

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*





United States Department of the Interior

FISH AND WILDLIFE SERVICE

300 WESTGATE CENTER DRIVE
HADLEY, MA 01035-9589



In Reply Refer To:
FWS/Region 5/RE

MAY 10 1999

Dear Reader:

The U.S. Fish and Wildlife Service is pleased to provide you with this copy of the Final Environmental Assessment (FEA) for the proposed Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge (Refuge). The FEA and its supporting documents describe a vision for long-term protection of important habitat and the species in and around the Nulhegan Basin.

The protection of "the Champion Lands" has created a unique partnership among a private forest landowner, government agencies, and philanthropic and conservation organizations designed to protect important biological resources, provide for traditional resources, maintain working forest and strengthen local and regional economies. Active community participation, communication and support will be vital to the future of the Refuge and the partnership. We invite you to learn, from the FEA, more about the Refuge, and to become involved in making it all that it can be.

The U.S. Fish and Wildlife Service would like to thank all the people who participated in the planning and public involvement process. If you have any questions or need additional information, please contact Larry Bandolin, Refuge Manager at 413-863-0209.

Sincerely,

Ronald E. Lamberton
Regional Director

Enclosures

FINDING OF NO SIGNIFICANT IMPACT

Proposal to Establish a Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge.

The U.S. Fish and Wildlife Service (Service) has proposed to establish a Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge to provide long-term protection for important migratory bird habitat, habitat for rare species and plant communities, important fisheries habitat, and valuable wetlands. The Service's proposed action includes fee title acquisition of approximately 26,000 acres within the Nulhegan Basin Special Focus Area in Essex County, Vermont. Specific areas proposed for protection are outlined in Alternative 2 of the attached Final Environmental Assessment (FEA) entitled "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." Alternatives discussed include:

1. No Action -

No Service participation in the protection partnership.

2. Proposed Action -

The Service would cooperate with partners to provide protection of biological resources and public access on the 133,000 acres that The Conservation Fund is buying from Champion International Corporation. The Service would purchase approximately 26,000 acres in the Nulhegan Basin, north of Route 105. The Vermont Agency of Natural Resources (VTANR) would own about 22,000 acres in the Nulhegan River/Paul Stream area south of Route 105. The remaining approximately 85,000 acres would be sold with deed restrictions, which would prevent development, protect biological resources, provide for sustainable production of timber, and allow public access.

3. Service Purchase of Conservation Easement within the Nulhegan Basin -

Although The Conservation Fund is not offering to sell an easement, this alternative has been suggested by some members of the public at recent meetings. Proponents suggest that the Service purchase a conservation easement on 26,000 acres within the Nulhegan Basin rather than purchasing the fee-title. *This easement would not be the same as The Conservation Fund's easements on its resale properties.*

4. Service Purchase of Land Outside the Nulhegan Basin -

This alternative has been suggested by some members of the public at recent meetings. Proponents recommend that VTANR purchase the approximately 26,000 acres in the Nulhegan Basin, which would allow them to manage the deer wintering area, and the Service purchase the 22,000 acres in the Paul Stream area.

The U.S. Department of the Interior's Departmental Manual (Part 516 DM6 1.3) and Section 1501.4 of the *National Environmental Policy Act of 1969* (NEPA) provide for the preparation of

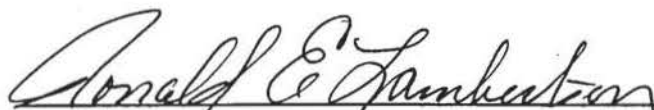
an Environmental Assessment to allow a federal agency to evaluate whether a proposal constitutes an action which would significantly affect the quality of the human environment. This Environmental Assessment has been prepared and handled in accordance with 1501.4 (e)(2).

Based on a review and evaluation of the information contained in the FEA, I have determined that the proposed acquisition in Essex County, Vermont is not a major federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2) (c) of NEPA. The proposal is part of a cooperative effort to preserve existing natural resources and uses. The overall positive benefits to be derived from the protection of these lands will enhance the quality of the environment for plants, fish and wildlife, local residents and the general public alike.

Therefore, the preparation of an Environmental Impact Statement (EIS) is not necessary. This decision is based on the following information which is also detailed in the Final Environmental Assessment.

- a) The land will remain in an undeveloped state. Land use changes will be minimal and a matter of degree rather than type.
- b) The proposal will fulfill Service objectives and the purposes of the *Silvio O. Conte National Fish and Wildlife Refuge Act* by protecting priority habitat types, especially ecologically significant wetlands and habitats supporting migratory song birds, waterfowl, and rare species and rare or exemplary natural communities.
- c) Land acquisition by the Service will complement the efforts of other resource management agencies and preservation organizations.
- d) This action will not have an adverse impact upon threatened or endangered species or rare species.
- e) Protection of these lands will ensure the preservation of a number of wildlife-oriented public uses.
- f) The area may have archaeological resources and probably has historic resources relating to past logging and railroad activities. The Service will take any required steps to ensure protection of these resources in areas the Service acquires in fee.
- g) Service Revenue Sharing payments will provide more income to the impacted towns than they will lose in municipal taxes. Other impacts to the local economy will be minor reinforcements to already existing trends.
- h) This proposal is comparable to and has been preceded by similar actions by the Service, whereby lands are purchased from willing sellers at appraised market value for inclusion in the National Wildlife Refuge System.

I have also determined that this proposal is consistent with Executive Orders 12372 entitled "Intergovernmental Review of Federal Programs," 11988 entitled "Floodplain Management," and 11990 entitled "Protection of Wetlands," and conforms to all applicable state and local floodplain protection standards in that implementation of the proposed action will help maintain and preserve natural and beneficial floodplain and wetland functions and values. This proposal also meets the requirements of the *National Historic Preservation Act (P.L 89-665)* and the *Archaeological Resource Protection Act of 1974*, and Secretarial Order 31127 on land acquisition in relation to determinations of absence of contaminants/hazardous substances. In addition, it is consistent with the *National Wildlife Refuge System Improvement the Act of 1997*; *Endangered Species Act of 1972, as amended*; the *Emergency Wetlands Resources Act of 1986*; the *North American Wetlands Conservation Act of 1989*; the *Land and Water Conservation Act of 1965*; and other public laws relative to this action.



5.10.99

Ronald E. Lambertson

Date

Regional Director

U.S. Fish and Wildlife Service

Hadley, Massachusetts

OUTLINE

Chapter 1. Purpose of and Need for Action.....	1
I. Introduction	
II. Purpose of and Need for the Action.....	2
III. Background	
A. The U.S. Fish and Wildlife Service	
B. Establishment of the Silvio O. Conte National Fish and Wildlife Refuge	
1. Initiated by Legislation	
2. Planned with Extensive Public Involvement through an Environmental Impact Statement Process.....	3
a. Initial Scoping	
b. Biological Inventory	
c. Alternatives Considered.....	4
e. Draft Environmental Impact Statement.....	6
f. Final Environmental Impact Statement	
g. Record of Decision	
C. Silvio O. Conte National Fish and Wildlife Refuge Operations.....	7
D. Champion Land Sale.....	8
E. Accuracy of Final Environmental Impact Statement Forecasts, Especially Regarding the Nulhegan Basin Special Focus Area.....	9
IV. Environmental Assessment Scoping and Issues.....	13
A. Local Economy.....	14
1. Forest Products Industry	
a. Harvest Levels	
b. Resource and Economic Stability	
2. Tourism.....	15
3. Taxes	
B. Public Use and Access / Traditional Uses	
1. Availability of Land with Public Access	
2. Camps	
3. Hunting.....	16
4. Trapping	
5. Snowmobiling	
6. Road Access and Maintenance	
C. Protection of Biological Resources	
1. Protection of Rare Species and Communities	
2. Managing for Species Richness and Abundance	
3. Management Flexibility Over Time.....	17
4. Endangered Species	

5. Deer Wintering Habitat	
D. Protection of Water Resources and Water Quality	18
E. Local Control and Trust	
F. Cost	
Chapter 2. Alternatives	19
I. No Action	
II. Proposed Action (The Preferred Alternative)	
III. Service Purchase of Conservation Easement	21
IV. Service Purchase of Land Outside the Nulhegan Basin	
Chapter 3. The Affected Environment	22
I. Overview	
II. Physical and Biological Resources	
A. Climate	
B. Geology	
C. Soils	
D. Land Cover	
E. Water	24
1. Water Bodies	
a. Rivers (Nulhegan River, Paul Stream)	
b. Lakes and Ponds	
2. Water Quality	26
F. Plants	
1. Forest Types	
2. Rare or Exemplary Natural Communities	27
3. Wetlands	
4. Rare Plants	
G. Animals	28
1. Birds	
a. Waterfowl	
b. Song Birds and Game Species	29
2. Fish	
3. Amphibians and Reptiles	
4. Mammals	30

- a. Deer
- b. Moose
- c. Bear
- d. Furbearers
- e. Rare Mammals
- f. Other Mammals

III. Human Environment.....	32
A. Population	
B. Communities	
C. Economy.....	34
1. Workforce	
2. Income	
3. Forestry	
4. Tourism.....	37
5. Taxes	
6. Trapping	
D. Roads and Trails	
E. Recreation	
1. General Recreation	
2. Hunting	
3. Snowmobiling.....	39
4. Camps	
5. Land Available for Recreation	
F. Historical and Cultural Resources.....	41

Chapter 4. Environmental Consequences.....	42
--------------------------------------------	----

I. Environmental Consequences of No Action Alternative	
A. Local Economy	
1. Forest Products Industry	
2. Tourism and Secondary Impacts	
3. Taxes	
4. Refuge Staff and Activities	
B. Public Use and Access / Traditional Uses.....	45
1. Availability of Land with Public Access	
2. Camps	
3. Hunting and Fishing	
4. Trapping	
5. Snowmobiling	
6. Road Access and Maintenance	
C. Protection of Biological Resources.....	48

1. Rare Species and Communities	
2. Managing for Species Richness and Abundance	
3. Management Flexibility Over Time	
4. Endangered Species	
5. Deer Wintering Habitat	
D. Protection of Water Resources and Water Quality	
E. Local Control and Trust	
F. Cost	
II. Environmental Consequences of Proposed Action (Preferred Alternative).....	51
A. Local Economy	
1. Forest Products Industry	
2. Tourism	
3. Taxes	
4. Refuge Staff and Activities	
B. Public Use and Access / Traditional Uses.....	54
1. Availability of Land with Public Access	
2. Camps	
3. Hunting and Fishing	
4. Trapping	
5. Snowmobiling	
6. Road Access and Maintenance	
C. Protection of Biological Resources.....	58
1. Rare Species and Communities	
2. Managing for Species Richness and Abundance	
3. Management Flexibility Over Time	
4. Endangered Species	
5. Deer Wintering Habitat	
D. Protection of Water Resources and Water Quality	60
E. Local Control and Trust	
F. Cost	
III. Environmental Consequences of Service Purchase of Conservation Easement.....	62
A. Local Economy	
1. Forest Products Industry	
2. Tourism and Secondary Impacts	
3. Taxes	
4. Refuge Staff and Activities	
B. Public Use and Access / Traditional Uses.....	63
1. Availability of Land with Public Access	
2. Camps	
3. Hunting and Fishing	
4. Trapping	

5. Snowmobiling	
6. Road Access and Maintenance	
C. Protection of Biological Resources.....	64
1. Rare Species and Communities	
2. Managing for Species Richness and Abundance	
3. Management Flexibility Over Time	
4. Endangered Species	
5. Deer Wintering Habitat	
D. Protection of Water Resources and Water Quality.....	65
E. Local Control and Trust	
F. Cost	

Summary Table of Environmental Consequences of the Alternatives

Consultation and Coordination.....	67
I. Scoping Meetings	
II. Public Review of the Draft Environmental Assessment	
A. Distribution of the Draft Assessment	
1. Mailings	
2. News Releases	
3. Public Notices	
4. Newsletter	
5. Available on the Internet	
B. Opportunities for Comment.....	68
1. Temporary Local Office	
2. Public Meetings	
C. Summary of Comments Received	
D. Response to Comments.....	70
1. Economy	
2. Secondary Impacts	
3. Acreage and Taxes	
4. Public Use and Access / Traditional Uses.....	71
a. Desire to Keep Land As it Is	
b. Camps	
c. Hunting and Trapping	
d. Wilderness	
e. Compatibility	
f. Snowmobiling	
g. Road Access and Maintenance	
h. Requests for Other Uses	
5. Protection of Biological Resources.....	74
a. Appropriate Management	

- b. Factual Corrections
- 6. Protection of Water Resources and Water Quality
- 7. Cost and Diversion of Resources
- 8. Cultural Resources
- 9. Other Alternatives
- 10. Refuge Name

References.....76.

- Appendix 1. Conte Refuge Accomplishments Summary
- Appendix 2. Funding Sources
- Appendix 3. Service/Vermont Agency of Natural Resources Agreement Regarding Nulhegan Basin and Paul Stream Area
- Appendix 4. The National Wildlife Refuge System Improvement Act of 1997
- Appendix 5. Natural Communities found in the Mahoosic-Rangely Lakes Subsection of the Northern Appalachian Ecoregion
- Appendix 6. Forest Dependent Neotropical Migratory Birds found in the Mahoosic-Rangely Lakes Subsection of the Northern Appalachian Ecoregion
- Appendix 7. Interim Compatibility Determination for the Wildlife-Dependent Uses of Wildlife/Wildlands Observation, Photography, Environmental Education, and Interpretation
- Appendix 8. Interim Compatibility Determination for the Wildlife-Dependent Uses of Hunting and Fishing
- Appendix 9. Interim Compatibility Determination on Snowmobiling
- Appendix 10. Uniform Relocation Assistance and Real Property Acquisitions Policy Act
- Appendix 11. Comment Letters Received

Chapter 1. Purpose of and Need for Action

I. Introduction

When the U. S. Fish and Wildlife Service's (Service) Silvio O. Conte National Fish and Wildlife Refuge was being planned, a number of alternative models were investigated. The model chosen (Alternative D) was the one that relied most heavily on a broad array of partnership activity and included the largest number of conservation tools (financial and technical assistance through a variety of programs plus flexible land acquisition options). This model was chosen, in part, for the flexibility it offered to tailor solutions to problems and opportunities as they arose.

To date, the Refuge has operated as set forth in the Selected Alternative (Alternative D) of the Final Environmental Impact Statement (FEIS) (U.S. Fish and Wildlife Service, 1995). However, a singular land protection opportunity has arisen - the chance to keep a large area of forest land intact forever. The project is so large that it demands the full cooperation and contribution of many agencies and organizations. Service participation in the proposed partnership to protect the Nulhegan Basin Special Focus Area and adjacent forest land would involve the Service purchasing Nulhegan Basin land in fee, rather than negotiating cooperative agreements with a commercial timber owner, as was originally forecast by the FEIS. Due to this, and the size of the project, the Service has decided to conduct more detailed, site-specific National Environmental Policy Act (NEPA) analysis to assist in the decision making process.

On October 8, 1997, Champion International Corporation announced that it would sell 325,000 acres of land in New York, Vermont and New Hampshire. In December, 1998 The Conservation Fund and the Vermont Land Trust announced that the Fund had agreed to purchase almost all of Champion's land. This included about 133,000 acres of Champion land in northeastern Vermont (see Section III. D below for a detailed discussion of this). This land includes much of the Nulhegan Basin and Paul Stream and its watershed. The Fund's action is designed to safeguard the natural resource and public access values of this large area. The Fund wishes to protect the land with the highest biological value through public ownership. The remainder will be protected by placing conservation and access easements in the deeds before reselling to private interests.

At the suggestion of Vermont's Governor and his Administration, a task group was established to examine all the land and recommend various protection strategies. This group identified a large area in the Nulhegan Basin and Paul Stream watersheds as having extremely high ecological value that would be appropriate for public ownership. Since the entire Nulhegan Basin was identified as a Special Focus Area in the Refuge FEIS, the Service is being offered ownership of approximately 26,000 acres, north of Route 105, within the Basin. The Vermont Agency of Natural Resources (VTANR) is being offered ownership of about 22,000 acres south of Route 105, abutting their Department of Fish and Wildlife's Wenlock Wildlife Management Area. Most of this area is outside the Nulhegan Basin.

This Environmental Assessment tiers off the existing FEIS, as recommended in Section 1502.20 and 1508.28 of the Council on Environmental Quality regulations for implementing NEPA. Tiering is a procedure which allows an agency to avoid duplication through incorporation by reference. The general discussions of a broad scope EIS are followed by subsequent more site-specific analyses. Service protection of the Nulhegan Basin was analyzed as part of the overall impact analysis of the FEIS. This Environmental Assessment will analyze the site-specific impacts associated with this proposed action and alternative actions.

