Jefferson Conservation Commission. A final decision on the location and number of fields maintained at Pondicherry will be made based on other habitat management objectives and priorities that develop during the HMP process. We will evaluate native plantings at this time as well. We would encourage the Friends Group and the Conservation Commission to actively engage with us when we draft the Pondicherry HMP.

**Comment:** The Friends of Pondicherry noted disappointment that the Pondicherry Division would remain unstaffed. They suggested we build a maintenance facility associated the Ayling Road government quarters and staff the facility to improve relations with the local community. They also advocated an expansion of our Youth Conservation Corps from six to eight members and from six to eight weeks in duration.

**Response:** We agree that having dedicated staffing at Pondicherry year round would be ideal for the reasons you state; however, we must balance staffing, operations, and maintenance needs across the Conte Refuge. We do not envision additional staffing or having a permanent staff presence in the near future. We wish to point out that the Conte Refuge staff are located primarily in Sunderland, Massachusetts, and Brunswick Vermont, but serve all refuge divisions. There are many things we must balance as we decide on where to prioritize our resources. We evaluate those priorities on an annual basis once we know our funding levels. The partnership we have the Friends of Pondicherry is incredibly valuable in helping us work towards our goals on this division. We will continue to look for funding, partners, volunteers, to supplement the limited resources that we have. We look forward to continuing the important relationship we have with the Friends group.



**Comment:** The Jefferson Conservation Commission favored multiple efforts related to environmental education, outreach, and interpretation throughout the community, such as engaging local schools in field-based classes, public interpretation of the area's natural and cultural history, and learning more about the division's natural communities. More specifically, they requested that we educate anglers, kayakers, and canoeists to avoid loon nests on Cherry Pond.

**Response:** We agree that additional education and outreach efforts are desirable and afford opportunities to potentially mitigate impacts on wildlife. We look forward to working the Jefferson Conservation Commission as we work on our visitor services plan.

**Comment:** The Friends of Pondicherry found our proposal for science and technical outreach (objective 2.4) inadequate – it does not include the commitment to science that they expect, including our support of projects with refuge funds. For instance, they would like to see greater research-based collaboration with local universities and science-based organizations at the division. The Friends advocated for the gathering of survey data regarding species such as bog lemming, rusty blackbird, and burbot, among others. Finally, they suggested that we reach out to institutions such as Plymouth State University or Dartmouth College to perform paleo-ecological studies as Cherry, Little Cherry, and Mud Ponds.

**Response:** We support compatible research as described in chapter 4, goal 4 objective 4.6. We will consider all research proposals that would help inform our refuge purposes, mission, and goals, especially in those instances where a proposed action could impact positively or negatively on those and other species mentioned by the commenter.

**Comment:** The Friends of Pondicherry advocated for several interpretive items. They favored installation of interpretive panels on the Mud Pond Trail boardwalk given its high use and the ability to share the fen's unusual characteristics with the visiting public. They noted that this trail should also contain the appropriate universal access signage. Additionally, they requested publication of a bird checklist and division brochure, similar to those available at the Nulhegan Basin Division. Finally, they suggested an interpretive panel for the Slide Brook Trail to commemorate its significance to the 1885 Cherry Mountain landslide.

**Response:** As noted above, we will evaluate interpretive infrastructure during development of the Visitor Services Plan. We recognize this is a very popular, accessible trail and we would like to continue to facilitate and enhance its use.

We further agree that a no hunting zone should be evaluated for the area surrounding the Mud Pond trail. The evaluation will help inform our development of a Visitor Services Plan.

Lastly, the Visitor Services Plan will address any interpretive panels desired at the Slide Brook trailhead. We would point out that an interpretive panel that discusses the 1885 Cherry Mountain landslide currently exists directly across NH 115 on US Forest Service land. It is our general intention during the Visitor Services Plan to minimize signage across the division to retain its character.

**Comment:** We received several comments from the Randolph and Jefferson Conservation Commissions and Friends of Pondicherry involving recreational opportunities. Trail-related comments included:

- General support for maintaining existing trails, boardwalks, viewing platforms, and fields throughout the division.
- Support snowmobile use of the existing snowmobile trail network.
- Request upgrading as wheelchair-accessible, the portion of the Presidential Rail Trail from Route 115A to Airport Road, in order to meet the aging demographic. This is the Friends of Pondicherry's highest priority and they estimate the cost of improvement at less than \$100,000 with funding from the Federal Lands Access Program.
- Support our MOU with the New Hampshire Trails Bureau to maintain the Rail Trail between Airport Road and Route 115A.

- Support improvement of the former winter logging road, known locally as the Mooseway, connecting the Mud Pond trailhead and Little Cherry Pond Trail; prefer designation as a non-motorized winter-only access trail (i.e., snowshoe/cross-country ski) because the area is too wet and would require a considerable investment to improve the trail for summer use. In addition, the rail trail provides adequate walking and bicycling access during the summer, whereas the rail trail is heavily used by snowmobiles during winter.
- Recommended establishment of a five-car trailhead at the Colonel Whipple Trail.
- The Friends of Pondicherry agreed that we should abandon the 2.4 miles of discontinued snowmobile trail under the power line due to the presence of wetlands and because the Presidential Range Recreation Trail provides a better alternative. They further advocate that the power line, as part of the Coos Connector, be buried under the rail trail in the future.
- The Friends also noted that they do not support a potential canoe portage on the Deadwater section of the Johns River based on its distance, the presence of wetlands, and a lack of existing need.
- In order to prevent unauthorized vehicles from entering the adjacent fields, the Friends of Pondicherry suggested installation of a gate at the beginning of Slide Brook Trail where it follows an old road connecting with Route 115.
- The correct name of "Shoreline Trail" is "Shore Path".

**Response:** We appreciate the detailed feedback we received regarding recreational opportunities on the division. More detailed planning, including any proposed infrastructure and public access improvements, will be outlined in a forthcoming VSP. That planning effort will be in consultation with the State, partners, and other stakeholders and will be vetted in a public process consistent with NEPA.

We would note here we are supportive of a number of suggestions, including discontinuing the snowmobile trail under the powerline and removing the proposed deadwater portage on the Johns River. However, these suggestions will be considered along with others as part of our visitor services stepdown plan discussed above.

**Comment:** Local organizations support hunting and fishing at Pondicherry, but offer the following comments:

- Oppose the hunting of coyotes with dogs because this "attitude does not conform to fair chase standards and gives hunting a bad name."
- Oppose allowing the hunting of bobcat and crow due to the potential misidentification of Canada lynx and raven and that there is "no logical reason to allow the killing [of] a crow for sport."
- Oppose all forms of nighttime hunting because it is incompatible with other nighttime uses and facilitates poaching.
- The Friends of Pondicherry inform us that adequate opportunities already exist for "bank fishing" along Shoreline Trail without the need to cut sensitive shoreline vegetation to provide access for anglers.

**Response:** We are allowing hunting and other traditional wildlife-dependent uses on the refuge consistent with State regulations. There are no current plans to deviate from this approach.

Visitor access issues will be discussed in a forthcoming VSP. We do not have plans to cut vegetation along shorelines to aid in access.

**Comment:** We heard about signage from the Friends of Pondicherry and the Jefferson Conservation Commission. Comments ranged from completing a sign plan that follows an established standard and corrects current inconsistencies to installing interpretive signage at key locations, such as Mud Pond.

**Response:** Any changes to signage on the division will be discussed and proposed in a VSP. We agree that interpretive signage at the Mud Pond trail may be appropriate. In general, we attempt to minimize signage across the divisions to preserve the remote character of the division.

**Comment:** Multiple commenters noted errors in our public access map A-515:

- Whipple Road should be labeled between Routes 116 and 115A.
- Shoreline Trail at Cherry Pond should be relabeled as Shore Path.
- Cedar Marsh is in the wrong location; it is just east of wetland labeled as Moorhen Marsh.
- The canoe portage trail on the John's River is depicted in the wrong location; its correct location is from Hazens Pond to the Johns River Deadwater.
- Slide Brook Trail is shown as potential new trail construction when it already exists as a pedestrian trail.

**Response:** Your comments are noted and changes have been made.

**Comment:** The White Mountain National Forest concurs with our land acquisition proposal; in particular the linking of conservation lands with the WMNF and the consideration given to elevational gradient, something rare among refuge lands. They look forward to continued collaboration as adjoined Federal land managers.

**Response:** Your comment is noted. We look forward to future collaboration.

**Comment:** The Jefferson Conservation Commission suggested the following actions regarding land parcels:

- Enact a land swap in the northeast corner at the junction of Route 116, Whipple and Turnpike Roads for an 8-acre triangular shaped wetlands inholding along the railroad line south of its crossing of Route 116. Such an action would allow us to maintain our boundary consistent with road rights-of-way, thereby simplifying boundary management into the future.
- Acquire the overlook on Route 115 near the Jefferson/Carroll town line. This would preserve an iconic view of the Jefferson valley and much of the division. They further recommend maintaining the view by periodic tree cutting and mowing of the field currently within the division boundary.

The Friends of Pondicherry recommended the following with regard to land ownership at the division:

- Acquire Airport Marsh and continue to allow its management by New Hampshire Fish and Game. NH Fish and Game currently manages this popular fishing and birding hotspot under a lease agreement.
- Our proposed acquisitions in Carroll include commercial forest land owned by Bayroot LLC and managed by Wagner Woodlands. The Friends do not support fee simple acquisition of commercial upland forest; therefore any acquisition should be of development rights via conservation easement or Forest Legacy.

**Response:** We did not adjust the boundaries for Pondicherry CPA or CFA in the final plan. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs. We have exchanged land in the past for property of equal monetary value and equal or greater resource value. As presently owned, the route 115 overlook area is potentially well-suited for Federal Lands Access Program (FLAP) funding to facilitate access (visual) to Federal land. The Service has attempted to purchase additional land in the immediate vicinity of the overlook and would be willing to consider habitat work as a Partners Program Project to restore the area to early successional habitat.

Airport Marsh is located in the CPA, and enrollment of the working forests mentioned by the commenter could be a good fit for the Forest Legacy program and would not necessarily require action by the Service.

### **Pondicherry CPA**

No comments were recorded or changes made.

### **Sprague Brook CFA (proposed; New Hampshire)**

**Comment:** Commenters shared an appreciation for establishment of this CFA based on protecting key habitats and establishing functional ecological connections – a role that might not otherwise be present in this area.

One individual noted that our presence as a willing buyer would be advantageous to landowners in the area.

A commenter advocated for protection of the Mirey Brook watershed for drinking water purposes – the brook supplies Winchester's aquifer.

One person noted that protections afforded to priority habitat for Atlantic salmon spawning and brook trout, vernal pools, and dwarf wedgemussel would be beneficial to the health and integrity of the Ashuelot River.

**Response:** Your comments are noted.

**Comment:** A commenter suggested that expansion of “new conventional trails” would improve the interface of the public with the resource and allow for greater understanding and appreciation of its values.

**Response:** We agree that additional public engagement can engender support for our mission. When and if we acquire an adequate landbase in this area to prescribe site-specific management actions, we will evaluate public access opportunities in a visitor services plan. We will coordinate with State partners, the local public, and other stakeholders while following a NEPA-compliant process.

### **Sprague Brook CPA**

**Comment:** The Nature Conservancy suggests the addition of Snow Brook, an important wetland complex hydrologically connected to and immediately west of Mirey Brook in Winchester, to Sprague Brook CPA. Both Snow Brook and Mirey Brook have high relative aquatic resilience and are therefore important conservation targets. TNC suggests extending the northern boundary north of Route 10 to include all the wetland.