II. Purpose of, and Need for, the Action

The purpose of, and need for, this action is to fulfill the Silvio O. Conte National Fish and Wildlife Refuge Act purposes, which are described below. The proposed Service action is the fee-simple acquisition of approximately 26,000 acres in the Nulhegan Basin in Essex County, Vermont, as an important component of the much larger partnership land protection effort. Land protection in this area will safeguard the important biological resources the Service recognized when it designated this area as a high priority Special Focus Area in the Refuge Draft and Final Environmental Impact Statements. The determination to be made here is whether the Service will proceed with the proposed action.

III. Background

A. The U.S. Fish and Wildlife Service

B. Establishment of the Silvio O. Conte National Fish and Wildlife Refuge

1. Initiated by Legislation

Shortly before his death, Silvio O. Conte, a 30-year Member of Congress and lifelong conservationist, introduced legislation authorizing a national fish and wildlife refuge within the four-state Connecticut River watershed. The 7.2 million acre watershed is contained within the states of New Hampshire, Vermont, Massachusetts, and Connecticut. After his death the Congress renamed the Act in his honor, the Silvio O. Conte National Fish and Wildlife Refuge Act (P.L.102-212).

The purposes of the Conte Refuge as stated in the Act are:

- (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 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; 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.

2. Planned with Extensive Public Involvement through an Environmental Impact Statement Process

a. Initial Scoping

A notice of intent to prepare an EIS was published in the Federal Register in August 1993. Sixty-one informal information meetings with organizations and agencies were held before that time, and another 82 such meetings were held through the end of July 1994. A series of 27 more formal evening public scoping meetings was held at locations throughout the watershed during the last four months of 1993 and January of 1994. In April 1994, a 3-day workshop was held in each of the four watershed states. Each workshop involved 35 citizens of varied background and opinions in developing consensus recommendations for the Service. Over this entire time, three informational mailings were made to the large mailing list. In addition, 3,500 copies of an issues workbook, soliciting input, were distributed and 500 completed workbooks were returned and analyzed.

b. Biological Inventory

While scoping was being conducted, Service biologists began gathering existing information about the biological resources of the watershed. The Service identified 434 species rare enough within the watershed to be considered in need of protection. In addition, 125 plant communities were considered rare or exemplary. The Service identified about 180,000 acres of lands and waters that contributed in a substantial way to protecting these species and communities, and fulfilling the other purposes listed in the Act. These areas were named Special Focus Areas. "Small, scattered sites" important to a rare species or rare ecological communities were recognized as another category of land needing protection and attention.

c. Alternatives Considered

The National Environmental Policy Act requires that agencies analyze a range of alternatives in an Environmental Impact Statement. The following alternatives were formulated and analyzed:

Alternative A. No Action

In this alternative, the Service would take no actions to carry out the Conte Refuge Act. The existing programs for protection of threatened and endangered species would continue, as would the restoration programs to restore anadromous fish such as Atlantic salmon and American shad. The activities of the Service, such as commenting on Federally-licensed, permitted or funded programs would also continue. State and local agencies, and private organizations would continue their ongoing programs without additional Service assistance. This alternative described the status quo.

The FEIS concluded that, based on current trends, minimal protection of aquatic habitats and plants and animal populations within the identified Special Focus Areas would result. Many species would continue to decline and some would be extirpated from the watershed. This alternative would not provide any additional Service efforts and was therefore not responsive to the Conte Refuge Act.

Alternative B. Private Lands Work and Education

In this alternative, the Service would work exclusively with private landowners through the existing Partners for Wildlife Program. The Service's major thrust through the year 2010 would focus on the voluntary restoration and enhancement of habitats on private lands to benefit plants and animals. A limited educational effort would be undertaken, targeting the watershed's private landowners.

The FEIS concluded that if this alternative were chosen, many species in the watershed would continue to decline. Minimal protection of aquatic habitats and plant and animal populations within the identified Special Focus Areas would result. Habitat improvement would occur randomly depending on landowner participation. Such random protection would benefit certain species, primarily those who inhabit small wetlands and perhaps some early-successional species, but not substantially benefit many rare, area-sensitive or migratory species. This Alternative would not accomplish the purposes of the Act.

Alternative C. Private Lands Work, Education and Partnerships

In this alternative, the Service would work with private landowners, state or local agencies, and private organizations through the existing Partners for Wildlife and Challenge Cost Share Programs. The Service's major thrust through the year 2010 would focus on the use of voluntary efforts, developing partnerships, providing technical assistance, and administering a cost-sharing grant's program to help other conservation interests carry out their land protection programs. Educational efforts would be carried out in cooperation with the watershed's many environmental

education providers.

The FEIS concluded that if this alternative were chosen, small amounts of additional protection would be provided to federally-listed species, rare species, fish, migratory birds, area-sensitive species and wetland habitats. The protection and management provided by others with the support of the Service would be beneficial, but limited in scope. Species and sites not of interest to existing organizations would receive no protection. This Alternative would not fully accomplish the purposes of the Act.

Alternative D. Private Lands Work, Education, Partnerships, and Land Protection (the Proposed and Selected Alternative)

This alternative included working with private landowners, state or local agencies and private organizations through the existing Partners for Wildlife and Challenge Cost Share Programs. The Service's major thrust through the year 2010 would focus on the use of voluntary efforts, developing partnerships, providing technical assistance, and administering a cost-sharing grants program to help other conservation interests carry out their land protection programs. The Service would also initiate its own land protection program. The Service would use a combination of easements, cooperative management agreements and fee title acquisition--with emphasis on lands hosting endangered, threatened, rare and uncommon species and communities. Educational efforts would be carried out in cooperation with the watershed's many environmental education providers. This alternative would result in the establishment of watershed-wide cooperative management and education programs.

The FEIS concluded that this alternative would provide a high level of protection to federally listed species, rare species migratory birds, area-sensitive species, and wetland habitats. More than 60% of the watershed's unprotected Special Focus Areas would receive some degree of protection under this alternative, a greater percentage than Alternatives A (7%), B (7%), or C (15%). Although Alternative E would offer some protection to 100% of the Special Focus Areas, Alternative D provides essentially the same protection to the listed and rare species and communities evaluated in the FEIS. Since Alternative D also has provisions to offer widespread environmental education, technical assistance and habitat management assistance, up to 25% of the land throughout the watershed, owned by agencies, conservation organizations and private owners, would provide improved habitats. The flexibility of programs and broad land base to be affected would benefit many aquatic, and/or wide-ranging species and species that require active habitat management; Alternative E cannot provide the same benefits to these species.

Alternative E. Private Lands Work, Education and Land Protection

In this alternative, the Service would work with private landowners, state or local agencies and private organizations through the existing Partners for Wildlife Program. The Service would also initiate an extensive land protection effort through the year 2010, using a combination of conservation easements, cooperative management agreements and fee title acquisition, to ensure

natural diversity. Educational efforts would focus on developing new programs and facilities on Service lands. This alternative would result in the establishment of a more traditional national fish and wildlife refuge in the watershed.

The FEIS concluded that if this alternative were chosen, all the acreage within the Special Focus Areas would eventually receive some degree of protection by the Service. This Alternative provided essentially the same level of protection to the listed and rare species and communities as did Alternative D, with slight additional protection for grassland and boreal species. Since habitat improvement efforts would largely be limited to Service lands, a smaller portion of the watershed would benefit. Many aquatic, and/or wide-ranging species, and also species that require active habitat management, would not be broadly benefitted.

e. Draft Environmental Impact Statement

Alternative D was put forth as the proposed action in the Draft Environmental Impact Statement (DEIS). The notice of availability of the DEIS appeared in the Federal Register on May 19, 1995. One-thousand nine hundred documents and 2,000 summaries were distributed. Sixteen afternoon walk-in sessions and subsequent evening public meetings were held throughout the watershed area during June 1995 (four of which were formal public hearings). More than 990 people attended. Written comments were accepted through the end of July 1995.

f. Final Environmental Impact Statement

The notice of availability of the FEIS appeared in the Federal Register on November 10, 1995. Alternative D, modified in response to public comment, was presented as the Revised Proposed Action. The FEIS also responded to all comments received. Copies of the document or a summary were distributed to all interested parties.

g. Record of Decision

The Record of Decision was published in the Federal Register in December 1995. Alternative D was identified in the Record of Decision as the environmentally preferable alternative. Besides being environmentally preferable, Alternative D was recognized as providing its high level of protection to targeted resources more cost effectively and in a socially preferred format. The cost of carrying out Alternative D was significantly less than that of Alternative E. Public input throughout the NEPA process consistently recommended partnerships with local organizations as the way to implement this refuge. Such partnerships offer the Service a practical alternative to the traditional way to administer a refuge with many scattered parcels, and a way to carry out broad landscape-scale solutions to emerging habitat issues. Most written and verbal comments received on the DEIS supported the project and almost half specifically endorsed Alternative D.

The Record of Decision found:

3. The Proposed Action Alternative represents the best balance between the Service's goals and objectives and the public's concerns identified throughout the public participation process; and
4. Consistent with social, economic and other essential considerations from among the reasonable alternatives, the Proposed Action Alternative is one that minimizes or avoids adverse environmental effects to the maximum extent practicable.

Having made the above findings, the Service has decided to proceed with implementation of the Proposed Action Alternative.

C. Silvio O. Conte National Fish and Wildlife Refuge Operations

In 1996, the Refuge began operations. The staff launched the Conte Refuge Challenge Cost-Share Program. This program used operations funding to provide matching grants to applicants who wished to accomplish education or research, inventory and management projects that would further Conte Refuge purposes. The staff also initiated or helped develop other cooperative projects. Cooperative agreements were established with many partners to accomplish important environmental education and conservation objectives (Appendix 1).

To date, land acquisition has been a minor part of the Refuge's activities. Land acquisition funds were first received through the Land and Water Conservation Fund (Appendix 2) in 1998. Attempts to use the money to cost-share land purchases with partners, as envisioned in the FEIS, have not occurred because the Service does not have the necessary legislative authority to pursue this option. The Refuge has used some of its operations funding to support other aspects of cooperative land acquisition. Through a cooperative agreement with Upper Valley Land Trust, the Refuge has shared some transaction costs on two important parcels. One was a riparian buffer parcel to help protect the habitat of the federally-endangered dwarf wedge mussel and another project protected the habitat of a globally-rare aquatic plant.

A four-acre island was donated to the Refuge in October of 1997. The Refuge made its first land purchase, a parcel hosting a federally-endangered plant, in April 1999.

In September of 1997, cooperation between Champion International Corporation and the Service was formalized by the signing of a Memorandum of Understanding. The two parties agreed to:

- ▶ establish a site to honor the late former Deputy Secretary of VTANR, Service Director and Vermont native Mollie Beattie,
- ▶ cooperate "to achieve common understanding of biodiversity goals, and management activities and actions to achieve those goals," and

- ▶ identify and apply long-term conservation strategies, and "explore areas of mutual interest that might lead to further cooperative effort, including the involvement of additional partners."

On September 30, 1997, the 76-acre Mollie Beattie Bog was dedicated and opened to the public. Site improvements included a disabled accessible 200-ft boardwalk trail with interpretive signs that had been cooperatively designed and installed by Champion and Refuge personnel.

D. Champion Land Sale

On October 8, 1997, Champion International Corporation announced that it would sell 325,000 acres of land in New York, Vermont and New Hampshire.

Citizens and their representatives in the Northern Forest states have been concerned about large timberland sales for some time. Sensitized by previous large sales in the 1980's, the issue had been studied and discussed through the Northern Forest Lands Study and the Northern Forest Lands Council. Consensus recommendations by the Council, issued in 1994, supported public land acquisition and easements "to conserve public values on exceptional or important lands." The Council supported fee acquisition to conserve exceptional recreational, ecological, or scenic values, and acquisition of conservation easements on large tracts to protect forest production and other values over the long term. They recommended combining approaches to fit the character of the land or landowner (Northern Forest Lands Council, 1994). They recommended actions to supplement funding of state acquisition programs, but these recommendations have not yet been implemented.

Concerned about the impacts of the 133,000 acres of Champion land in Vermont changing hands, Governor Dean's Administration requested establishment of a task group to examine all the land and suggest various protection strategies. On October 23, 1997, this group, the Champion Lands Review Team, met. Another meeting was held on December 12, 1997, and a third meeting was held January 6, 1999. Service staff attended these meetings. The Service and the VTANR expressed concern and a willingness to help protect land in the area

In May 1998, Champion distributed a prospectus on the land sale, inviting bidders to make offers on all or portions of the land sale in the three states. A letter of confidentiality was signed by all potential bidders. The Service expressed interest, but had to withdraw. The Service may only offer fair market value for property based on the results of Service reviewed and approved appraisals, and there was no allowance in the process to accommodate this. The Conservation Fund entered the bidding process knowing from previous meetings that the Service was interested in acquiring portions of the Nulhegan Basin Special Focus Area and VTANR was interested in acquiring portions within the Nulhegan Basin and also portions of Champion's property outside the Basin.

On December 9, 1998, The Conservation Fund and the Vermont Land Trust announced that The Fund had agreed to purchase 133,289 acres of Champion International Corporation land in northeastern Vermont. This was part of a larger transaction, which also included land in New York and New Hampshire.

The Conservation Fund helps partners to acquire land, but prefers not to hold land itself. This policy allows it to use its assets in a revolving fund manner and protect more land. The purchase price of Champion's lands in Vermont is \$26.5 million. Besides the purchase price, The Conservation Fund has incurred substantial costs in negotiating the purchase. Following the purchase, it will have the expense of taking care of the property (taxes, road maintenance), interest on borrowed money, and the costs of the resale. The financial goal of The Conservation Fund is to cover all of its costs on the project. At the time The Conservation Fund entered the bidding process, they had inventoried potential funding. They concluded that the following sources were the most likely:

- \$4 million from the Freeman Foundation
- \$4.5 million from the Richard King Mellon Foundation, which must be matched by State funds
- \$4.5 million from the Vermont Housing and Conservation Board
- \$5-8 million from the Service
- \$Unknown - proceeds from selling the 85,000 deed-restricted acres
- \$Unknown - fundraising to cover as much of cost possible
- \$Up to 13.5 million in loans from The Conservation Fund's Revolving Fund available to cover the Fund's short-term position

Upon learning that they were the successful bidders, The Conservation Fund started holding discussions with the Service and VTANR to try to secure public ownership of those areas with the greatest concentration of ecological and wildlife values identified by the task group and VTANR. The Conservation Fund has assisted in developing the proposed conservation design of this project and active in soliciting and coordinating the participation of agencies and nonprofit organizations.

E. Accuracy of FEIS Forecasts, Especially Regarding the Nulhegan Basin Special Focus Area

The purpose of an Environmental Impact Statement is to generate and analyze the impacts of a representative array of alternatives, so that the best choice may be made from among them. The Refuge EIS had to formulate alternatives that would fulfill the broad purposes of the Act over a 7.2 million-acre area, and forecast the impacts of each alternative over a period of approximately 15 years. Forecasting the future accurately is very difficult; unexpected changes and opportunities will arise. The planning team did its best to forecast the likely and allow some flexibility to deal with unpredictable future situations. A representative array of alternatives was

created. Each alternative added another program, while, simultaneously, the level of activity in the programs increased across a spectrum. The acreage figures included in each alternative, therefore, were more approximate indicators that could be used as a basis for predicting impacts than specific choices of parcels. On Page A-8 of Appendix A-12, Land Protection Plan, the FEIS stated:

The Refuge is envisioned as a patchwork or checkerboard pattern consisting of land parcels acquired from 48 focus areas and many small scattered sites (see Figures 3-8, 3-9 and 3-10). **Neither the specific acreages for each site, nor the number of sites that may be acquired, can be determined at this time** [emphasis added]. The actual boundaries of the Refuge will ultimately conform to specific land tracts at the individual project sites as they are purchased.

The EIS analyzed the impacts of alternatives that included land acquisition within the Special Focus Areas. Page A-12 of Appendix A-12, Land Protection Plan, in the FEIS stated:

The acquisition "focus areas" are based upon the biological importance of key habitats. These areas as outlined merely gives the Service approval to negotiate with any interested landowners, and those who may become interested in the future. With approvals already in place, the Service has the opportunity to react more quickly if these important lands become available. Lands do not become part of Silvio Conte National Fish and Wildlife Refuge unless an interest in them is sold or donated to the Service.