**Response:** We added a subwatershed to the west within Sprague Brook CPA in response to public comments but made no changes to the CFA. However, as we note under section “CPAs/CFAs – General” above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### **Specific Comments on CFAs/CPAs in Vermont (ID#s 7, 31, 32, 66, 82, 123, 156, 167, 176, 215, 216, 217, 223, 237, 242, 250, 251, 252, 289, 298)**

#### **Nulhegan Basin CFA (existing; Vermont)**

**Comment:** The Vermont Fish and Wildlife Department supports strategies to restore the valuable and uncommon natural communities by increasing softwood composition and structural diversity, increasing woody material, and selecting some area(s) for passive management as old forest. They also suggest that the descriptive text emphasize the larger context of conserved lands in the area.

**Response:** Our intent is to manage uncommon natural communities by the means indicated in the comment. We explain this in appendix A under the Nulhegan Basin Division discussion where we provide a general course of action. As we develop the HMP in the future, we will engage the State in developing more site specific direction.

**Comment:** An experienced houndsman and State wildlife biologist suggests that we identify and manage threats to lynx, evaluate carnivore relationships within the division and the influence of other recreational activities on wildlife, and pursue habitat initiatives that benefit both lynx and bobcat.



**Response:** These are all valuable insights, however, we are forced to prioritize our actions based on the availability of time and resources. We will continue to collaborate with the larger scientific community (university researchers, State fish and wildlife biologists, and the Service's lynx experts) to address issues related to Canada lynx. One of the utmost questions is the role that the Nulhegan Basin can and should play in this species' recovery. On a related note, we have increased our lynx surveillance efforts during the past few years and began to assess snowshoe hare populations in 2016.

**Comment:** Several long-time users of the Nulhegan Basin share the identical sentiment that we "leave these lands as they are." They follow a "live and let live" philosophy where people "make their own fun". In essence, the lands provide a sense of serenity that they wish to maintain and share with others, and are therefore opposed to "gentrification" and overly intrusive management. Another common statement was that "camp owners have maintained a traditional use of the land for generations and would expect those traditions to be maintained in perpetuity."

**Response:** We are well acquainted with this viewpoint, which dates back to our initial acquisition of a portion of the former Champion International lands. Our history of management, as well as our future vision, is outlined in the draft CCP/EIS appendix A. This includes forest management and a range of recreational activities, including hunting, fishing, trapping, snowmobiling, and the cabin lease program, among others. In some cases additional infrastructure will be added, such as native surface trails and a car-top boat launch should we acquire the McConnell Pond tract. We believe these actions meet the needs of the larger public while also furthering our legislated purposes.

**Comment:** Several commenters express an appreciation for managed forests as these contribute to diverse and healthy forests and wildlife. The CLLTIA advocate maximizing the amount of lands under forest management, both for wildlife and local economic benefits.

**Response:** We direct commenters to a larger discussion of habitat management practices in the section above titled "Habitat Management." More detailed habitat management information will be presented in the HMP for the Nulhegan Basin Division, which will be the first stepdown plan following approval of this CCP.

**Comment:** The CLLTIA advocate the reclamation of Lewis Pond as trout water and desire an "aggressive" fish stocking effort throughout Nulhegan Basin area streams, noting that stock removes pressure from native fish populations.

**Response:** Thank you for the feedback; any successful attempt to remove non-native smallmouth bass in favor of a native trout population will require the support of the public and especially anglers at Lewis Pond. As stated in appendix A, Nulhegan Basin Division, 1.3a, any such effort will be contemplated in cooperation with VFWD. With regard to fish stocking in streams, this is an activity conducted solely at the discretion of the VFWD. While we support and encourage fishing, we do advocate for the use of native fish species.

**Comment:** The VFWD notes that they have ceased stocking brook trout in Lewis Pond and will not continue until the introduced smallmouth bass population is eradicated due to their predation of stocked trout. They also plan to terminate stocking on the Nulhegan River and Black Branch in 2016 based on the low angler effort observed during their recent survey of Northeast Kingdom rivers.

**Response:** The comment is noted.

**Comment:** The Vermont Fish and Wildlife Department reminded us that fathead minnows are also not native to Lewis Pond and would be targeted for elimination along with smallmouth bass.

**Response:** Under sub-objective 1.3a, the strategies have been updated to include mention of fathead minnow.

**Comment:** The Northern Forest Canoe Trail advocates incorporation of their Northern Forest Explorers program into our list of partner-sponsored curriculum-based programs. These paddle trips focus on providing youth with environmental education as well as opportunities for empowerment, confidence building, leadership development and teambuilding. A trip could be planned that travels the Nulhegan River and a portion of the Connecticut River.

**Response:** We would be happy to serve as a host site for your outings. This could include making available our facilities and having staff meet with the participants. Our only request is that this be a Northern Forest Canoe Trail partner-led program given that we do not have the staff to properly administer such a program. We recommend you discuss this with the Nulhegan Basin refuge manager directly.

**Comment:** A cabin leaseholder appreciated the proposed continuation of hunting, fishing, and snowmobiling, even though he does not participate in those activities.

**Response:** Thank you; the comment is noted.

**Comment:** An experienced houndsman and State wildlife biologist provided a lengthy and detailed comment letter regarding bobcat hunting and Canada lynx at the Nulhegan Basin Division. In a subsequent email exchange to clarify the key points, we derived the following comments. He shared an opinion that “threats and management challenges for lynx in the Nulhegan Basin are far more complex than any posed by recreational hunting bobcat with hounds.” Further, he noted that there is no compelling evidence to suggest bobcat hunting poses a threat to Canada lynx at the division, and therefore supports our approach to this activity. He advocated for a continuation of bobcat hunting per Vermont regulations without additional refuge-specific regulations – any such regulations should be based on a review of bobcat population and hunting data, and we should be mindful that refuge-regulations will likely impact hunters on adjoining lands given the wide-ranging nature of hunting with hounds. Lastly, he noted an opportunity to utilize bobcat and hare hunters as additional “eyes and ears” and that this constituency could become potential advocates for Refuge initiatives.

**Response:** We agree with the substance of this comment. To clarify, we are not proposing changes to the bobcat hunting season; we have only proposed developing a contact list of participants hunting training dogs in the summer so that we may reach out to them should a significant finding occur with respect to Canada lynx, such as locating a den site that should be avoided by hounds. We also agree that long-time refuge users observe many things that could be of interest and that hunters of all types can become valued advocates - we welcome their engagement.

**Comment:** A commenter objects to our allowance of hunting at Nulhegan Basin Division. They believe this area should not be open to hunting because it is a recognized habitat for federally listed species such as Canada lynx.

**Response:** Hunting has occurred in a sustainable form at the Nulhegan Basin Division for decades – both prior to our acquisition and in the years since. We believe our existing and proposed measures will adequately protect any Canada lynx that may occur on the division, which in spite of increased surveillance, have not been detected during the past two years.

**Comment:** The VFWD recommends we maintain angler access at the spur road from the powerline near the former Buzzell Dam. They note this is one of the better places to access the trout habitat restoration project below the Black Branch gorge. They further suggest constructing a trail from the powerline to the waterfall in the Black Branch Gorge – “the fishing is good, and the waterfall is impressive”.

They also recommend we promote fishing opportunities at the trout habitat restoration sites on the North and Black Branches. With a suspected increase in abundance and size of brook trout, anglers will have an opportunity to view the restoration projects and learn about the importance of large woody material to stream habitat quality.

**Response:** In appendix A, map A.56 displays this proposed fishing access site near the former Buzzell Dam. We will consider this recommendation for additional trails and means to enhance angler access when we develop a visitor services plan for Nulhegan Basin Division. That planning process will include public involvement and a NEPA compliant document.

**Comment:** The VFWD suggests that we clearly state we’ll establish and maintain at least a car-top boat access point at McConnell Pond should we acquire the property.

**Response:** We have clarified objective 3.2a (Fishing Opportunities, Access, and Infrastructure) strategies to create a car-top access at McConnell Pond, should we acquire the parcel; further full ADA-compliance would be based on interest.

**Comment:** A camp leaseholder appreciates the proposal to offer additional hiking trails, especially one originating near Lewis Pond Overlook and providing access to Gore Mountain.

**Response:** Thank you for the comment. The proposed action would partner with the Green Mountain Club to construct a trail from the Overlook area that would link with a trail to Gore Mountain.

**Comment:** Several commenters, including local governments, advocate for the ability to ride bicycles on the division.

**Response:** The proposed action would allow for the use of bicycles on any gravel roads open to vehicular travel.

**Comment:** The Northern Forest Canoe Trail looks forward to the opportunity to increase connectivity between the amenities offered at the visitor contact station and paddlers on the Nulhegan River via the addition of infrastructure and signage. They also supported any efforts to improve paddler access to the Nulhegan River at the two Route 105 crossings: Wenlock Bridge and Stone Dam Road. The organization also offered the following additional points for page A-611:

- The inclusion of riverside signage identifying the take-out location that connects to the Nulhegan River Trail as the primary river access to the visitor contact station.
- The potential availability of refuge resources to improve the Stone Dam access point, in the form of funding, materials, and personnel time.
- This could be addressed with this clarifying sentence: "In addition to construction and on-going maintenance, the Northern Forest Canoe Trail would be responsible for obtaining any necessary permits. Support of the Refuge in the form of funding, materials, and personnel time can be made available for this work if deemed appropriate by the Refuge Manager."

**Response:** Thank you for the comment. The inclusion of appropriate signage is a logical aspect of this project; we would only need to ensure cultural resources are not adversely affected. As to the proposed Stone Dam Road access point, while we support the project, we do not know at this time what resources we might have available. We suggest discussing this with the Nulhegan Basin Division manager should this project be included in the final CCP.

**Comment:** Several commenters request that the 40-mile road network be preserved in its entirety given its importance to the public's ability to access and enjoy the division. A comment from an organization representing camp leaseholders in the Nulhegan region appreciates that full vehicular access will be maintained on refuge lands.

**Response:** While we are not proposing to close any roads currently open to vehicular travel, the availability of funding has and will continue to dictate our maintenance capabilities. We noted in appendix A for Nulhegan Basin Division, under objective 3.3, that we will prioritize maintenance of Stone Dam, Canal, Eagle's Nest, Upper Lewis Pond, Lewis Pond Overlook, and Four Mile Roads in order to provide access to the widest range of users, while providing for our habitat management needs.

**Comment:** We received several comments regarding snowmobiling. These came from organizations such as the Vermont Association of Snow Travelers (VAST) and CLLTIA, as well as, interested individuals. A majority expressed the simple statement that the existing snowmobile trail network be maintained – either for general use or to allow access to recreational cabins and hunting areas.

A more focused series of comments involved our proposed elimination of a somewhat comparable mileage of what we considered redundant trails to mitigate the effects of constructing a new trail to access the division's visitor contact station. Such a trail was proposed by one of the snowmobile clubs in order to offer access to an indoor space where snowmobilers could get out of the weather, warm-up, view the exhibits, use the restrooms, etc. We agreed with this prospect and also viewed it as an opportunity for one or more local clubs to potentially have a "presence" whereby members could interact directly with visiting snowmobilers. We heard support for the proposed trail, although opposition to the closure of existing trails. While opposing any closure, VAST noted specifically the importance of trail 114 between EX27 and EX271 to maintaining the integrity of the trail network during low-snow periods and thereby extend the season length by providing access to higher elevation areas.

The Center for Biological Diversity supported our proposal to allow pedestrian use of snowmobile trails; however they continue to oppose recreational snowmobiling.

**Response:** The importance of trail 114 between EX27 and EX271 to maintaining the integrity of the trail network during low-snow periods was significant new information that we learned during the public comment process. Based on this input, appendix A for the Nulhegan Basin Division, under subobjective 3.4b and the associated map, has been revised to retain this trail. We continue to advocate the removal of the approximately 1.1 miles of secondary trail C102/114 between EX22 and EX32 (one-half of a small loop) on the McConnell Pond tract (if a new trail to the visitor contact station is created, and if the McConnell Pond tract is acquired by the Service). This is a non-essential, redundant trail that best represents the type of conditions found in the area proposed for a new trail that would access the refuge visitor contact station. We would note that this would result in an approximately 0.3 mile increase in the overall trail network.