The Nulhegan Basin was one of 48 Special Focus Areas identified. Table 3-9 on Page 3-50 of the FEIS listed the Basin as a high priority Special Focus Area, since it has 6 of the 8 biological values sought for protection (rare species, wetlands, water birds, contiguous habitat, unusual habitat, and migratory land bird habitat). The FEIS described the Basin in Appendix 3-10, Description of Biological Values Associated with Special Focus Areas, on Page A-64:

45. Nulhegan Basin - 71,900 acres: This is a complex of bogs, other freshwater wetlands, and surrounding spruce fir forest. It provides nesting habitat for loons, hooded mergansers, black, ring-necked and wood ducks. At least 13 rare plant and animal species have been recorded from this site. This site has the best and only viable population of spruce grouse in the watershed. It also provides extensive contiguous forest for breeding migrant land birds. The Service believes this site is adequately protected at present with the cooperative management agreement between Champion and Vermont Department of Fish and Wildlife. **If Champion ever chooses to dispose of these lands the Service would work with the Vermont Department of Fish and Wildlife and The Nature Conservancy to protect this site through cost share challenge grants for conservation**

easements and fee title acquisition* or work with the state and a subsequent owner to establish another cooperative management agreement [emphasis added].

*If partners are unavailable the Service will also pursue protection for some parcels without partners. If landowners will not accept conservation easements or cooperative management agreements but will only accept a fee title transaction and a key property is at risk of development, the Service may consider limited fee title transactions.

The Service committed to do whatever it could to help protect the biological values of the Nulhegan Basin, and said that actions would depend on what was necessary at the time lands were available. The Service's contribution to the currently proposed partnership effort is consistent with the Service's expressed intent; admittedly the project itself is different than originally forecast.

The figures used for estimating the impacts of Alternative D were based on the assumption that agencies would not have enough resources to protect the whole basin. It was assumed they would protect the estimated 22,000 acres of highest biological value within the basin, the "core wetlands." Appendix 4-1 assumed protection of 22,000 acres would require the resources of more than one organization. It supposed 11,000 acres of the Nulhegan Basin would be protected by the Service and 11,000 acres would be protected by State or local agencies and private organizations. This is corroborated by Tables 2-5 and 2-6 on page 2-33. Table 2-7 on Page 2-34 assumed that the Service would protect the 11,000 acres by cooperative agreement. The underlying assumption was that any land transfer would happen between forest products companies; the Service's most likely opportunity and most effective option would be to negotiate a cooperative agreement. In fact, this was what the Service was pursuing with Champion International Corporation just before the sale was announced (see Section III.C. above).

Alternative D recommended land protection be accomplished through use of fee title, conservation easements or cooperative agreements. The choice in a given land transaction would depend on the situation and the wishes of the landowner.

A conservation easement is a legal agreement whereby an organization or agency buys specific rights, such as development rights and public access rights, but not the remaining rights or the property itself. Where development pressure is the major threat to the biological value of the land, buying development rights is a simple and effective technique. In areas where development pressures are strong, the development rights are a significant portion of the value of the land. In these cases, the value of the conservation easements are attractive to the landowner.

There are two major drawbacks to conservation easements. The first is that they are static; their

provisions are written at a point in time, but apply permanently. The second problem is that in areas where development pressures are low, the value of the rights being purchased may be too low to interest the landowner.

Cooperative agreements are used when two parties agree to undertake specific tasks to accomplish shared goals. They are very flexible. The provisions are negotiated, may involve compensation and cover a set time period, which may be short or long term. Cooperative agreements are easily modified and extended. Although both parties must make concessions and may not be getting everything they want, both parties also benefit. An excellent example was the cooperative agreement that the Vermont Department of Fish and Wildlife had with Champion International to manage the Nulhegan deer wintering area. Champion was modifying its ongoing timber harvesting work to benefit the deer. The Department was able to guide the work, without having to actually do the work. There was no cost, as there would have been for an easement. A drawback of cooperative agreements is that they are not permanent, and do not pass from one landowner to the next as easements do.

The Service anticipated using conservation easements where the threat was simple and defined, for example to prevent development or to maintain natural vegetation in a riparian area. The FEIS predicted a very limited role for easements as a part of Alternative D; easement acreage projections totalled only 1,420 acres. The Service anticipated using cooperative management agreements on large forested areas (U.S. Fish and Wildlife Service, 1995).

The Service and VTANR acquisitions now being considered are part of a protection partnership as generally envisioned in the FEIS. The area to be protected is larger than originally anticipated and several partners are involved. The Service and VTANR would still roughly split the larger amount of land to be protected by public ownership. The Service's 26,000 acres is the "core wetland" area envisioned, with more surrounding watershed protected, still entirely within the Nulhegan Basin Special Focus Area. The State of Vermont would use its resources to protect 22,000 acres of other biologically valuable lands mostly outside the basin. The remaining 85,000 acres would have easements placed on them by the seller (The Conservation Fund).

Habitat protection would be accomplished by fee title ownership rather than by cooperative agreement. This is due to the preferences of the seller (the new owner, The Conservation Fund). Purchase of fee title interest of approximately 26,000 acres by the Service would exceed the total fee title acreage estimates predicted by the FEIS for the entire Proposed and Selected Alternative D (6,530 acres). A subtotal of only 600 acres of fee title acquisition (not in the Nulhegan Basin) had been predicted in northern Vermont and New Hampshire.

IV. Environmental Assessment Scoping and Issues

The Service and its partners have attended many meetings to discuss concerns that residents and interest groups have regarding the proposed action. Citizen input at these meetings has provided scoping for this Environmental Assessment.

Meetings attended by Service staff include:

December 28, 1998. Brighton, Vermont. Public meeting (about 200 attendees) held by The Conservation Fund and the Vermont Land Trust.

January 6, 1999. Montpelier, Vermont. Champion Lands Review Team. Previous recommendations were reviewed and finalized.

January 14, 1999. Montpelier, Vermont. Service staff testified at joint meeting of Vermont House and Senate Natural Resources Committees, met with Vermont House Fish, Wildlife and Water Resources Committee (about 100 attendees).

January 26, 1999. Waterbury, Vermont. Meeting with 5 individuals who are camp owners, outdoor writers and/or sportsmen.

January 27, 1999. Waterbury, Vermont. Executive Director of Vermont Association of Snow Travelers.

January 27, 1999. Montpelier, Vermont. Vermont Senate Institutions Committee.

January 28, 1999. St. Johnsbury, Vermont. Northeastern Vermont Development Association.

February 3, 1999. Newport, Vermont. Meeting with about 10 representatives of several sportsmen's clubs.

February 3, 1999. Newport, Vermont. Evening meeting with about 50 representatives of sportsmen's clubs.

February 6, 1999. Worcester, Massachusetts. Annual meeting of Northeast Outdoors Writers Association.

February 10, 1999. Island Pond, Vermont. Hearing, jointly held by the Vermont House of Representatives' Fish and Wildlife and Natural Resources Committees. Attended by roughly 250 people.

February 11, 1999. Island Pond, Vermont. Tour of Vermont Association of Snow Travelers

trails in the proposed Service acquisition area with members of the Association.

February 23, 1999. Wells River, Vermont. Meeting at Lyndonville Bank with members of the business community.

March 11, 1999. Montpelier, Vermont. Vermont Senate Natural Resources Committee meeting.

March 18, 1999. St. Johnsbury, Vermont. Northeast Kingdom Chamber of Commerce.

March 27, 1999. Lyndonville, Vermont. Northeast Kingdom Enterprise Collaborative Visioning Session.

March 29, 1999. Marlboro, Vermont. Attend lecture on "Changes in Vermont's Northern Forest: The Champion Lands Case Study," given by Vermont Land Trust.

Issues that citizens feel strongly about are summarized below.

The following discussions attempt to accurately portray concerns that citizens have expressed regarding the proposed project. They do not reflect Service or partner positions. Chapter 4 discusses how the various alternatives would affect these concerns.

A. Local Economy

1. Forest Products Industry

a. Harvest Levels

People feel that timber harvesting is important to the local economy. They worry that any reductions in harvesting will reduce number of jobs in the area. There is also a concern that reductions in wood supply in the northeast will reduce the viability of the industry in the region. Such reductions could come from short term over cutting on industrial forestland, reduced cutting on lands that become public lands, or from loss of productive land over time due to subdivision and development.

There is also some concern over the impacts of large clear cuts and herbicides, which are used in certain forest management practices.

b. Resource and Economic Stability

Some people are concerned that the forest products industry, as presently operated in northeast Vermont, creates "boom or bust" cycles in the local economy and in the condition of forest. Levels of harvest are determined by non-local factors, including the location and efficiency of various mills and worldwide demand and supply factors. Forests are sometimes cut to liquidate assets; the immediate use of the assets removes their availability over a long future period, since

intensive harvesting of mature forests is followed by long periods of natural regeneration.

Although there are a few forest products businesses that add value to the raw timber, like the Ethan Allen furniture manufacturing company, much of the pulp and saw timber, is exported from the area (to New York, New Hampshire, Maine and Canada) with little value added or opportunity for economic multiplier effects that would add stability.

People would like to create a more diversified and stable local economy.

2. Tourism

The presence of public lands can increase tourism. This can provide new economic opportunities that would increase economic diversity and stability. Some business owners would welcome this, but some residents may not want additional visitors.

3. Taxes

Champion International Corporation paid property tax on its lands to the towns. Public agencies do not have to pay property taxes. However, the Service, and the VTANR do have policies to pay taxes or provide "payments-in-lieu-of taxes." Citizens are concerned that their towns will have to cut services or raise taxes to offset any possible loss in tax revenue.

B. Public Use and Access / Traditional Uses

1. Availability of Land with Public Access

The northeast states have a long history of free public access to large private land holdings. The freedom to engage in outdoor activities has become a treasured amenity characterizing life in northeastern Vermont. Citizens have come to feel this is an entitlement, and wish to defend it. Some citizens worry that whenever large land holdings are sold, the new private owners could post the land against hunting or all trespass. Citizens also do not want private preserves to be established, where membership or lease fees could be imposed for hunting or other activities; this is common in other parts of the country.

Some citizens have expressed concern that the Service might restrict certain activities or charge a fee for public use.

2. Camps

In Maine, New Hampshire, Vermont, and New York, timberland owners have traditionally leased parcels of land to people, who build remote camps. These camps are used as a base for fishing, hunting and other recreational activities. This is a distinctive cultural feature of the northeast states. Champion's land contains approximately 200 such camps with five year renewable leases. Camp owners would like to continue to use their camps. Camp owners also have spent

money to build and maintain the camps and are concerned about this investment. A few camps may be being used by guides, who would like to continue to profit from this commercial activity.

3. Hunting

Hunters pursue deer, moose, bear, hare, woodcock, and grouse in the area. Hunting contributes substantially to the local economy, through providing meat for the table and tourism income. Hunters and local businesses would like to see hunting continue at present levels. In addition, they would like to have the area managed to produce large populations of these species. There is special concern about maintaining adequate deer wintering habitat.

4. Trapping

Trappers have the opportunity to capture beaver, muskrat, raccoon, coyote, bobcat, otter, skunk, mink and weasels in the area. They would like this opportunity to continue.

5. Snowmobiling

Snowmobiling is a popular activity in the area. It contributes substantially to the local economy. Snowmobilers and local businesses would like snowmobiling, as presently allowed, to continue. Other people feel that snowmobiling has negative impacts to wildlife and the environment and conflicts with other activities like cross country skiing.

6. Road Access and Maintenance

Residents and visitors use the roads for a variety of purposes, including access to camps, hunting, fishing, trapping, bird-watching, and bicycling. Champion did not allow all-terrain vehicle travel. Some people would like to retain use of the roads, as presently allowed, and have them maintained.

C. Protection of Biological Resources

1. Protection of Rare Species and Communities

The protection of rare species and exemplary natural communities is one of the primary goals of the proposed action. All of the rare and exemplary communities need to be adequately protected to ensure their long-term viability.

2. Managing for Species Richness and Abundance

Protecting the full array of native species is another of the goals of the proposed action. Conservation biologists agree that identifying and preserving characteristic communities of a state or region is important to accomplishing this goal. They also agree that allowing ecological processes to occur with little interference (possible on large tracts), or selecting management activities that imitate such processes, is important. Maintaining a wild and undeveloped state is important for mammals with large ranges and some nesting migratory songbirds.

People are concerned that protecting the full array of native species might require that some activities be restricted. Certain plants and animals may require protection from all disturbance or require mature forest habitat. This may be at odds with recreational demands and the need of some game species and some other (declining) species for early-successional habitat (recently harvested or disturbed forest).

A related concern is wilderness. Some people value wilderness areas and believe that an area dedicated to natural diversity management, while not a designated wilderness, would contribute to preserving a wilderness-like area here. Others are opposed to wilderness because they feel it unduly limits human activity and resource benefits.

3. Management Flexibility Over Time

Management flexibility over time is important; the issue is how it can best be provided. Biologists' understanding of how best to balance the needs of all the native species and natural communities locally will grow and evolve. Since the public land will be managed to conserve and enhance populations of rare species and maintain an abundance of a variety of species, management will try to mitigate or compensate for what is lacking in the surrounding areas. Specific management goals would change over time as the habitats on the land and in the surrounding landscape change.

Managers will need to adequately inventory the area and reach consensus on specific management goals. Long-term monitoring should be established. Monitoring will be used to support adaptive management; monitoring will show whether management is achieving the desired results, and management will be adjusted accordingly. In addition, as the landscape changes over time or species become rare or more common, management goals will need to be reexamined and adjusted at regular intervals. Both VTANR and the Service seek citizens' opinions when formulating management plans.

4. Endangered Species

Although no federally-listed endangered species presently are known to occur in northeastern Vermont, the gray wolf (federally-listed as endangered), the Eastern cougar (federally-listed as endangered), the lynx (proposed for federal listing as threatened), and the Indiana bat (federally-listed as endangered) all had historic ranges here and suitable habitat is available. Residents worry that Service ownership would make it likely that these species would be reintroduced here and spread onto surrounding private lands. They worry that this could create conflict with humans, reduce prey populations and create land use restrictions.

5. Deer Wintering Habitat

A 15,000 acre area in the Nulhegan Basin is the largest deer wintering area in the state. Champion owned 11,268 acres of this area. Maintenance of deer wintering habitat is one of VTANR's priorities. VTANR was cooperating with Champion to manage deer wintering habitat

within this area. However, under the proposed action they would not become the new owners of this area; the Service would. People are concerned that the Service would not adequately manage the deer wintering habitat.

D. Protection of Water Resources and Water Quality

One goal of the proposed action is to protect the water quality of the area. Studies are finding that land-use impacts to aquatic ecosystems can persist for decades, and healthy watersheds are necessary to maintain healthy aquatic ecosystems (Milius, 1998). The protection of water resources and water quality require that activities near water bodies be managed to ensure that negative impacts to water quality are prevented or reduced. Water quality protection is desired by most citizens, but some worry that activities may be restricted to attain it. Some citizens are concerned that a petition before the Vermont Water Resources Board to designate all the waters in the Nulhegan Basin as Class A and an "Outstanding Natural Resource Water," would restrict forestry activities in the area. Granting this designation is a state, not a federal, issue.

E. Local Control and Trust

Some Vermont citizens express a mistrust of the federal government. Residents feel they cannot influence federal agency decisions as easily as state agency decisions. They know that the public comment processes built into federal decision-making have to balance the opinions and desires of all citizens with the opinions and desires of nearby residents. They do not know Service land managers very well. While they may trust individuals they have met and spoken with, there is always a fear that new, unknown replacement managers may not be trustworthy.

F. Cost

The acquisition and long-term operations and maintenance costs to the Service are a factor to be considered. Some people feel that expenditures to protect and manage land in this Special Focus Area will detract from the Refuge's ability to protect other Special Focus Areas and deliver other programs.

Chapter 2. Alternatives

The National Environmental Policy Act requires that a range of reasonable alternatives be considered. Reasonable alternatives are set forth below. The map enclosed with this document shows the Champion Lands, along with proposed ownership boundaries, and will help the reader understand the various alternatives.

I. No Action

If the Service does not participate in the partnership land protection effort, predicting exactly what would happen is difficult. Another buyer would have to be found for the 26,000 acres the Service would have purchased.

The VTANR might purchase some or all of the acreage if more state funding could be found. However, the Vermont Senate soundly rejected an amendment to provide an additional \$6.2 million dollars for State land purchase (over the \$4.5 million dollars to secure the 22,000 acres). In response to a legislated request, the State Treasurer investigated other financing options. A number of cash and debt financing alternatives were investigated, but the Treasurer concluded that "At this point in time, we see no clear option that the State of Vermont, local government, or other non-federal funds can be readily used to purchase the Federal portion of the Champion land sale." (Office of the Vermont State Treasurer, 1999). If no other source of State funding is found, a new nonprofit partner would need to be found, or more of the land would need to be sold to private interests.