**Comment:** Several commenters provided input regarding our land acquisition proposal for this CFA, the most notable aspect being the acquisition of the McConnell Pond tract. The CLLTIA voted narrowly to endorse the Service's acquisition of the McConnell Pond tract provided that the currently gated road network is opened to the public and the snowmobile network remain intact. The Board of Governors of the Unified Towns and Gores were opposed to this acquisition based on adverse tax impacts.

**Response:** We appreciate the endorsement and it is our intention to open the road network as depicted in the draft plan's maps. We also intend to maintain the snowmobile network, except for closing 1.1 mile of a redundant loop if a new 1.4-mile trail to the visitor contact station is constructed as noted in the response above.

**Comment:** The Friends of the Connecticut River Paddlers' Trail advocated identifying the entire Nulhegan River watershed as a CFA, specifically extending the boundary an additional 3 or 4 miles downstream along the Nulhegan River. They noted several landowners with whom they've been working that share an interest in conserving the river and the Friends would like to partner with us to protect the remainder of the Nulhegan River corridor.

**Response:** We did not adjust the boundaries for the Nulhegan CFA or CPA. However, as we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

Although we are not proposing an expansion of the CFA to encompass the area proposed, the watershed is identified as the CPA. We look forward to working with you in achieving your conservation goals.

**Comment:** The VFWD suggested an expansion in the CFA to include Nulhegan Pond and the State airport.

**Response:** We are not proposing an increase in this CFA to include Nulhegan Pond and the State airport. The Nulhegan Pond is located within the CPA, which may be protected under the 10% authority described in the previous comment and under "CPAs/CFAs – General." With regards to the runway, it is not in the Service's best interest to acquire an active runway. We would suggest the department enter into a management agreement with the State agency responsible for the airport if their interest is with the status of the site's grasslands.



### **Nulhegan Basin CPA**

No comments were recorded or changes made.

### **Ompompanoosuc River CFA (proposed; Vermont)**

**Comment:** The West Fairlee Conservation Commission supported our proposed designation of this CFA.

**Response:** Your comment is noted.

**Comment:** The Vermont Fish and Wildlife Department suggested the CFA boundary be expanded in the southwest to include the parcel north of Vershire Road.

**Response:** We did not adjust the Ompompanoosuc CFA or CPA boundary. The area suggested includes a Superfund site. It is not in the Service's best interest to acquire a Superfund site. However, should cleanup occur, we would re-evaluate its potential using our 10% authority as described under "CPAs/CFAs – General" above. In the meantime we will help protect habitats of interest through our partners program and New England Field Office.

### **Ompompanoosuc River CPA**

No comments were recorded or changes made.

### **Ottauquechee River CPA/CFA**

No comments were recorded or changes made.

### **West River CFA (proposed; Vermont)**

**Comment:** The VFWD was disappointed in the apparent minor role played by federally endangered plants in the design of our proposed CFAs. They noted that while we list the federally endangered northeastern bulrush as a resource of conservation concern for the proposed West River CPA, the West River CFA includes only a single known population. They further point out that several populations exist just beyond this CFA's eastern boundary and recommend extending the CFA boundary to the east to capture the populations within the Grassy Brook HUC-12 watershed.

**Response:** Part of our rationale for expanding the CPA was to include a subwatershed that contains federally endangered northeastern bulrush. Please refer to boundary delineation section below.

**Comment:** The Windham Regional Commission offered strong support for conservation of this proposed CFA, however, they were concerned by objections shared by their member towns regarding the loss of tax revenue associated with lands acquired by the Federal Government. As a result, the WRC would strongly urge the Refuge to actively engage the WRC and affected communities during the land acquisition process and/or emphasize the implementation of its habitat conservation goals through the acquisition of conservation easements either through direct purchase or facilitation of third party acquisition. In order to help offset the reduced oversight of conservation easements, the Refuge could put into place a conservation easement funding grant program that would require participating properties to include certain management prescriptions. Engaging the local community and/or securing conservation easements will help garner local support for the conserved lands and, depending on the nature of the acquisition, will help maintain the property tax base.

**Response:** Please refer to the section titled "Socioeconomic impacts" for detailed discussion on impacts to local tax revenue.

The advantage of having a final plan is that it serves as a communication tool to engage others in conservation. We will use the final plan to work with watershed communities to implement mutually beneficial actions. In the past, we have held annual coordination meetings within communities where refuge lands are administered. Once the CCP is completed, we plan to resume those meetings to discuss implementation. Further, the State, communities, and public will be involved in refuge stepdown planning.

### **West River CPA**

**Comment:** The VFWD noted that while we reference the federally endangered northeastern bulrush as a resource of concern within this CPA, the corresponding CFA contains only a single known bulrush population.

**Response:** While we did not change West River CFA boundaries, we adjusted the CPA boundaries to include the Grassy Brook subwatershed which lies to the east and includes the endangered northeastern bulrush. As we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage in CPAs.

### **White River CPA/CFA (proposed; Vermont)**

No comments were recorded or changes made.

### **Putney Mountain Unit (existing; Vermont)**

**Comment:** The VFWD questioned the absence of any proposed additions to the Putney Mountain Unit. While the protection of northeastern bulrush is the justification for the unit's establishment, they noted that presently no northeastern bulrush plants occur within our ownership. The wetland that contains the extant population of bulrush is only partly on refuge property, and presently the bulrush occurs only in the privately owned, northern half of this wetland. While this is presently the case, the bulrush is known to move around within and among hydrologically connected wetlands so it is likely to reappear in the Service-owned portion of the wetland as water levels fluctuate. However, this makes it imperative to own the entire wetland containing the bulrush as well as a sizeable upland buffer in order to protect the hydrology of the wetland and allow for the natural water level fluctuations that enable the bulrush to persist. Owning a larger area around the wetlands on the property will also allow beaver activity to continue which they have identified an integral to the long term persistence of the bulrush.