This analysis will assume that 22,000 acres of Champion land would be owned by VTANR. Since the Service would not be involved in this alternative, VTANR would probably adjust the boundaries of its 22,000 acre ownership northward to incorporate the deer wintering area and possibly other portions of the Nulhegan Basin. The remaining 111,000 acres would be sold to private interests, either with the deed restrictions in place or without them. This would depend on whether buyers could be found who would pay enough for the land with the level of restrictions needed to provide sufficient biological protection. *It should be emphasized that, while The Conservation Fund intends to provide the best protection it can through these easements, they have not yet been finalized or marketed. Assumptions that are made in this document as to the content of the easements are only assumptions.*

II. Proposed Action (the Preferred Alternative)

The Service would cooperate with partners to provide protection of biological resources and public access on the 133,000 acres that The Conservation Fund is buying from Champion Corporation. The Service would purchase approximately 26,000 acres in the Nulhegan Basin, north of Route 105. The Service would not purchase the powerline. The VTANR would own about 22,000 acres in the Nulhegan River/Paul Stream area south of Route 105. The remaining approximately 85,000 acres would be sold with deed restrictions, which would prevent

development, protect biological resources, provide for sustainable production of timber, and guarantee public access. *It should be emphasized that, while The Conservation Fund intends to provide the best protection it can through these easements, they have not yet been finalized or marketed. Assumptions that are made in this document as to the content of the easements are only assumptions.*

Cooperative management would be established as described in the Agreement between the Service and VTANR (Appendix 3). The Service, the National Wildlife Refuge System and Silvio O. Conte National Fish and Wildlife Refuge have specific management mandates. They include the protection and management of migratory birds and fish and of endangered or threatened species. The Silvio O. Conte National Fish and Wildlife Refuge Act specifically mandates the protection of natural diversity.

Refuge management would protect, conserve, and enhance habitats and populations of native species, with an emphasis on protecting rare or declining species and natural communities, and providing nesting habitat for black ducks, and a variety of migratory birds, including woodcock. The Service would cooperate with partners to provide adequate deer wintering habitat. The Service would examine current forest conditions, deer wintering habitat needs, and the needs of other species. It would consult with its partners and the public as it develops a timber management plan to guide its future management efforts. Since VTANR and the Service have committed to considering their lands as a whole and cooperating on wildlife management, the Service would work closely with the Vermont Department of Fish and Wildlife on deer wintering area management recommendations.

The Refuge Improvement Act of 1997 ensures that compatible wildlife-dependent recreational uses (hunting, fishing, wildlife observation, wildlife photography, and interpretation and environmental education) will be encouraged. Other compatible uses (uses that do not "... materially interfere with or detract from the fulfillment of the mission of the [National Wildlife Refuge] System or the purposes of the refuge," and that are safe may also be allowed (Appendix 4). Hunting and fishing according to state regulations will continue (Appendices 7 and 8) while the Service develops a comprehensive conservation plan and specific management plans, including a timber management plan, a forest fire management plan, a hunting plan, and a public use plan. Trapping according to state regulations will be permitted until a furbearer management plan is developed. These plans are all subject to public input. The Service has committed to allow snowmobiling on existing designated trails maintained by the Vermont Association of Snow Travelers, as long as specific trails do not have negative impacts on fish and wildlife, or their habitats. Trails that are a problem will be relocated in consultation with snowmobile groups (Appendix 9). Existing camps will be allowed to remain, but will be eventually phased out. Leases will continue to be issued for the life of the current lease holder, not to exceed 50 years. Camps may not be used as year-round homes nor for commercial purposes. Although some refuges charge entrance fees, it is unlikely that entrance fees will be charged here.

In future years, the Service would be interested in purchasing the few properties not presently owned by Champion within the area indicated on the map as proposed Service ownership (inholdings). Should the owners offer to sell to the Service, these parcels would be purchased for the appraised fair market value. No eminent domain would be used.

III. Service Purchase of Conservation Easement within the Nulhegan Basin

Although The Conservation Fund is not offering to sell an easement, this alternative has been suggested by the public at recent meetings. Proponents suggest that the Service purchase a conservation easement on 26,000 acres within the Nulhegan Basin rather than purchasing the fee-title. *This easement would not be the same as The Conservation Fund's easements on its resale properties.* The Service would not invest funds in an easement unless it could accomplish management goals. To fulfill the mission of the Service and the purposes of the Conte Refuge, the easement would have to prevent development, ensure that all activities were compatible with wildlife, and allow only timber harvesting that supports wildlife management needs. Specific management goals would change over time as the habitats on the land and in the surrounding landscape change. Thus, the easement would have to be restrictive, yet flexible. Such an easement will be difficult to write and market.

However, if the details could be worked out, and a buyer could be found, timber harvesting in the area would be very similar to that under Service ownership. The Service would not purchase an easement if it could not protect rare species and communities, provide appropriate habitat management and protect water quality. Basic public access would probably be allowed (seller encouraging the new owner to permit). Hunting, fishing, trapping, and snowmobiling would be allowed unless the purchaser of the 26,000 acre area would not accept these uses. The Service would not staff the area or install improvements to encourage wildlife-dependent compatible uses. Camp leases and road maintenance would be at the discretion of the owner.

IV. Service Purchase of Land Outside the Nulhegan Basin

This alternative has been suggested by the public at recent meetings. Proponents recommend that VTANR purchase the approximately 26,000 acres in the Nulhegan Basin, which would allow them to manage the deer wintering area, and the Service purchase the 22,000 acres in the Paul Stream area. Although Paul Stream was listed as a Conte Refuge Special Focus Area, this area was never considered for Service acquisition. Rather, the FEIS stated, "The Service will work with the Vermont Department of Fish and Wildlife and the Nature Conservancy to protect riparian buffers through challenge cost share grants for conservation easements." (U. S. Fish and Wildlife Service, 1995). Since the Service is not interested in owning large portions of this area, and the value of conservation easements on riparian buffers would be relatively insignificant, this is not considered a viable alternative and will not be considered further.

Chapter 3. Affected Environment

I. Overview

The affected environment of the entire watershed is described in Chapter 3 of the FEIS. Since the proposed action being discussed here is more localized, this document will describe the environment of northeastern Vermont. This area has a cool climate, is heavily forested, and has a low-density human population.

II. Physical and Biological Resources

A. Climate

The average temperature is 42 degrees Fahrenheit, with high temperatures in the 90 degree range and low temperatures around 30 degrees below zero. The average frost free period is 100 days. Between 80 and 100 inches of snow falls every year. Snow depths average 25" and average continuous snow cover is more than 100 days (Alexander and Horton, 1986).

B. Geology

Most of New England is composed of metamorphic rock (schists and gneisses) formed when continents collided 250-600 million years ago. Molten material (magma) later intruded into the metamorphic matrix, sometimes erupting on the surface to cool as fine-grained basalt, but more often cooling beneath the surface to form coarse-grained granitic rocks.

The Nulhegan Basin was formed when a pool of magma formed within existing metamorphic rock. The magma cooled into a relatively soft granitic rock called quartz monzonite. Once erosion wore away the cap of metamorphic rock, the softer monzonite eroded more rapidly than the surrounding metamorphic rock. This resulted in a relatively flat circular interior area, roughly 10 miles in diameter, surrounded by hills. Sand and gravel were later deposited in the bottom of the basin by melting glaciers (Thompson, 1989).

C. Soils

No detailed soil survey has ever been done in this area. However, soils on upland sites are generally sandy loam spodosols, with a thick organic soil horizon of low pH. Some kame and outwash deposits exist that are very sandy/gravelly. Wetland sites have peaty soils (Loso et. al., 1996).

D. Land Cover

In Vermont in 1983, 75% of the land area was commercial timberland, 1% was productive forest where cutting was not allowed, and 1% was unproductive forest land (poor site conditions for tree growth). The remaining 23% of the state is developed or in agricultural use (Frieswyk and Malley, 1985).

Table 3-1. Percent land cover, based on 1990 Thematic Mapper satellite imagery (from Anderson and Merrill, 1998)

	Nulhegan Basin block (10,631 acres)	Seneca Mountain block (82,079 acres)	Averill block (104,683 acres)
Deciduous forest	37.1	57.1	52.4
Coniferous forest	17.3	9.3	12.8
Mixed forest	27.6	25.8	29.6
Hay/pasture	0.00	0.00	0.00
Open water	0.5	0.1	0.1
Bare rock	0.2	0.2	0.2
Emergent wetland	0.8	0.4	0.5
Woody wetland	11.8	3.2	1.5
TOTAL UNDEVELOPED	95.3	96.1	97.1
Residential	0.00	0.00	0.1
Industrial	0.00	0.00	0.1
Transitional barren	3.8	3.1	1.8
Row crop agriculture	1.0	0.6	0.9
TOTAL DEVELOPED	4.8	3.7	2.9

In 1992, Essex County had 393,700 acres of forest, comprising 92.5% of the land area, making it the most heavily forested county in the watershed (U.S. Fish and Wildlife Service, 1995).

Anderson and Merrill analyzed land cover in road-defined blocks. Analysis of the blocks in northeastern Vermont is summarized in Table 3-1.

E. Water

1. Water Bodies

a. Rivers

The Nulhegan River is 16 miles long with a drainage area of 151 square miles. It falls 285 feet before joining the Connecticut River (U.S. Fish and Wildlife Service, 1995). The river itself runs east, but it has four tributaries that drain into it from the north. They are the East Branch, the Black Branch, the Yellow Branch, and the North Branch. Champion's property contains nearly 90% of the Nulhegan River watershed and 30 miles of the Nulhegan River and its tributaries.

Paul Stream is 14 miles long with a drainage area of 58 square miles. It falls 940 feet before joining the Connecticut River (U.S. Fish and Wildlife Service, 1995). Champion's property contains 11 miles of Paul Stream.

b. Lakes and Ponds

There are 15 lakes or ponds presently owned by Champion International Corporation. They are listed in Table 3-2.

The Vermont Department of Environmental Conservation has a "Vermont Lake Protection Classification System." So far, 286 lakes 20 acres or larger across the state have been assessed. Four of Champion's lakes ranked high enough (8, 9 or 10) to merit being considered "wilderness-like." Three of the lakes had a ranking of seven or better in the category of "Unusual Scenic or Natural Features"; (only 57 other lakes assessed statewide received this score). Two of the lakes received a comparative rank of nine in the "Rare, Threatened or Endangered Species" category (only 22 other lakes assessed statewide received this score). Wheeler Pond received the highest possible rank in this category (only four other lakes assessed statewide received this score).

Great Averill Pond, Little Averill Pond, and Lewis Pond all have ultra-oligotrophic (nutrient poor, pristine) water.

Table 3-2 Lakes and Ponds in Essex County under Champion International ownership

Lake or Pond	Town (where outlet is)	Size (acres)	# of camps	Wilderness - like (ranking)	Scenic or Natural Features	Rare species (ranking)	Proposed owner
Lewis	Lewis	68	~15				Service
Notch	Ferdinand	22	~4	8		9	VTANR
South America	Ferdinand	29	~3	8	7	9	VTANR
Unknown	Ferdinand	12	?	not assessed	not assessed	not assessed	VTANR
Dennis	Brunswick	185	9	8	9		VTANR
Wheeler	Brunswick	66	8	10		10	VTANR
Mud	Brunswick	5	?	not assessed	not assessed	not assessed	VTANR
Paul Stream	Brunswick	20	4				VTANR
Little Wheeler	Brunswick	9	1	not assessed	not assessed	not assessed	VTANR
Tuttle	Brunswick	14	0	not assessed	not assessed	not assessed	VTANR
West Mtn.	Maidstone	60	5		7	8	VTANR
Great Averill	Norton	828	70				private with cons. easement
Little Averill	Averill	467	20				private with c.e.
Mud	E. Haven	5	?	not assessed	not assessed	not assessed	private with c.e.
Unknown	Avery's Gore	19	2	not assessed	not assessed	not assessed	private with cons. easement

2. Water Quality

The Clean Water Act requires each state to develop a program to classify waters according to standards, and then monitor and report on water quality every two years. Vermont classifies all surface water as either Class A (excellent water quality, suitable for public water supply with disinfection only, significant ecological value) or Class B (good water quality, suitable for swimming and recreation). Ninety-eight percent of all surface waters in the state are classified as Class B waters (Vermont Department of Environmental Conservation, 1999).

Vermont has an antidegradation policy. This means that waters must be protected to maintain their classification standards; degradation may only be allowed if the public supports such a decision. The 1986 "Pristine Streams Act" allows any water body that is ecologically significant and has water quality which meets at least Class B standards to be reclassified as Class A. In addition, the state may designate unique areas as "Outstanding Natural Resource Waters," and designate stricter standards for such an area.

The East Branch of the Nulhegan River, the Nulhegan River itself, and Paul Stream are all reported to have some sedimentation problems attributed to logging activities (Flanders and Kline, 1994)

The Vermont Natural Resources Council and other organizations have filed a petition with the Vermont Water Resources Board to designate all the waters in the Nulhegan Basin as Class A and an "Outstanding Natural Resource Water," but no action has yet been taken.

F. Plants

The Nulhegan Basin is within the Mahoosuc-Rangely Lakes subsection of the Northern Appalachian/Boreal Forest Ecoregion. Appendix 6 lists 48 ecological community types predicted to occur within the subsection (Anderson and Merrill, 1998). The Nulhegan Basin "... exemplifies the boreal lowland character of the Northeast Kingdom. Here are found the state's most extensive bogs and softwood swamps, the only breeding population of certain boreal birds, rare boreal plants, and abundant moose and other northern species." (Thompson, 1989).

1. Forest Types

Mesic northern hardwoods (sugar maple, beech, yellow birch, striped maple, red spruce and balsam fir regeneration) dominate outcrop knolls. This grades into mixed woods (yellow birch, red maple, red spruce, balsam fir), upland spruce-fir and lowland spruce-fir (red, black and white spruce, balsam fir, larch, white pine) (boreal forest) on lower, wetter sites. Historic cutting patterns have removed spruce, fir, and higher quality softwoods, favoring hardwood regeneration (Loso et. al., 1996). The wetter Nulhegan Basin has a higher proportion of coniferous forest than the surrounding areas (Table 3-1).

Softwood forests in the Nulhegan Basin had been regenerating and the forest was uniformly maturing, when budworm outbreaks and market conditions led to accelerated harvests in the early 1970s. Consequently, most stands are either mature or recently cut and very young (Champion International Corporation et. al., 1994). The mature stands have little undergrowth and, sometimes tree mortality is opening the canopy. Young stands are generally short and very dense.

2. Rare or Exemplary Natural Communities

Champion's property contains six rare or exemplary natural communities sites recorded by the Vermont Non-game and Natural Heritage Program. The Nulhegan Basin contains 16 such sites of seven different types: black spruce swamp; spruce-fir-tamarack swamp; lowland bog; remote pond; tannic water lake/pond; warm acidic/circumneutral talus; and acidic/circumneutral cliff community.

A special survey was conducted by the Vermont Nongame and Natural Heritage Program that identified the approximate boundaries of eight important natural communities in the Yellow Bogs area (roughly, east of the Yellow Branch of the Nulhegan River and north of Rte.105). Mollie Beattie Bog is one of these. The survey report noted significant concentrations of boreal bogs and black spruce swamps; the presence of rare plants, birds, and dragonflies; and the unusual ecological process of paludification (peatland raising its own water table over time). The report recommended protection of the area, with no timber harvesting allowed within the specified natural communities (Thompson, 1989).

3. Wetlands

In the Yellow Bogs area, the lowland spruce-fir is intermixed with extensive wetlands, forming a unique wetland complex. Wetland types include black spruce swamp, lowland bogs, open sedge meadows, and shrub thickets. Yellow Bogs and Nulhegan Pond were both listed in the Regional Wetlands Concept Plan as important, scarce and vulnerable wetlands (U.S. Fish and Wildlife Service, 1995).

The Nulhegan Basin block contains much more wetlands than the surrounding areas (Table 3-1). National Wetland Inventory data shows that the 26,000 acres proposed for Service ownership contains 5,698 acres of wooded swamp/bog and 1,072 acres of shrub swamp/bog.

4. Rare Plants

No federally-listed endangered plants occur in the area.

Rare plants include Farwell's water milfoil (*Myriophyllum farwellii*); bog sedge (*Carex exilis*); mountain cranberry (*Vaccinium vitis-idaea*); and northern yellow-eyed grass (*Xyris montana*, state-listed as threatened).

G. Animals

1. Birds

a. Waterfowl

The Nulhegan Basin provides habitat for both nesting and migrating waterfowl, including hooded mergansers, black ducks and ring-necked ducks.

Nesting hooded mergansers and wood ducks require open-water with numerous snags or stumps to serve as nest sites and nearby forest cover for broods. Hooded mergansers nest at Spectacle Pond in Brighton. Both species nest in the Victory Basin, at the Dennis Pond complex in Brunswick and the Ferdinand Pond complex in Ferdinand.

Black ducks are specifically mentioned in the purposes of the Conte Act. Because their populations are declining, they are a Service species of management concern (Schneider and Pence, 1992). Black ducks nest in a wide variety of areas with thick cover, and are dispersed throughout the northern forests. Black ducks may hybridize with mallards, which contributes to the black duck's decline (Kirby, 1988). Northeastern Vermont is an important breeding area for them, since few mallards breed here. In 1985, no mallards nested in the area (Laughlin and Kibbe, 1985). Citizens report seeing some mallards in the Basin within the last five years (personal conversation with Gordon LeFebvre).

The North American Waterfowl Management Plan Lower Great Lakes/St. Lawrence Joint Venture Plan identified key breeding habitats for black ducks, which included Franklin, Orleans and Essex Counties in Vermont. The Ducks Unlimited Continental Conservation plan notes, "The recent growth in beaver populations throughout northeastern forests have caused a substantial increase in the quantity and quality of black duck breeding habitat." "Some forest management practices, such as large clear cuts and monotypic plantings of softwood species, can lead to a decrease in the quantity and quality of black duck habitat. On the other hand, timber harvest practices that favor regeneration of poplar and birch greatly enhance beaver activity and result in increased habitats for black ducks." It also notes that human disturbance associated with residential and recreational housing development reduces breeding populations. It recommends that existing wetlands be protected, large wetlands be enhanced, and beavers be encouraged (Ducks Unlimited, 1994).

Ring-neck ducks favor boggy ponds, sedge meadows, and abandoned beaver flowages, and are considered a sporadic nester in Vermont.

Loons, state-listed as endangered and of Service management concern (Schneider and Pence, 1992), nest on McConnell Pond, Spectacle Pond, Maidstone Lake, West Mountain Pond, Great Averill Lake, Little Averill Lake, Forest Lake, and Island Pond (Hanson, Rimmer and Parren, 1998).

b. Song Birds and Game Birds

Northern Vermont and New Hampshire is one of the most important geographic areas in the northeast for various species of concern to Partners in Flight (Rosenberg and Wells, 1995). Partners in Flight is a consortium of over 150 agencies and organizations, working together to conserve birds and their habitats across the Western Hemisphere. The northeast United States is important as a stronghold for nesting thrushes and warblers (Price et. al., 1995). Anderson and Merrill recommended the Nulhegan Basin as one of 29 priority conservation areas in the Connecticut River watershed for neotropical migrant bird nesting habitat (Anderson and Merrill, 1998).

Appendix 7 lists 52 forest-dependent neotropical migratory birds found in the Mahoosic-Rangeley Lakes Subsection (Anderson and Merrill, 1998).

The boreal forests in the Nulhegan Basin support a variety of boreal bird species, some of which are rare in Vermont. They include gray jay (*Perisoreous canadensis*), three-toed woodpecker (*Picoides tridactylus*), black-backed woodpecker (*Picoides arcticus*), Wilson's warbler (*Wilsonia pusilla*), olive-sided flycatcher (*Contopus borealis*, of management concern to the Service, Schneider and Pence, 1992), rusty blackbird (*Euphagus carolinus*), boreal chickadee (*Parus hudsonicus*), ruby and golden crowned kinglets (*Regulus calendula* and *R. satrapa*), pine siskin (*Carduelis pinus*), blackpoll warbler (*Dendroica striata*) and Cape May warbler (*Dendroica tigrina*).

An investigation in 1988 found spruce grouse (*Dendragapus canadensis*), which is state-listed as endangered, only in Yellow Bogs and the Wenlock Wildlife Management area. A review of aerial photos found 4,470 acres of potentially suitable habitat in the Yellow Bogs area. However, the report noted that lack of the preferred intermediate-aged spruce-fir stands with dense understory may be limiting populations (Pence et. al., 1990). Ruffed grouse (*Bonasa umbellus*) are also found throughout northeastern Vermont, but prefer early regeneration hardwood forest.

2. Fish

Stream habitats throughout the Nulhegan Basin, and in Paul Stream, were identified by the fisheries team during Environmental Impact Statement development as fisheries "Special Focus Areas." Atlantic salmon (*Salmo salar*) fry are stocked in the Nulhegan River and Paul Stream to use the nursery habitat. The streams contain self-reproducing wild brook trout (*Salvelinus fontinalis*).

3. Amphibians and Reptiles

Northeastern Vermont has many frog species. Relatively few species of salamanders, turtles, and snakes have ranges that extend this far north.

4. Mammals

a. Deer

Whitetail deer (*Odocoileus virginianus*) populations in Vermont have fluctuated over time. In 1865, populations had become so low that hunting deer was outlawed for 30 years. Populations increased into overpopulation (an estimated 250,000 deer) and overbrowsing before two consecutive harsh winters in 1969 and 1970 halved the weakened herd. Since then, careful management has allowed the habitat to recover. The deer population in 1996 was estimated at 120,000-140,000 (The Deer Management Team, 1997).

Deer prefer thickets alternating with glades and abandoned fields (forest-edge species). Harsh winters can cause high mortality. In northern locations like Essex County, deer concentrate where dense coniferous forest provides thermal cover and they save energy by not moving around much. Such a winter concentration area is called a deer yard. Wintering deer require conifer stands at least 35 feet tall with a 70% crown closure for shelter. An adequate supply of such stands over time requires timber harvesting or other disturbance.

A 15,000 acre area in the Nulhegan Basin is the largest deer wintering area in the state. Champion owns 11,268 acres of this area. Champion and the Vermont Department of Fish and Wildlife have a cooperative management agreement to manage the deer wintering habitat. The short-term goal was to maintain enough old stands to provide suitable winter cover. The long-term goal was to establish a stable cutting regime where one/60th of the area was cut annually, then allowed to regenerate on a 60-year rotation. This would provide a constant supply of the intermediate-aged conifer stands needed (Champion International Corp. et. al., 1994). Although this may not be the perfect management regime, its provisions satisfied both parties.

Deer occur in relatively low density (5-6 per square mile) in Wildlife Management Unit E, which roughly coincides with Essex County. Hunters would like to see this level increase. The total buck harvest in Unit E in 1995 was 299. The buck harvest objective in 1997-2006 is 325 (The Deer Management Team, 1997).

b. Moose

Once common in Vermont, moose (*Alces alces*) have returned with reforestation of the state during the 20th century. In the 1960's about twenty-five moose lived in Essex County. A permit hunting program was begun in 1993 in Wildlife Management Unit E and has been expanded to other wildlife management units of the state where moose populations are high. By 1997, nearly 2,100 moose existed in Vermont, with 508 in Unit E. A target harvest for Unit E of 71 moose was set to try to maintain a stable population there (The Moose Management Team, 1998).

Moose have a large home range of four to 10 square miles. Moose prefer thick, brushy habitats (regenerating forest less than 20 years old) for browsing, use intermediate mixed forest for cover

and browse, need some winter cover (softwood stands over 20 years old), and use ponds extensively in the spring and summer (The Moose Management Team, 1998).

c. Bear

As agricultural fields have reverted to forests, black bear (*Ursus americanus*) populations in Vermont have increased. In 1995, populations were estimated at 2,500. Vermont bears need large forested blocks to flourish without creating bear-human conflicts. Bears now occupy 60% of the state - in the Green Mountains and the Northeast Kingdom. The Vermont Department of Fish and Wildlife regulates bear hunting to accommodate various public interests, including viewing opportunities and nuisance bear concerns (The Black Bear Management Team, 1997). Twenty-eight bear were harvested by hunters in Unit E in 1997.

d. Furbearers

A number of furbearers are present in northeastern Vermont. Marten may not be trapped. Beaver, otter, mink and fisher may only be trapped; there is no designated shooting season for these species. Bobcat, muskrat, raccoon, skunk, coyote, and red and grey foxes may be hunted or trapped.

Two of the 27 bobcat taken statewide during the 1997/98 season were taken in Wildlife Management Unit E. Ten of the 162 otter taken during the 1997/98 season were taken in Wildlife Management Unit E. Thirty-seven of the 591 fisher taken during the 1997/98 season were taken in Wildlife Management Unit E (Vermont Department of Fish and Wildlife, 1998). Champion did not allow trappers to take fisher on the corporation's land, since fisher eat porcupines, which damage trees.

e. Rare Mammals

No federally-listed endangered animals exist in the area. The gray wolf (*Canis lupus*, federally-listed as endangered), the Eastern cougar (*Felis concolor cougar*, federally-listed as endangered), the lynx (*Lynx canadensis*, proposed for federal listing as threatened), and the Indiana bat (*Myotis sodalis*, federally-listed as endangered) are all species which no longer occur in their historic ranges in northeastern Vermont. Wolves are being reintroduced by the Service into areas in the American west and one or two have been discovered in Maine. Although there are no plans to reintroduce them, they may find their way into Vermont and reestablish naturally. Cougars are occasionally sighted, but it is not known whether these are escaped or released "pets." Lynx live in Maine and could eventually expand into Vermont.

Two rare mammal species have been found in Wenlock State Wildlife Management area. The rock vole (*Microtus chrotorrhinus*, special concern in Vermont) inhabits deep, cool, damp rock crevices along streams. The southern bog lemming (*Synaptomys cooperi*, common in Vermont but rare in the Connecticut River watershed) lives mainly in sphagnum bogs (Godin, 1977). These species probably inhabit other suitable habitats throughout the area.

f. Other Mammals

Northeastern Vermont hosts many species of shrews, bats, squirrels, mice, voles, and rats. Porcupines are also common.

III. Human Environment

A. Population

Vermont's Essex County had an estimated 6,311 residents in 1996 (Vermont Agency of Human Services, 1997). This represents 1.1% of Vermont's population occupying 7% of the state's land area (Vermont Department of Employment and Training, 1998). The Connecticut River watershed portion of the county had the second lowest population density of all the counties in the watershed (U.S. Fish and Wildlife Service, 1995).

Population growth rates for the northern New Hampshire/Vermont Connecticut River watershed are lower than the state rates. Growth between 1970 and 1980 was 7.5%, compared with Vermont's 14.8% and New Hampshire's 24.6%. Growth between 1980 and 1990 was 3.0%, compared with Vermont's overall growth rate of 9.8% and New Hampshire's 19.8%. The comparatively low growth is probably related to lack of job opportunities (Adams, 1995).

Essex County population actually dropped almost 3% between 1995 and 1996, and is projected to continue dropping. The county continues to show declines in the infant and 20-34 year old age groups and growth in the 65 and over age group (Vermont Department of Employment and Training, 1998).

B. Communities

All of the communities in Essex County are listed in Table 3-3. Six of the communities are unincorporated: Averill, Avery's Gore, Ferdinand, Lewis, Warner's Grant, and Warren's Gore.

The County Clerk acts as the government for these towns. The other towns have boards of selectmen. The major town centers are Guildhall and Island Pond.

The only other communities affected are Burke (459 acres of Champion land) and Morgan (521 acres of Champion land), both in Orleans County.

Table 3-3 Communities in Essex County (* indicates unincorporated)

Town	Estimated 1996 Population (Vt. Agency of Human Services, 1997)	Acres	Acres of Champion Land (Brighton, 1999) (* town grand lists)	% of Town Land Area Affected
Averill*	7	24,422	15,859	65%
Avery's Gore*	0.00	11,404	7,837	69%
Bloomfield	269	25,740	10,590*	41%
Brighton	1,361	34,815	4,849	14%
Brunswick	107	16,110	9,218*	57%
Canaan	1,124	21,321		0%
Concord	1,113	34,209		0%
East Haven	265	23,825	11,974	50%
Ferdinand*	23	33,989	20,172*	59%
Granby	92	24,843	4,475	18%
Guildhall	301	21,105		0%
Lemington	111	22,579	10,990	49%
Lewis *	0.00	25,394	23,035*	91%
Lunenburg	1,188	29,121		0%
Maidstone	134	20,560	5,713	28%
Norton	163	24,645		0%
Victory	52	27,592	853	3%
Warner's Grant*	0.00	2,048		0%
Warren's Gore*	1	6,729		0%
Total	6,311	430,451	125,565	29%

C. Economy

1. Workforce

A representative survey of northern Vermont and New Hampshire residents in 1991 found 58% employed part or full-time, 5.6% unemployed (double the state rate) and 25% retired. Twenty percent had completed college, 66% had completed high school, and the remainder had not completed high school (Echelberger et. al., 1991).

In the four counties of Coos, Essex, Orleans, and Caledonia, total reported employment in 1996 was 50,248 jobs, an increase of 14,747 or 41.5% over 1970 (Phillips, 1999). Employment by industry was as follows:

<u>Industry</u>	<u>Number of Jobs in 1996</u>	<u>Per cent</u>
Services *	13,816	27.5%
Manufacturing**	9,203	18.3%
Retail trade	9,041	18.0%
Government***	6,828	13.6%
Construction	3,152	6.3%
Transportation and utilities	2,467	4.9%
Financial, insurance and real estate	2,049	4.1%
Farming and mining	1,903	3.8%
Wholesale trade	1,117	2.2%
Agricultural and resource services****	669	1.3%
	50,248	100%

*The Services category includes the following subcategories: health services; hotels and lodging; business services; social services and membership organization; automobile and miscellaneous repair service; educational; legal services; engineering and management; motion picture and miscellaneous; and amusement, recreation, museums, and zoos.

** Manufacturing includes lumber and wood products production (logging, sawmills, paper and pulp, furniture).

***Includes public school teachers.

**** Includes consulting foresters.

Farming, mining, federal, and military employment in the four counties have all declined between 1970 and 1996, while the number of jobs in the agriculture and resource services and services categories more than doubled. Retail, wholesale finance, and construction jobs increased moderately. Manufacturing jobs stayed about the same (Phillips, 1999).

For Essex County alone, employment is reported as follows: Manufacturing 57.2%, Government 20.2%, Trade 9.1%, Services 5%, Contract Construction 3.1%, Transportation and Utilities 2.9%, Agriculture, Forestry and Fishing 1.4% (22 jobs); and Finance, Insurance and Real Estate 1.1%. This reporting only accounts for those covered by unemployment insurance, so does not show most agricultural production firms or the self-employed. The services sector showed a

30% growth in Essex County between 1990 and 1996 (Vermont Department of Employment and Training, 1998).

2. Income

All modern economies are complex; income comes from many sources. In the four counties of Coos, Essex, Orleans and Caledonia, average per capita personal income in 1996 was \$18,882, an increase of 46% over the 1970 inflation-adjusted figure of \$12,965. Approximately 58% of the 1996 figure was labor income. An additional 23% was from transfer payments including: retirement and disability payments; medical payments; income maintenance benefits (Supplemental Security Income, Aid to Families with Dependent Children, Food Stamps, etc.); unemployment insurance; benefits to Veterans and federal education and training assistance. The final 18% was from dividends, interest and rent income (Phillips, 1999).

The same study gives the distribution of labor income by industry in 1996 as follows:

Services	23%
Government	15%
Forest products manufacturing	13%
Other manufacturing	13%
Retail trade	12%
Transportation and utilities	8%
Construction	6%
Wholesale trade	3%
Financial, insurance and real estate	3%
Farming and mining	3%
Agricultural and resource services	1%
	100%

*The Services category includes the following subcategories, arranged in decreasing order of importance: health services, hotels and lodging, business services, social services and membership organizations, automobile and miscellaneous repair service, educational, legal services, engineering and management, motion picture and miscellaneous, and amusement, recreation, museums and zoos.

The income attributable to the services sector in the four county area has increased substantially since 1970, while that from the government sector has increased moderately. Forest products manufacturing and other manufacturing have varied, increasing and then decreasing since 1970 to end near the 1970 levels. Income from forest products manufacturing peaked in the late 1980s and has declined ever since (Phillips, 1999).

Average annual wage in Essex County (only) in 1996 was \$23,208, the fourth highest in the state, due to the high concentration of manufacturing jobs there. Ethan Allen, a furniture manufacturer, has plants in Canaan and Brighton. The unemployment rate in Essex County in 1996 was 8.4% (Vermont Department of Employment and Training, 1998). Essex County has

the lowest per capita personal income in Connecticut River watershed counties (U.S. Fish and Wildlife Service, 1995), and the lowest per capita income in the state (Vermont Department of Employment and Training, 1998).

Harvest of wildlife in Wildlife Management Unit E contributes to the economic well-being of many families by providing meat for consumption (Vermont Department of Fish and Wildlife, personal communication).