**Response:** We did not adjust the boundary for Putney Mountain Unit but added Grassy Brook subwatershed in the West River CPA in response to public comments about northeastern bulrush. Now, the Putney Unit lies entirely within the West River CPA. As we note under section "CPAs/CFAs – General" above, we are seeking authority to acquire 10% of our target acreage, on average, in CPAs.

**Comment:** The Putney Mountain Association endorses our proposal to link the refuge trails with their larger public trail network. This would allow increased environmental education and interpretive opportunities, as well as, light recreation and nature observation.

**Response:** The comment is noted.

**Table O.2. Cross-reference of Comment Submitter Names, their Unique Identifying Number, and any Organization or Affiliation They Self-Identified**

Commenter ID	Submitter Name	Organization	Organization Type
1	Marc Abear		Individual
2	John Aberth		Individual
3	Robert W. Ackerman	New England Forestry Foundation	Organization
4	Robert Allen		Individual
5	Karen Amirault		Individual
6	Eric Anches		Individual
7	Steve Anderson		Individual
8	Brenna Angelillo		Individual
9	Anonymous		Individual
10	Anonymous		Individual
11	Anonymous		Individual
12	Anonymous		Individual
13	Anonymous		Individual
14	Anonymous		Individual
15	Anonymous		Individual
16	Anonymous		Individual
17	Anonymous		Individual
18	Anonymous		Individual
19	Anonymous		Individual
20	Anonymous		Individual
21	Anonymous		Individual
22	Anonymous		Individual
23	Anonymous		Individual
24	Anonymous		Individual
25	Anonymous		Individual
26	Anonymous		Individual
27	Anonymous		Individual
28	Anonymous		Individual
29	Anonymous		Individual
30	Anonymous	Granby (CT) Board of Selectmen	Government
31	Anonymous	Vermont Association of Snow Travelers, Inc. (VAST)	Organization
32	Anonymous	Vermont Forest Products Association	Organization
33	Anonymous		Individual

*Service's Response to Comments by Subject*

Commenter ID	Submitter Name	Organization	Organization Type
34	Don Anonymous		Individual
35	Judy Aron		Individual
36	Janice Atkins		Individual
37	Michael Bald		Individual
38	Tara Bamford	Connecticut River Joint Commissions Headwaters Subcommittee	Organization
39	Tara Bamford	Connecticut River Joint Commissions Mt. Ascutney Subcommittee	Organization
40	Tara Bamford	Connecticut River Joint Commissions Riverbend Subcommittee	Organization
41	Tara Bamford	Connecticut River Joint Commissions Upper Valley Subcommittee	Organization
42	Bob Bancroft		Individual
43	Ira Bancroft		Individual
44	Robert Bancroft		Individual
45	Larry Bandolin		Individual
46	Mike Bard		Individual
47	Bruce Baroffio		Organization
48	Randall Barrows	Vermont Trappers Association	Organization
49	Marc Beaudette		Individual
50	Ana Berninger		Individual
51	Tom Berriman		Individual
52	Dr. Gretchen Rous Besser		Individual
53	Stewart Bevin		Individual
54	Art Bingham		Individual
55	Jacqueline Bishop		Individual
56	Joanne Blanchard		Individual
57	Cheryl Bodge		Individual
58	Chris Bradley	Vermont Federation of Sportsmen's Clubs	Organization
59	Charles Brainerd	Ennead Architects AIA	Business
60	Jesse E. Brownback		Individual
61	Ann Brubaker		Individual
62	Rocky Bunnell		Individual
63	Jim Calchera		Individual
64	Terry Callum		Individual
65	Kristen Cameron		Individual



Commenter ID	Submitter Name	Organization	Organization Type
66	Chris Campany	Windham Regional Commission	Government
67	Don Campbell	Town of Columbia, Board of Selectmen	Government
68	Elisa Campbell	Sierra Club, Massachusetts Chapter	Organization
69	Rodney Campbell		Individual
70	Stacey Campbell		Individual
71	Stacey Campbell	Columbia Planning Board	Government
72	Hunter Carbee	Granite State Division of the Society of American Foresters	Organization
73	Anne Cartwright	Graystone Landing Tree Farm	Business
74	Karen Cartwright		Individual
75	Dorothy Carvalho		Individual
76	Reed Cass		Individual
77	John Caveney		Individual
78	Bill Chabot	Canaan Conservation Commission	Organization
79	Bill Chabot	Mascoma River Local Advisory Committee (MRLAC)	Government
80	Ryan Chambers		Individual
81	James Chapman		Individual
82	Ernest and Louise Choquette		Individual
83	John J. Clarke	Mass Audubon	Organization
84	Dorothy Coe de Hernandez		Individual
85	John Cole		Individual
86	Ken Cole		Individual
87	Tom Colgan	Wagner Forest Management, Ltd.	Business
88	Nancy C. Collier	Hanover Conservancy	Organization
89	Michael Collins		Individual
90	Patrick Comins	Audubon Connecticut	Organization
91	Joel Cope	Town of Brighton Selectboard	Government
92	D. Cormier		Individual
93	Marc Covey		Individual
94	Michael Covey		Individual
95	Joseph Crawford		Individual
96	Colby Crehan		Individual
97	Don Crockett		Individual
98	Eddie Cutler		Individual