3. Forestry

Ninety percent of Vermont's timberland is privately owned (Frieswyk and Malley, 1985). Forestry-related jobs include professional foresters who plan harvests and broker wood supplies, loggers and truckers. Sawmill, pulp mill and furniture manufacturing jobs all rely on wood supplies, although they may not necessarily depend on local supplies.

Only 3% of the whole Connecticut River watershed's economic output is in agriculture, forestry and wood products, and food processing (U.S. Fish and Wildlife Service, 1995). However, forest related industry is more significant in the northern part of the watershed. "In Essex County, forestry and related businesses account for more than one-third of the output and 15% of the jobs." (U.S. Fish and Wildlife Service, 1995). As noted in the previous section, most of this is probably attributable to the forest product manufacturing jobs provided by Ethan Allen and others.

The Essex County employment figures cited in the previous paragraph underestimate the number of loggers, because most loggers are self-employed. Many loggers from New Hampshire, and some from Canada, also work in the area. There is one sawmill in Essex County (Vermont Department of Employment and Training, 1998). There are also three or four transportable sawmills.

Discussion in the previous section pointed out that the timber industry related income has varied over the time period since 1970, ending slightly below its 1970 levels in 1996. It was around \$135 million in 1996. Its importance in the overall economic mix is also decreasing as other sectors strengthen. In the four counties of Coos, Essex, Orleans and Caledonia the timber industries provided roughly 14% of the total personal income in 1970. By 1996, this had declined to under 8% (Phillips, 1999).

It is unclear how much the Champion lands contributed to the local economy. The company did have employees stationed in the area and they did contract harvest operations and sell some wood to local mills. However, some of the harvesting contracts went to larger contractors who had workers from New Hampshire and Canada, and much of the wood went to mills in New York and Maine.

4. Tourism

Tourism is Vermont's second largest industry. In 1986, tourists spent \$1.1 billion; seventy percent of this was spent on lodging. Twenty-one percent of respondents in the 1988 Resident Recreation Survey indicated they were employed in the tourism industry. The survey found that Vermonters generally were positive towards tourists, believing that tourism has a positive effect on cultural, job, shopping, and recreational opportunities. However, they were split on whether or not more tourism would help raise the standard of living in Vermont. A minority (29%) felt that there were too many tourists in Vermont (Vermont Agency of Natural Resources, 1988).

Tourism brings income into the Essex County area. Several hotels and restaurants depend on hunter and snowmobiler visits.

In the four counties of Coos, Essex, Orleans, and Caledonia, the income in recreation and tourism related industries (which includes lodging, restaurants, food stores, retail stores, recreation services and museums) in 1996 was roughly \$116 million (Phillips, 1999).

5. Taxes

Reliance on property taxes is related to the budget of the community, the amount of the budget which comes from state and federal governments, and the amount raised through other taxes, like property taxes. In Vermont and New Hampshire, the federal/state share is lower than average (about 30% in Vermont). Also, unlike some other states, Vermont and New Hampshire towns do not have local sales tax, local income tax, or corporate income tax; property tax makes up about 85% of the local own-source revenues in these two states (Morris, 1993).

Local property tax revenues in Essex County were \$433 per capita in 1987. Total per capita expenditures that year were \$715 (Adams, 1995). The difference is covered by commercial property tax and state aid. Roughly two-thirds of expenditures are for school expenses and one-third are for municipal expenses (Dobbs, 1998).

Tax collected in unincorporated towns is placed in an account under the control of the County Clerk, who acts as the government for these towns. Funds not needed to cover the expenses of the unorganized town are distributed to incorporated towns on a per capita basis (Brighton, 1999).

Champion's lands are not under current use assessment. Champion paid a total of \$90,834 of tax in 1998 (Brighton, 1999).

6. Trapping

As fur prices have declined, the numbers of trappers and pelts sold has declined. In 1987, 1,406 licenses were sold statewide. In 1997, 548 licenses were sold. Individual trapping effort may also fluctuate from year to year in concert with fur prices.

Statewide, trappers made an estimated \$209,337 on the pelts taken in the 1996-1997 season. The value of bobcat, fisher and otter taken in Wildlife Management Unit E in the 97/98 season was about \$1,800 (Vermont Department of Fish and Wildlife, 1998). Many beaver, muskrat raccoon and mink are taken statewide and undoubtedly many are taken in Wildlife Management Unit E. They would contribute additional income to the trappers in the local area.

Champion issued permits to trappers who wished to trap on Champions land. There were 15 permits last year. Champion did not allow fishers to be taken, since fishers prey on porcupines. Porcupines damage trees.

D. Roads and Trails

There are no interstate highways in Essex County. Route 102 runs north and south along the Connecticut River in the eastern part of the County. Route 105 runs east and west near the Nulhegan River and joins north-south Route 114 in Island Pond.

Commercial timberland always contains a network of gravel roads and skidder trails to allow access to the timber. Champion's lands contain roughly 153 miles of roads and 68 miles of trails. Within the area the Service would purchase, there are roughly 44 miles of roads and 9.5 miles of trails. Within the area VTANR would purchase, there are 39.5 miles of roads and 7 miles of trails.

E. Recreation

1. General

In 1991, the U.S. Forest Service conducted 446 telephone surveys of residents in Coos County, New Hampshire and four counties in northern Vermont to gather information on resource use and gather opinions on many issues. "Walking and driving for pleasure were listed as frequent outdoor activities by respondents from both states. Respondents also participate in fishing, berry picking, hiking, bird watching, firewood gathering, swimming, bicycling, stargazing and picnicking. Relatively few North Country residents participated in all-terrain vehicle use, [trapping], maple sugaring, and horseback riding." Downhill and cross-country skiing, snowshoeing, snowmobiling, camping, hunting, canoeing and motor boating were engaged in less frequently than fishing, berry picking, hiking, etc. and more frequently than all-terrain vehicle and horseback riding (Echelberger, 1991).

2. Hunting

In 1996, almost 81,000 Vermont citizens (20%) hunted deer. This figure has decreased from highs of almost 140,000 in the late 1960's (Deer Management Team, 1997). Bear hunting does not require a special license, so exact figures of the number of bear hunters are not available at this time. Bears are sometimes the sole objects of the hunt and sometimes taken incidentally while hunting other species. In 1997, 44% of bears were taken by bear hunters without dogs; 23% were taken by bear hunters with hounds; and 28% were taken by deer hunters (Vermont Department of Fish and Wildlife, 1997).

Surveys of hunters in the Yellow Bogs area and the Wenlock Wildlife Management area found only 17% pursued ruffed grouse as a primary target. The majority were hunting deer or snowshoe hares (Pence et. al., 1990).

There is very little waterfowl hunting in Essex County. "Limited hunting does occur on Moose Bog and nearby beaver ponds" (Alexander and Horton, 1986).

3. Snowmobiling

Although only a small percentage of Vermont residents snowmobile, snowmobiling is very important. The Vermont Association of Snow Travelers, Inc.(VAST) consists of 153 local and 14 county clubs with 21,000 resident and nonresident members. More than 28,000 snowmobiles are registered in Vermont (28,000 people is roughly 5% of the population total for the state). An economic study estimated that snowmobiling in Vermont generated \$165,000,000 from July 1, 1993 through June 30, 1994 (McElvany, undated). VAST maintains 5,000 miles of trails in the state (U.S. Fish and Wildlife Service, 1995). According to VAST, the organization maintains more than 400 miles of trails on the Champion lands.

4. Camps

In Maine, New Hampshire, Vermont, and New York, timberland owners have traditionally leased small parcels of land to citizens, who build remote camps on the parcels. These camps are used as a base for fishing, hunting and other recreational activities. There are fewer than 200 camps on Champion's property, many on lakes and ponds (see Table 3-2). While definitive maps are not available, the best information suggests that about 90 are on the 48,000 acres proposed to be publicly owned. An estimated 35 are on lands to be owned by VTANR, with approximately 64 on land to be bought by the Service, and the rest are on land to be deed-restricted and sold to private interests.

E. Land Available for Recreation

In Vermont, land is considered open to general public use (not including trapping, camping and all-terrain vehicle use) unless posted. Land may be posted against all trespass or selected activities. Studies of posted land in Vermont in 1983 found 29% of acreage was posted statewide. Fourteen percent of parcels less than 50 acres were posted, 28% of parcels 50-499 acres were posted, and 29% of parcels 500 or more acres were posted. Another study in 1985 found one-third of landowners prohibited at least one type of activity and one half of these prohibited all activity. This study noted a marked increase in restrictions over the previous decade (Brown, 1993).

Town, state and federally-owned land currently comprises 12% of Vermont's area (Long, 1998). Table 3-4 shows parcels in northeastern Vermont that are protected from development and provide public access. Vermont Land Trust holds two other easements, but the public access

Table 3-4 Protected Land in Essex County, Vermont

	Acres fee ownership	Acres easement	% Essex Co.
Existing areas:			
Bill Sladyk Wildlife Management Area	9,386		2.2%
Black Turn Brook State Forest	593		0.1%
Averill Mountain Wildlife Management Area	510		0.1%
Brighton State Park	152		0.0%
Spectacle Pond Natural Area	15		0.0%
Wenlock Wildlife Management Area	1,993		0.5%
Hancock Timber Forest Legacy		31,000	7.2%
The Conservation Fund McConnell Pond Tract	4,638		1.1%
Maidstone State Forest	475		0.1%
Boise Cascade/VLT		3,516	0.8%
Victory State Forest	15,826		3.7%
Victory Basin Wildlife Management Area	4,970		1.2%
Cow Mtn. Pond-USFS	1,500		
Existing totals:	40,058 (9.3%)	34,516 (8.0%)	17%

Proposed (approximate):			
Service	26,000		6.0%
VTANR	22,000		5.1%
Deed-restricted property		77,500 (the portion of 85,000 acres in Essex Co.)	18.0%
Proposed totals:	48,000 (11.2%)	77,500 (18%)	29.2%
Existing +proposed totals	88,058 (20.5%)	112,016 (26.0%)	46%

on them is limited to specific sites (ie. fishing access), so the acreage has not been included.

Residents in the "North Country" of Vermont and New Hampshire generally support public land acquisition. Eighty-six percent of northern Vermonters questioned supported public acquisition to protect wilderness, 80% supported it to maintain recreational opportunities, 82% supported it to maintain wildlife habitats, and 75% supported it to assure timber supply (Echelberger et. al., 1991).

F. Historical and Cultural Resources

The area has had an interesting history of Native American and other uses. It is possible that archaeological sites exist. It is likely that historic resources associated with the area's logging and railroad history, such as logging and railroad camp remnants, dams, and railroad beds exist. While most habitat management activities do not pose a threat to such artifacts, the Service does take precautions to avoid impacting them. Prior to taking actions that would disturb soil, the Service conducts surveys for historical and cultural resources. If any are discovered, actions are modified to avoid or minimize impacts to such resources.

Chapter 4. Environmental Consequences

I. Environmental Consequences of Alternative I. The No Action Alternative

A. Local Economy

1. Forest Products Industry

Impacts to the overall local economy as a result of changes in forest harvest due to this alternative are predicted to be small, especially over the near term (because of depleted stocks). Current trends of declining contributions of forest related business to the overall economy would probably continue with or without this project.

As noted in Chapter 3, in the four counties of Coos, Essex, Orleans, and Caledonia, forest products related business provided roughly 14% of total personal income in 1970, decreasing to under 8% in 1996 (Phillips, 1999). The impacts discussed below must be considered in this context.

Champion International Corporation managed its lands primarily for current and future wood supply. *Many stands have been cut recently, so compared with recent harvest levels, future harvest levels will be reduced for a time no matter who owns the land.*

VTANR would probably adjust the boundaries of its 22,000 acre ownership northward to incorporate the deer wintering area and possibly other portions of the Nulhegan Basin. VTANR would manage its 22,000 acres for wildlife habitat for a variety of purposes, including wildlife habitat, rare species, natural communities, and public access for designated activities compatible with the natural resources on the tract. Much of the fieldwork for preparing a management plan for the deer wintering area has already been accomplished. It is likely VTANR would propose lengthening the cutting rotation over that recommended in the Nulhegan Deer Wintering Area Management Agreement. Forest management to create desirable wildlife habitat would result in some harvesting, but less than forest management for industrial timber production. Until VTANR develops specific management plans, predicting how much harvesting would occur is difficult.

The 111,000 acres of easement lands would have sustainable timber production as a primary purpose. The easements may require less cutting in riparian zones, prohibit large clearcuts, and encourage longer rotations. *It should be emphasized that, while The Conservation Fund intends to provide the best protection it can through these easements, they have not yet been finalized or marketed. Assumptions that are made in this document as to the content of the easements are only assumptions.* Any small reduction in harvest-related jobs and products reduction on this land would be offset by the industry stability and permanence added by dedicating this 23% of

the county to sustainable forest production.

If VTANR were to acquire more land, the impacts would change accordingly. If a wilderness-oriented nonprofit were to buy some land, harvest levels would likely be less than on the public land, since they would not necessarily manage for wildlife. Other non-profits might harvest timber.

Forest management on approximately 22,000 acres will shift from being economically driven to being habitat needs driven. Impacts to wildlife resulting from such cutting should be beneficial. Since the easements will try to require careful harvest practices, reduced adverse impacts to water quality from cutting on these lands (compared to those experienced in the past) would occur.

2. Tourism and Secondary Impacts

Many tourists enjoy outdoor activities and are attracted to large areas open to the public. The local economy already benefits from many hunters and snowmobilers that visit the area. Continuing to allow public access on the 133,000 acres (125,465 in Essex Co., or 29% of the county) would mean that 46% of Essex County would be open for the public to enjoy. VTANR land would be listed in publications and on maps, which would help publicize the availability of access to prospective visitors. This would attract many people, especially over time as other parts of the country become more developed. Local businesses and the Northeast Kingdom Chamber of Commerce would probably also advertise.

Due to increasing populations and increasing interest in outdoor recreation, tourism in this area is likely to increase over time even without any land protection in the area. The land protection which would occur in this alternative would likely cause a small additive increase in tourism over time. This would have a beneficial impact on the economy and negligible direct impact on the environment, as long as non-disruptive visitation opportunities are encouraged and facilitated.

In addition to increases in tourism, some amenity-driven population growth may occur in the future, reversing recent population loss trends. The land protection in this alternative makes amenity driven population growth more likely. This would increase the broad array of service related jobs.

Some secondary impacts, including construction of homes and commercial buildings, may occur due to more tourists and growing populations in the long term. In the foreseeable future, this growth is expected to be slow and consist of higher occupancy rates. The few new buildings that will be built for increasing service business would probably occur in existing commerce centers.

3. Taxes

State Land

VTANR pays "Payments in Lieu of Taxes" (PILOT). The Vermont Budget Adjustment Bill (H.130) recently signed into law provides that the PILOT payment will be 1% of the property's fair market value as determined by the State Division of Property Valuation and Review.

An analysis comparing the estimated municipal taxes paid with the anticipated Vermont PILOT payments show net gains to the towns involved (VTANR analysis, personal communication). Although Champion paid school taxes (directly to Bloomfield, Brunswick, and Maidstone, and indirectly to Ferdinand and Lewis), Act 60 provides there will be no effect on school tax rates and spending in the subject towns because the State provides equalized block grant payments.

Private Land with Conservation Easements

Tax impacts on the private land will vary depending on whether the land remains in regular tax status or whether the new owners enroll it in Vermont's Use Value Appraisal Program. Under the regular tax status, taxes are levied according to the assessed value of the land. Conservation easement restrictions may or may not reduce the assessed value of the land, which is used as the basis for taxation. However, on large tracts in areas where development pressure is low, there is little difference between the value of the parcel before and after development rights are purchased (simple conservation easement). Since the Champion's land fits this description, assuming that there would be no tax revenue loss is reasonable.

If the land is enrolled in the Use Value Assessment Program, the value for forest land is set by the State Current Use Advisory Board. Currently, forested land is valued at \$97 per acre, or \$73 per acre if it is greater than a mile from a class 1, 2, or 3 road. Since the tax burden on the owner is lower, the new owners of the 111,000 acres of conservation easement lands would probably enroll it in Vermont's Current Use Program. The state compensates towns for the difference between the current use taxes and the taxes that would have been received based on the assessed value, so again there would be no loss of tax revenue to the towns (except for a possible one year "lag" shortfall before the compensation is received for the first time).

Act 60 applies to the private land with easements as well as VTANR land, ensuring there will be no effect on school tax rates and spending in the subject towns.

In conclusion, in this alternative, VTANR PILOT will result in net gains to the Towns over what Champion paid in municipal taxes, and the Towns will not lose school tax revenues because of Act 60.

The privately held land would pay comparable taxes to Champion, unless they enroll in the Use Value Assessment Program. In that case the State would compensate. There would be no tax losses to the Towns anticipated.

If VTANR were to buy more land, the impacts would change accordingly. If another nonprofit were to buy some land, it would have to pay taxes like any other private owner.

4. Refuge Staff and Activities

It is not known whether VTANR and private interests would move staff to the area or to what extent their activities would support the local economy.

Since the Service would take no action, no Service staff would be assigned to the area. There would be no benefits to the local economy from Refuge activities.

B. Public Use and Access / Traditional Uses

1. Availability of Land with Public Access

Currently, public use is allowed on 74,574 acres, or 17% of Essex County. Under the No Action Alternative, public access would probably be provided on an additional 133,000 acres (125,565 in Essex County) raising the total to 46 % of Essex County. This would ensure that the tradition of public access to lands and outdoor recreation would continue in perpetuity. There is a possibility that some land may have to be sold without conservation easements; in that case, public access would be up to the discretion of the landowner.

2. Camps

Camp leases provide camp owners tenancy renewal at the discretion of the landowner. Agencies, like any other land owner, may decide to extend leases or not. Public lands are held for the benefit of all people. Private camps on public land are unfair to those who do not have leases. Although public land management agencies recognize that camp owners have an investment in their camps, the agencies cannot justify continuing to provide special consideration to leaseholders in perpetuity. The Vermont legislature has decided to continue leases for the life of the current lease holder. If the leaseholder dies, the immediate family members will be able to renew for not more than 20 years.

Under this alternative, the camps on VTANR's 22,000 acres (about 35) would have the opportunity to continue to renew their leases according to the policy just discussed. The remainder of the camps (about 165) would be on private timber interest lands. Although The Conservation Fund will renew all leases for five years and will encourage prospective buyers to consider the wishes of the leaseholders, eventual renewals on these camps will be at the discretion of the new owner. There may be a few camps that may need to be moved because they negatively affect a sensitive area or require too much road maintenance to allow access.

Should VTANR purchase additional lands, more camps would be covered under their policy.

Camps present some adverse impacts to wildlife and the environment. Camps result in human

and vehicular presence that may disturb wildlife, some habitat destruction and fragmentation, and possible pollution from human waste, trash and chemicals. While these impacts are relatively minor if there are small numbers of camps in dispersed locations, they are still impacts. Eventual phase out of camps on VTANR lands would reduce adverse impacts to the environment.

3. Hunting and Fishing

Hunting and fishing according to state regulations would be allowed on the 22,000 acres of VTANR land and would probably be allowed on the 111,000 acres of private land with conservation easements. If some land had to be sold without access easements, hunting and fishing would be at the discretion of the new owner of those lands.

Hunting and fishing do have impacts on wildlife populations, both through direct mortality and disturbance. Federal and state hunting and fishing regulations are based on analysis of data and formulated to allow only acceptable impacts on the subject populations. *In addition, no change in the level of these activities are anticipated due to this alternative.*

4. Trapping

Trapping according to state regulations would be allowed on the 22,000 acres of VTANR land and would probably be allowed on the 111,000 acres of private land with conservation easements. If some land had to be sold without access easements, trapping would be at the discretion of the new owner of those lands.

Trapping has impacts on wildlife populations, both through direct mortality and disturbance. State trapping regulations are based on analysis of data and formulated to allow only acceptable impacts on the subject populations .

5. Snowmobiling

Snowmobiling is a well-established public use on Champion's lands. It can have impacts on wildlife and the environment.

Nesting waterfowl and songbirds are absent during the winter, but snowmobiling can alter the spatial-use patterns of other wildlife, sometimes temporarily displacing deer from areas adjacent to trails. Deer may move away from the machines as well as snowmobilers who are off of the machines (Knight and Gutzwiller, 1995). Increased movements and stress can use energy reserves important to deer wintering in severe winter climates. On the other hand, deer and foxes sometimes follow snowmobile trails, taking advantage of easier travel on packed snow. The packing of snow on trails creates some direct loss of under snow habitat of small mammals. It also creates a mechanical barrier to their movements and reduces the insulating qualities of the snow. There is some evidence of increased small mammal mortality due to snow compaction effects (Jarvinen and Schmid, 1971) . Since small mammals are a prey base, this could also effect populations of predators. Snowmobiles may also increase harvest levels of animals

because of easier access (Hammitt and Cole, 1987). Careful placement of trails away from wildlife concentration areas, for example, conifer stands being used by wintering deer for shelter, can minimize impacts to certain populations of wildlife.

Another impact is plant and soil damage. Deep snow and frozen earth do provide some protection. Under deeper snow, ground cover plants are usually fairly well protected, but shrubs and saplings are taller and brittle in winter; they are more likely to be damaged. Compaction of snow under trails causes a reduction in the snow's insulation. In one study, this caused the underlying soil to freeze a month earlier and thaw two to three weeks later, killing some plants, shortening the effective growing season in trail locations, and reducing populations of some soil organisms (Hammitt and Cole, 1987). Another study showed that young conifers are severely harmed by even minimal amounts of traffic and deciduous trees, especially those which do not form suckering shoots, are adversely affected (Wanek and Schumacher, 1975). Much of the impact to soil and vegetation may be avoided if snowmobile trails are confined to existing roads. Another way to minimize damage is to snowmobile only when there is deep snow.

Snowmobiles are noisy and release air pollution. They also can present safety hazards. These factors cause snowmobiling to conflict with or usurp other public uses, especially those seeking to enjoy the solitude and pristine nature of a wild area (Sheridan, 1979, Baldwin, 1968).

VTANR has agreed to allow snowmobiling on existing Vermont Association of Snow Travelers trails, if specific trails do not have negative impacts on fish and wildlife or their habitats. Trails that are a problem will be relocated in consultation with snowmobile groups. All terrain vehicle access, which was not allowed by Champion, is also against VTANR policy and will not be allowed.

This arrangement would probably be allowed under the terms of the easements on the 111,000 acres. Therefore, snowmobiling would be allowed on all lands unless some land has to be sold without easements.

Under this alternative, the degree of snowmobiling would remain the same as in the past, so existing impacts would continue. There would probably be a slight decrease in negative impacts to wildlife as certain trails are relocated. Increased numbers of snowmobiles over time could eventually slightly increase impacts.

6. Road Access and Maintenance

VTANR would review the existing road network on its 22,000 acres, considering density, location, destination, length, and condition in light of needs for access, use for recreation, and impacts on ecological values. Road access to camps, and other roads necessary for recreation and not adversely affecting sensitive resources would be maintained, subject to any VTANR budgetary limitations. Lease payments will be dedicated to road maintenance, and camp owners will be required to maintain their own driveways.

Road access and maintenance on the 111,000 acres of conservation easement land would be at the prerogative of the land owner. Any owner managing the land for timber production would likely maintain the main roads and many feeder roads. Some feeder roads may be closed between harvest cycles to reduce maintenance costs.

The impacts of roads and road maintenance include minor direct disturbance to wildlife, possible habitat fragmentation effects and nonpoint source pollution. The amount of roads would likely stay the same or decrease over time as camps are phased out and unnecessary or environmentally damaging roads are closed. Overall impacts would be neutral or positive.

C. Protection of Biological Resources

1. Rare Species and Communities

The VTANR's Department of Fish and Wildlife has broad responsibilities for fish and wildlife, and special mandates to protect state-listed endangered species. VTANR would make protection of rare species and communities a priority on its 22,000 acres.

Conservation easement terms on the 111,000 acres would probably be fairly effective in protecting most currently recognized rare species and communities.

This alternative would have beneficial impacts on rare species and communities.

2. Managing for Species Richness and Abundance

VTANR would manage its 22,000 acres for wildlife habitat for a variety of purposes, including wildlife habitat, rare species, natural communities, and public access for designated activities compatible with the natural resources on the tract. There may be some conflicts between management for the needs of different species. VTANR would have to balance its management carefully.

The conservation easements on the 111,000 acres would contribute to maintaining a buffer area for the publicly owned land. There would be no development in this area and the careful logging practices expected to be prescribed in the easements would reduce adverse impacts from that activity.

3. Management Flexibility Over Time

VTANR would have flexibility to manage its 22,000 acres, and would have a good deal of flexibility to adjust the management over time. VTANR would have to balance its responsibilities to provide game populations for recreational hunting with its need to provide appropriate habitat for a variety of other species with different needs.

Providing flexibility for all future management possibilities within terms of a marketable written

conservation easement is difficult. Although the easements controlling future management on the 111,000 acres would likely prevent development and provide a healthy environment, they would not provide much habitat management flexibility to adjust to future changes.

4. Endangered Species

There are no federally endangered species known to occur on the 133,000 acres.

Federally-endangered animals are protected from take by the Endangered Species Act of 1973. Federally-endangered plants are protected from take by the Endangered Species Act of 1973 only when they occur on federal land. Since a federally-listed species is also always a state-listed species in those states where it occurs, it is also protected by the state's endangered species law. Vermont's law protects state-listed endangered animals from take. It protects state-endangered plants, but provides that rules to protect plants not unduly interfere with forestry practices.

The Endangered Species Act of 1973 and the Vermont endangered species law have been, and will continue to be, in effect over all the lands in question no matter what actions are taken regarding the current proposal. If any federally-listed endangered species were naturally to reestablish in the area, it would be protected by these laws.

This alternative would have beneficial impacts on state listed species and neutral impacts on federally endangered species.

5. Deer Wintering Habitat

VTANR is concerned about maintaining adequate deer wintering habitat within the Nulhegan Deer Wintering Area, which is the largest deer wintering area in Vermont. The 22,000 acres proposed for VTANR ownership under the proposed action is outside the deer wintering area. If the Service does not participate in the land protection partnership, VTANR would likely want to shift its 22,000 acres to encompass the 11,300 acres deer wintering area within the Basin.

Assuming that this would happen, the 11,300 acres of deer wintering habitat on Champion's lands in the Nulhegan Deer Wintering Area would be well managed. VTANR already manages the deer wintering habitat in the adjacent 1,993 acres of the Wenlock Wildlife Management Area and cooperates with Champion to manage the 11,300 acre area.

This alternative would have beneficial impacts on deer populations.

D. Protection of Water Resources and Water Quality

Since VTANR would likely shift its ownership mostly north of Route 105 in this alternative, only Lewis Pond would be protected by public ownership. Ten ponds, including four large "wilderness-like" ponds and four smaller ponds with few camps (Table 3-2) which would be protected by VTANR in the proposed action, would be protected by easements in this alternative.

Four of the 10 ponds also provide habitat for rare species. VTANR would ensure that timber harvesting on its lands would not impact ponds, streams and rivers, thereby protecting several tributaries of the Nulhegan River.

The easements covering the remaining 111,000 acres would likely impose strict protection on surface water quality by preventing further development and restricting timber harvest in riparian buffer areas, thereby protecting the remaining ponds and streams.

E. Local Control and Trust

Sportsmen and local residents have a voice and some political influence over VTANR's management decisions. There would be little or no local influence over the new owner's activities outside the terms of the easements on the 111,000 acres.

F. Cost

There would be no cost to the Service under this alternative.

II. Environmental Consequences of Alternative II. The Proposed Action (Preferred Alternative)

A. Local Economy

1. Forest Products Industry

Impacts to the overall local economy as a result of changes in forest harvest due to this alternative are predicted to be small, especially over the near term (because of depleted stocks). Current trends of declining contributions of forest related business to the overall economy would probably continue with or without this project.

As noted in Chapter 3, in the four counties of Coos, Essex, Orleans, and Caledonia, forest products related business provided roughly 14% of total personal income in 1970, decreasing to under 8% in 1996 (Phillips, 1999). The impacts discussed below must be considered in this context.

Champion International Corporation managed its lands primarily for current and future wood supply. *Many stands have been cut recently, so compared with recent harvest levels, future harvest levels will be reduced for a time no matter who owns the land.*

In this proposed action, the Service would own 26,000 acres and manage its land primarily for wildlife habitat. Refuge management would protect, conserve, and enhance habitats and populations of native species, with an emphasis on protecting rare species and natural communities, and providing nesting habitat for black ducks, woodcock, and a variety of migratory songbirds. The Service would cooperate with VTANR to provide adequate deer wintering habitat. The two agencies have agreed to work collaboratively. The agreement they signed on January 28, 1999 (Appendix 3) states:

The ANR and USFWS agree that by working together they can improve the value of the land for all wildlife. By considering their lands as a whole and cooperating on wildlife management, the ANR and USFWS may be able to better accomplish their individual goals. The ANR and the USFWS also welcome the participation of other nearby landowners in managing their land to benefit wildlife.

The Service plans to staff a local office with at least a Refuge Manager and one or two other employees to manage habitat on the Service land. Timber harvesting is an important tool in wildlife habitat management. Where harvesting is necessary to create habitat, the Service uses local contractors or a stumpage bidding process to do the work. Until the Service develops a specific timber management plan, predicting how much harvesting would occur is difficult. Wood products would not be a primary product, but would result as a by-product during the creation of desirable wildlife habitat. Harvest levels over time would likely be somewhat below

those of a timber company.

Service management would emphasize providing a balance of habitat types on a landscape scale. If more intensive cutting and more rapid rotations are occurring throughout the surrounding landscape, resulting in plentiful early-successional habitats, the Service land would likely be managed for older aged forests to act as a complimentary, compensatory reserve and provide habitats that are in short supply. If early-successional habitats become rare on surrounding lands over the very long term, Service land may then need to do more cutting to provide more early-successional habitats.

The Service will assemble detailed forest stand information and conduct baseline inventories for a variety of species prior to developing a detailed forest management plan. This plan would be developed with input from partners and the public. In addition to the timber management plan, a forest fire management plan would be developed over time.

VTANR would manage its 22,000 acres as described in the No Action Alternative. In this alternative 85,000 acres would have easements placed on them. These lands would still have sustainable timber production as a primary purpose. The easements may require less cutting in riparian zones and encourage longer rotations. Any small reduction of harvest-related jobs and products reduction on this land would be offset by the industry stability and permanence added by dedicating this 18% of the county to forest production.

Forest management on approximately 48,000 acres will shift from being economically driven to being habitat needs driven. Impacts to the wildlife resulting from such cutting should be beneficial. Since the easements will try to require careful harvest practices, reduced adverse impacts to water quality from cutting on these lands (compared to those experienced in the past) would occur.

2. Tourism and Secondary Impacts

In this alternative, additional tourism would be generated by Service presence. The Service's 26,000 acres would become a unit of the National Wildlife Refuge System. The Service would add this to lists of refuges across the country. Some tourists, especially birdwatchers, are familiar with National Wildlife Refuges and choose them as destinations. Improvements (trails, blinds, interpretive signs) would be provided for birding and other wildlife observation. While difficult to predict exact numbers, a moderate increase in tourism would likely occur. If birdwatchers are attracted, the moderate increase might be likely to occur in the spring and early summer when songbirds are present. Tourism in these seasons would complement the existing fall (hunters) and winter (snowmobilers) tourism and add stability to the economy.

Nationally, recreational visits to national wildlife refuges have been found to generate substantial economic activity. In 1995, people visited refuges more than 27.7 million times, spending \$401 million in the process. As this spending flowed through local economies, over 10,000 people

were employed and \$162.9 million in employment income was generated (Laughland and Caudill, 1997).

As discussed in the No Action Alternative, tourism in this area is likely to increase over time even without any land protection in the area. Service involvement in land protection may cause a moderate, rather than the No Action Alternative's small, additive increase in tourism over the long term. This would have a beneficial impact on the economy and negligible direct impact on the environment, as long as non-disruptive visitation opportunities are encouraged and facilitated.

Service involvement would not be expected to increase amenity-driven population growth over the level discussed in the No Action Alternative.

Since much of the tourism increase expected due to Service presence will probably occur in spring, the current tourism "off-season," no secondary impacts beyond those noted in the No Action Alternative are expected.

3. Taxes

Service Land

The federal government is not required to pay property taxes. However, the Service has a program under which revenues earned on refuges across the country are pooled and used to help offset tax losses to communities. Revenue Sharing Payments are three quarters of one percent (.0075) of the appraised market value of the land, although recently payments have only been funded at 72% of their full value (*average of payment levels over the past five years*). Future payments could be higher or lower. Assessments are updated every five years. Table 4-1 shows that, based on 72%, estimated Service payments would be \$15,434 to \$29,474 higher than what Champion currently pays.

Bloomfield and Brunswick would both benefit. The unincorporated towns of Ferdinand and Lewis would also benefit. Since tax income greater than the needs of the unincorporated towns is distributed to all towns in the county on a per capita basis, all the towns may benefit.

The tax impacts of VTANR and private land with conservation easements were discussed in the No Action Alternative.