*Service's Response to Comments by Subject*

Commenter ID	Submitter Name	Organization	Organization Type
99	Lawrence Cyrulik	Mattabeseck Audubon Society	Organization
100	Walter Czajkowski		Individual
101	Kristin DeBoer	Kestrel Land Trust	Organization
102	David Deen	Connecticut River Watershed Council	Organization
103	Ross D'Elia	HPP Inc.	Business
104	Bob DePino		Individual
105	Valerie Desmarais		Individual
106	Christine Destremps		Individual
107	John L. Devney	Delta Waterfowl	Organization
108	MaryEllen Dickie		Individual
109	Howard Dindo		Individual
110	Joy Dion		Individual
111	Jana Dunt		Individual
112	Stephen Dybas		Individual
113	Rick Evans		Individual
114	George H. Evarts	G. H. Evarts & Co., Inc.	Business
115	Monica Farrington		Individual
116	Wayne Feiden		Individual
117	Eileen Fielding	The Farmington River Watershed Association	Organization
118	Patrick Finnie		Individual
119	Andrew Fisk	Connecticut River Watershed Council	Organization
120	Corrie Folsom-O'Keefe	Audubon Connecticut	Organization
121	Howard Brainerd Foltz		Individual
122	Carol R. Foss	Audubon Society of New Hampshire	Organization
123	Dennis Fournier		Individual
124	Brenna Galdenzi	Protect Our Wildlife	Organization
125	Brenna Galdenzi	Protect Our Wildlife Vermont; The Humane Society of the United States	Organization
126	Dan Galdenzi		Individual
127	Chris Gamache	New Hampshire Department of Resources and Economic Development, Parks and Recreation, Bureau of Trails	Government
128	Ken Gammell		Individual
129	James Gardner		Individual
130	Emily Geser		Individual
131	Donna Goldberg		Individual

Commenter ID	Submitter Name	Organization	Organization Type
132	Larry Gomes		Individual
133	Kevin Gough	Town of Bloomfield, Connecticut	Government
134	Craig Goulet		Individual
135	David Govatski	Friends of Pondicherry	Organization
136	Jerry Graham		Individual
137	Bob Green	Green Woodlands	Business
138	Michael Green		Individual
139	Peter G. Gregory	Two Rivers-Ottawaquechee Regional Commission (TRORC)	Government
140	Annie Guion	Vermont Humane Federation	Organization
141	Thomas Hahn		Individual
142	Sylvia Halkin		Individual
143	Steve Hardy	Green Mountain Forestry LLC	Business
144	Mitchell Harrison		Individual
145	Kimberly Hart		Individual
146	Christine Haugen		Individual
147	Kurt Heidinger	Biocitizens School of Environmental Philosophy	Organization
148	Geordie Heller		Individual
149	Sharl Heller	Massachusetts Forest and Park Friends Network	Organization
150	Erin Helmken		Individual
151	Janice Higgins		Individual
152	Larry Higgins	Safari Club International	Organization
153	Russell Hirschler	Upper Valley Trails Alliance	Organization
154	Melissa Hoffman		Individual
155	Robbo Holleran		Individual
156	Marty Howe		Individual
157	Pete Howland		Individual
158	Andrew Hrycyna		Individual
159	Linda Huebner		Individual
160	Phil Huffman	The Nature Conservancy	Organization
161	Jim Humphreys		Individual
162	Anthony Irving	The Eightmile River Wild & Scenic Coordinating Committee	Organization
163	Lisa Jablow		Individual
164	Leroy Jackson		Individual
165	Jill Jacobelli		Individual

*Service's Response to Comments by Subject*

Commenter ID	Submitter Name	Organization	Organization Type
166	Debi Jansen-Tanner		Individual
167	Rick Jean	Champion Lands Leaseholders and Traditional Interests Association	Organization
168	Casey Jennings		Individual
169	Jenny Joczik		Individual
170	Virginia Joczik	Green Mountain Animal Defenders	Organization
171	Kathy Johnson		Individual
172	Robert Johnson	New Hampshire Farm Bureau Federation	Organization
173	R. Kane		Individual
174	Jonah Keane	Massachusetts Audubon Society	Organization
175	Ann Kearns	Kestrel Land Trust Advisory Council	Organization
176	Cleo Kearns	West Fairlee Center Conservation Commission	Government
177	Coleen Kearon		Individual
178	Gordon Kemp		Individual
179	Jane Kennedy		Individual
180	Ann Kilpatrick	Connecticut Department of Energy and Environmental Protection	Government
181	John King	King Forest Industries, Inc.	Business
182	Bruce H. Kirmmse	Town of Randolph Conservation Commission	Government
183	Wayne Klockner	The Nature Conservancy	Organization
184	Eric Knapp	The Connecticut Yankee Conservation Project	Organization
185	Alex Knight		Individual
186	Harry Koolen		Individual
187	Rebecca L		Individual
188	Susan Labrie, on behalf of Robert Racos	Chesterfield, Massachusetts Select Board	Government
189	Liz Lacy	National Park Service	Government
190	John Lapre		Individual
191	Lee Larson		Individual
192	Peggy W Larson		Individual
193	Cristin Laux		Individual
194	Kay Lawrence		Individual
195	Kevin Lawrence		Individual
196	Matt Leahy	Society for the Protection of New Hampshire Forests	Organization
197	Paul Lefebvre	Vermont Representative	Government
198	Michael Leff	Ecological Connections	Business



Commenter ID	Submitter Name	Organization	Organization Type
199	Mike Leonard		Individual
200	David Lersch	Connecticut Chapter of Delta Waterfowl Foundation	Organization
201	Athena Letourneau		Individual
202	Beth A. Levine		Individual
203	Emily Lewis		Individual
204	Richard Lieberman		Individual
205	Steve Lindsey		Individual
206	Thomas Linell		Individual
207	Brad Lockwood		Individual
208	Jennifer Lovett		Individual
209	Ellen Lukens		Individual
210	Kim Lutz	Friends of Silvio O. Conte Refuge	Organization
211	Michelle MacKenzie		Individual
212	Bill Maloney		Individual
213	Jennifer Mardin	Jefferson Conservation Commission	Government
214	Janine Marr		Individual
215	Mollie Matteson	Center for Biological Diversity	Organization
216	Emily McAdoo		Individual
217	Emily McAdoo	Putney Mountain Association	Organization
218	Ashley McAvey		Individual
219	Sean McCarthy		Individual
220	Jan McClure	The Nature Conservancy, New Hampshire Chapter	Organization
221	James McHutchison	The Haddam Neck Spirit	Organization
222	Dennis McKenney		Individual
223	Steve McLeod	Vermont Traditions Coalition	Organization
224	Walter Medwid		Individual
225	William Meyers		Individual
226	Malcolm Milne	Durgin and Crowell Lumber Co.	Business
227	Lois Mintah		Individual
228	Patricia Monteferrante		Individual
229	Emily Moore		Individual
230	Marvin Moriarty		Individual
231	Mike Morrison		Individual
232	Meredith B. Musick		Individual

*Service's Response to Comments by Subject*

Commenter ID	Submitter Name	Organization	Organization Type
233	Mark Nelson	Vermont Chapter of the Sierra Club	Organization
234	Michael Nelson	Town of Montague	Government
235	Karen Nielsen		Individual
236	Barbara Nolan		Individual
237	Barbara Nolan	Board of Governors of Unified Towns and Gores	Government
238	Roger Noonan	New Hampshire Association of Conservation Districts	Organization
239	Timothy Noonan		Individual
240	Mike O'Hara		Individual
241	Cheryl Sams O'Neill	National Park Service	Government
242	Walter Opuszynski	Northern Forest Canoe Trail	Organization
243	Amy B. Paterson	Connecticut Land Conservation Council	Organization
244	Steve Patten	New Hampshire Timberland Owners Association	Organization
245	Sara Pellegrino	The Nature Conservancy	Organization
246	Mary Pelletier	Park Watershed	Organization
247	Daniel Percy		Individual
248	Anita Phillips		Individual
249	William Pickens		Individual
250	Noah Pollock	Friends of Connecticut River Paddlers' Trail	Organization
251	Noah Pollock	Vermont River Conservancy; Friends of Connecticut River Paddlers' Trail	Organization
252	Louis Porter	Vermont Department of Fish and Wildlife	Government
253	Toby Powers		Individual
254	Walt Procopio		Individual
255	Brock Quesnel		Individual
256	Sheryl Rapee-Adams		Individual
257	Ron Rhodes	Connecticut River Watershed Council	Organization
258	Pete Richardson		Individual
259	Sally S. Rieger	Lower Farmington River and Salmon Brook Wild and Scenic Study Committee	Organization
260	Christopher Rietmann		Individual
261	Christopher Rietmann	Town of Alstead, New Hampshire Board of Selectmen	Government
262	Barrett S. Robbins-Pianka		Individual
263	Joe Robertie	Precision Lumber, Inc.	Business
264	David Roby	Trustee of Bliss Lane Realty Trust and Bear Hill Conservancy Trust	Organization

Commenter ID	Submitter Name	Organization	Organization Type
265	Patricia Rodrigues		Individual
266	Nanette Rogers		Individual
267	Susan J. Roman	The Windmill Hill Pinnacle Association	Organization
268	E Roy		Individual
269	Gus Ruth	Winchester Conservation Commission	Organization
270	Neal Saini		Individual
271	Michael Samson	Town of Canaan	Government
272	Elizabeth Schmitt	Great Meadows Conservation Trust, Inc.	Organization
273	Colleen Schuster		Individual
274	Duncan Schweitzer		Individual
275	Margaret Sheehan		Individual
276	Pat Shields		Individual
277	Norman Sims		Individual
278	Matthew Sisk	Massachusetts Department of Conservation and Recreation	Government
279	Barbara Skuly	Ashuelot River Local Advisory Committee (ARLAC)	Government
280	Bruce Smith		Individual
281	Markelle Smith	The Nature Conservancy	Organization
282	Vicki Smith		Individual
283	Liana Sobko		Individual
284	Olga Sobko		Individual
285	Annie Somers		Individual
286	Annette Spaulding		Individual
287	Butch Spear		Individual
288	Paul Spitzer		Individual
289	William W. Staats		Individual
290	John Stadler		Individual
291	Claudia Stauber		Individual
292	Kelly Stettner		Individual
293	Jasen Stock	New Hampshire Timberland Owners Association	Organization
294	Eric Stohl	Town of Columbia, Board of Selectmen	Government
295	Michael Sussman		Individual
296	Stanley Swaim		Individual
297	Kristen Sykes	Appalachian Mountain Club	Organization
298	Matt Tetreault	Vermont Association of Snow Travelers, Inc. (VAST)	Organization

*Service's Response to Comments by Subject*

Commenter ID	Submitter Name	Organization	Organization Type
299	John Therriault		Individual
300	Ed Thomas	Town of Marlow, Board of Selectmen	Government
301	Timothy Timmerman	Environmental Protection Agency	Government
302	Holly Tippett		Individual
303	J.H. Torrance Downes	Connecticut River Gateway Commission	Government
304	Pamela Towne		Individual
305	Ken Urbanski		Individual
306	Thomas Wagner	U.S. Forest Service	Government
307	Diana Waldron		Individual
308	Maria Weick		Individual
309	Howard Weiss-Tisman		Individual
310	Pete Westover		Individual
311	Margaret Willey		Individual
312	Joel Williams		Individual
313	Margaret Wilson	Connecticut River Gateway Commission	Government
314	Paul Wilson		Individual
315	Stuart Winquist	Middlesex Land Trust, Inc.	Organization
316	Margery Winters	Town of Simsbury Conservation Commission	Government
317	Patricia Young	Salmon River Watershed Partnership	Organization
318	John Zelig		Individual





**Silvio O. Conte National Fish and Wildlife Refuge**  
103 E. Plumtree Road  
Sunderland, MA 01375  
413/548 8002  
[http://www.fws.gov/refuge/Silvio\\_O\\_Conte/](http://www.fws.gov/refuge/Silvio_O_Conte/)

**Federal Relay Service**  
for the deaf and hard-of-hearing  
1 800/877 8339

**U.S. Fish & Wildlife Service**  
<http://www.fws.gov>

**For Refuge Information**  
1 800/344 WILD

**January 2017**