Public agency payments based on value result in higher payments than privately held land, so in this alternative, Service Revenue Sharing payments and VTANR PILOT will combine to result in higher net gains to the Towns in municipal taxes than in the No Action Alternative.

Table 4-1. Estimated Service Revenue Sharing to Towns

	Estimated Champion/ Service Acres	Estimated municipal taxes on these acres (based on '98 tax rates)	Service Estimated Payment (if value \$200 per acre, funding level 72%)	Service Estimated Payment (if value \$300 per acre, funding level 72%)	Net Gain or (loss)
Bloomfield	3,974	\$1,735	\$4,292	\$6,438	\$2,557-\$4,703
Brunswick	1,568	\$755	\$1,693	\$2,540	\$938-\$1,785
Ferdinand	2,634	\$1,294	\$2,845	\$4,267	\$1,551-\$2,973
Lewis	17,824	\$8,862	\$19,250	\$28,875	\$10,388-\$20,013
Total		\$12,646	\$28,080	\$42,120	\$15,434-\$29,474

4. Refuge Staff and Activities

In the short term, the Service plans to staff a local office with a Refuge Manager and one or two other employees to manage habitat on the Service land. Over the longer term, six to nine employees might eventually work to manage habitat and public use programs at a refuge this size. The employees and their families would need housing and other necessities. Their expenditures would have a multiplier effect in the local economy. Office managers and maintenance staff are usually hired from the local area. Temporary employees are sometimes hired during the summer field season. Some refuges employ local high school youth through the Youth Conservation Corps. In the Nulhegan area, the Service may support a similar effort through the Vermont Leadership Center.

The Refuge would need to rent office space in the local area. In the future, an office, visitor contact and maintenance complex might be built.

Much of the work of marking boundaries, inventorying habitats, surveying roads and trails, and maintaining roads and trails would be subcontracted to local businesses and organizations.

B. Public Use and Access / Traditional Uses

1. Availability of Land with Public Access

Currently, public use is allowed on 74,574 acres, or 17% of Essex County. Under the proposed alternative, public access would be allowed on an additional 133,000 acres (125,565 of this in Essex County), raising the total to 46% of Essex County. This would ensure that the tradition of public access to lands and outdoor recreation would continue in perpetuity.

2. Camps

The Service would issue special use permits to camp owners, in effect renewing leases for the life of the current leaseholder, not to exceed 50 years. Camps may not be used as permanent, year-round residences nor for commercial purposes. There may be a few camps that may need to be moved because they negatively affect a sensitive area or require too much road maintenance to allow access.

Under this alternative, the camp owners on the Service's 26,000 acres (about 64) and VTANR's 22,000 acres (about 35) and would have the opportunity to continue to renew their leases according to their respective policies.

Should camp owners wish to sell their camps to the Service at any time, *The Uniform Relocation Assistance and Real Property Acquisitions Policy Act* (Act) will guide the Service's procedures. The Act is summarized in Appendix 10.

The remainder of the camps (about 110) would be on private timber interest lands. Although The Conservation Fund will renew all leases for five years and will encourage prospective buyers to consider the wishes of the leaseholders, eventual renewals on these camps will be at the discretion of the new owner.

As discussed in the No Action Alternative, eventual phase out of camps will reduce any adverse impacts to the environment they may be presently causing.

3. Hunting and Fishing

Hunting and fishing would be permitted within the area acquired by the Service. The National Wildlife Refuge System Improvement Act of 1997 (Appendix 4) defines hunting and fishing as wildlife-dependent recreational uses that are priority public uses throughout the National Wildlife System. They are to be encouraged. Hunting and fishing are generally allowed on National Wildlife Refuges if they are: compatible with the purposes of the individual refuge; may be carried out safely; and may be adequately monitored and managed. Even before passage of this act, hunting was allowed on 70% of the acreage in refuges in the lower 48 states (95% of acreage if Alaskan refuges included). Refuges were host to more than a million hunting visits and 5.4 million fishing visits annually (U. S. Fish and Wildlife Service, 1993).

Although Service hunting and fishing management plans will need to be prepared through a public process, hunting and fishing according to state regulations will continue uninterrupted while these plans are being completed. Longstanding Service policies require a formal process to open new refuges to hunting and fishing. The National Wildlife Refuge System Improvement Act of 1997 allows the continuation of existing lawful hunting and fishing activities while hunt plans are being formulated. Based on experience at other refuges, the Service will likely support continued deer, moose, hare, bear, upland bird, and waterfowl hunting.

Hunting and fishing on refuges are routinely governed by existing state regulations. However, they can be made more restrictive (50 C.F.R.(Code of Federal Regulations) Part 32.2). If the state concurs, they can be made more liberal. The need to do either would depend on local wildlife populations and issues. For example, a refuge in Maryland was experiencing an overpopulation of deer resulting in habitat damage. The State allowed the Refuge to offer hunters a bonus deer on the refuge to increase the harvest level. Conversely, a decline of a species, for example black duck populations, may result in more restrictive regulations on the refuge. Service staff would work closely with VTANR on hunting issues.

Possible modifications from existing hunting and fishing cannot be predicted in detail with the information on hand. Service staff will gather additional information on population levels and trends, management needs and citizen opinions before making decisions through the hunting plan process.

Hunting and fishing according to state regulations would be allowed on the 22,000 acres of VTANR land and probably on the 85,000 acres of private land with conservation easements as well.

Hunting and fishing do have impacts on wildlife populations, both through direct mortality and disturbance. Federal and state hunting and fishing regulations are based on analysis of data and formulated to allow only acceptable impacts on the hunted species. In addition, little, if any, change in the level of these activities are anticipated due to this alternative. Any changes would be specifically designed to further minimize impacts to subject wildlife populations or their habitats.

4. Trapping

The Conservation Fund will retain the trapping rights for a year to allow trapping to continue uninterrupted while the Service completes a furbearer management plan through a public process. The Service intends to complete this plan before the year 2,000 trapping season.

Trapping is used on National Wildlife Refuges to control predators (for example, foxes in waterfowl nesting areas) and to manage populations of small mammals that damage refuge infrastructures (muskrats burrowing into dikes). It is also used to manipulate wetland vegetation (control of beaver, muskrats and nutria), and to ensure that populations of furbearers remain healthy and stable. The Service also recognizes trapping as a legitimate recreational and economic activity when there are harvestable surpluses of furbearers.

Where trapping is permitted on refuges, it routinely follows the regulations of the state where it occurs. Trappers are required to have state licenses. Trapping programs for management are conducted by refuge staff, professional trappers under contract, and by the public through issuance of refuge special use permits. Trapping programs conducted primarily to provide

recreational, commercial or subsistence opportunities to the public require that the trapper obtain a special use permit. Refuge contracts and special use permits often impose specific stipulations that may restrict trapping activities more than state regulations. These stipulations are required to ensure that trapping programs are compatible with refuge purposes and otherwise in the public interest.

It is difficult to predict deviations from current practice. An example of a possible change might be that, since the Service does not have the same concern that Champion did regarding porcupine damage, it might allow fisher trapping. Another example is that, to provide black duck habitat in the Nulhegan Basin, the Service might reduce beaver trapping at specific locations to increase the beaver population. It might encourage beaver control in other locations where beaver activity threatens to flood roads. Decisions on possible modifications from the existing trapping cannot be predicted accurately at this time. Service staff will gather additional information on population levels and trends, management needs and citizen opinions before making these decisions through the trapping plan process.

Trapping according to state regulations would be allowed on the 22,000 acres of VTANR land and probably on the 85,000 acres of private land with conservation easements as well.

Trapping has impacts on wildlife populations, both through direct mortality and disturbance. State trapping regulations are based on analysis of data and formulated to allow only acceptable impacts on the target populations. Any changes on Service lands in this alternative would be specifically designed to further minimize impacts to subject wildlife populations or their habitats, or to prevent and control nuisance situations.

5. Snowmobiling

The Service has agreed to allow snowmobiling on existing Vermont Association of Snow Travelers trails, if specific trails do not have negative impacts on fish and wildlife or their habitats. Trails that are a problem will be relocated in consultation with snowmobile and other groups. All terrain vehicle access, which was not allowed by Champion, is also against Service policy and will not be allowed.

This policy also applies on VTANR lands and would probably also be allowed under the terms of the easements on the 85,000 acres.

The impacts of snowmobiling were already discussed under the No Action Alternative. Impacts under this alternative would be the same; the degree of snowmobiling would remain the same as in the past, so existing impacts would continue. There would probably be a slight decrease in negative impacts to wildlife as certain trails are relocated. Increased numbers of snowmobiles over time could eventually slightly increase impacts.

6. Road Access and Maintenance

The Service would review the existing road network on its lands, considering density, location, destination, length, and condition in light of needs for access, use for recreation, and impacts on ecological values. Road access to camps, and other roads necessary for recreation and not adversely affecting sensitive resources would be maintained. The Service has a dedicated road maintenance account for National Wildlife Refuge lands. Funding is available to maintain public access roads on the proposed Service area.

Road access and maintenance on the VTANR land and the 85,000 acres of conservation easement land would be as described in the No Action Alternative.

Impacts would be similar to those discussed under the No Action Alternative.

C. Protection of Biological Resources

1. Rare Species and Communities

The overarching purpose of the Conte Refuge is to protect natural diversity, with emphasis on rare and migratory native species. Therefore, protecting the Nulhegan Basin's rare species and communities would be the primary goal of the Service on its 26,000 acres. Species would not have to be federally-listed or state-listed to receive special attention.

VTANR would protect rare species and communities on its 22,000 acres.

The Service and VTANR would work collaboratively to protect rare species and communities on all the public lands.

Conservation easement terms on the 85,000 acres would be effective in protecting currently recognized rare species and communities from disturbance.

This alternative would have beneficial impacts on rare species and communities.

2. Managing for Species Richness and Abundance

The Service would manage its 26,000 acres to provide for the full array of native species, with special attention to the needs of rare and declining species, exemplary natural communities, and migratory birds. The Service and VTANR have agreed to work collaboratively and to consider their land as a whole when cooperating on wildlife management. The Service has agreed that providing adequate deer wintering habitat is important, and would do what is necessary. There may be some conflicts between management for the needs of different species. The Service would have to balance its management carefully.

Service management would emphasize providing a balance of habitat types on a landscape scale.

The Service will assemble detailed habitat type information and conduct baseline inventories for a variety of species prior to developing detailed management plans.

VTANR would manage its 22,000 acres as described in the No Action Alternative. The conservation easements on the 85,000 acres would contribute to maintaining a buffer area for the publicly owned lands. There would likely be no development in this area and the careful logging practices prescribed would reduce adverse impacts from that activity.

3. Management Flexibility Over Time

The Service would manage its 26,000 acres to provide for the full array of native species, with special attention to the needs of rare and declining species, exemplary natural communities, and migratory birds. Our understanding of how best to balance the needs of all the species will improve over time. In addition, the Service land would try to offset or compensate for what is lacking in the surrounding areas. Specific wildlife habitat management goals would change over time as our understanding improves, and the habitats on the land and in the surrounding landscape change.

Service managers would need to inventory the area adequately and develop specific management goals. Long-term monitoring would be undertaken. Monitoring would be used to support adaptive management; monitoring will show whether management is achieving the desired results, and management will be adjusted accordingly. In addition, as the landscape changes over time or species become rare or more common, wildlife management goals would need to be reexamined and adjusted at regular intervals. Wildlife management flexibility over time is important. Fee ownership would allow this flexibility.

As discussed under the No Action Alternative, VTANR would have a good deal of flexibility to adjust the management over time, but the easements controlling future management on the 85,000 acres would provide little flexibility to adjust to future changes.

4. Endangered Species

The Service has no plans to reintroduce any endangered species into northeastern Vermont. Should they naturally reestablish themselves on the Service's 26,000 acres, the Service would protect them and provide suitable habitat for them.

The endangered species laws are in effect, regardless of the actions contemplated here, as discussed in the No Action Alternative.

This alternative would have beneficial impacts on state endangered and neutral impacts on federally endangered species.

5. Deer Wintering Habitat

The 26,000 acre area proposed for Service ownership under this alternative encompasses

Champion's 11,300 acres of the Nulhegan Basin deer wintering area. The Service has committed to cooperating with VTANR to provide adequate deer wintering habitat on this area (Appendix 3).

This alternative would have beneficial impacts on deer populations by maintaining them in a healthy state.

D. Protection of Water Resources and Water Quality

The Service's 26,000 acre area encompasses the Black Branch, Yellow Branch and portions of the North Branch of the Nulhegan River. It also includes Lewis Pond, which has ultra-oligotrophic (nutrient poor, pristine) water. The Service would ensure that timber harvesting on its lands would not impact ponds, streams and rivers.

Some nonpoint source pollution problems are due to haul roads located close to streams, for example, the Paul Stream Road. Since road maintenance and use can be a significant source of non-point source pollution, the Service and VTANR will need to work together and with local communities to minimize these problems.

Designation of the Nulhegan Basin's surface waters as "Outstanding Resource Waters," is not part of the proposed action.

VTANR's ownership and the easements covering the remaining 85,000 acres would protect surface water quality as discussed under the No Action Alternative.

E. Local Control and Trust

The Service's 26,000 acres would be managed with public input into all decisions. Comprehensive conservation planning would commence. Specific management plans, including a forest management plan, hunting plan, a furbearer management plan, a forest fire management plan, and a public use plan would be developed. These plans are all subject to public comment. The opinions of all citizens, not just sportsmen and residents, are considered. Decisions would be made within the framework of the Refuge Improvement Act of 1997. The needs of wildlife are considered the highest priority, wildlife-dependent compatible uses (hunting, fishing, wildlife observation and photography, environmental education and interpretation) are encouraged, and other compatible uses are allowed.

The establishment of most National Wildlife Refuges follows a pattern of initial distrust, which fades after a few years. Citizens become more comfortable after they get to know the staff, have input into plans, and see the economic advantages that refuge operations and increased tourism contribute.

Local input and control over VTANR and the easement lands management would be as discussed for the No Action Alternative.

F. Cost

Land Acquisition Costs

The Service pays fair market value for land. The appraisals which would determine this value have not yet been completed. Costs are expected to be between \$200 and \$300 per acre. Based on this cost, the Service's 26,000 acres would cost between \$5.2 million and \$7.8 million.

Funds for Service acquisition do not come from general tax revenues (Appendix 2). Funds come from two dedicated fund sources, the Land and Water Conservation Fund and the Migratory Bird Fund. The money in the Land and Water Conservation Fund comes from the sale of offshore oil and gas leases, surplus real property sales, and various user fees on refuges. Money in the Migratory Bird Fund comes from the sale of federal duck stamps, entrance fees charged at certain refuges, and import taxes on arms and ammunition. Migratory Bird Funds may only be used to purchase parcels that are predominately wetland.

The Service would use both of these sources to fund the proposed purchase.

Operation and Maintenance Costs

An office would be established to house staff. At first, space will be rented in Island Pond or another location convenient to the public and the land. Eventually, an office, visitor contact and maintenance facility may be constructed. A staff of two or three will run the refuge initially. Other refuges of this size have larger staffs. Similar refuges in the Northeast, with staffs of 4 to 7, have annual operating budgets (staff costs, office costs, vehicles, program costs, and maintenance costs) between \$300,000 and \$600,000. This does not include road maintenance, which comes from a different account.

III. Environmental Consequences of Alternative III. Service Purchase of Conservation Easement

A. Local Economy

1. Forest Products Industry

Under this alternative, the Service would purchase an easement on the 26,000 acres and another buyer would purchase the fee-title and remaining rights. *This easement would not be the same as The Conservation Fund's easements on its resale properties.* The Service would only purchase an easement that would fulfill its mission and the purposes of the Conte Refuge. Preventing development and providing public access for wildlife-dependent compatible activities could be covered in an easement. Creating a conservation easement today that would specify timber harvest regimes to support appropriate habitat management over the long-term is difficult. Specific wildlife habitat management goals would change over time as the habitats on the land and in the surrounding landscape change. Presumably, the buyer of the fee interest would be interested in timber production, which requires long-term planning and benefits from certainty. To accommodate changing habitat management needs, the fee owner would have to be very flexible, allowing negotiation of management plans that would cover certain periods. Finding any private interest willing to buy the fee title portion of the rights under these conditions may be difficult.

For the purposes of assessing impacts, one can assume that the harvesting the Service would allow under an easement would be similar to harvesting the Service would do if it owned the land.

Management on VTANR's 22,000 acres and the 85,000 acres of easement land would be as previously described.

Impacts would be similar to those experienced under the other two alternatives.

2. Tourism and Secondary Impacts

The moderate increase predicted for the proposed action would probably not be realized under this alternative.

The Service would have less presence and do little to encourage visitors on land it does not own. The effect would be like that of the No Action Alternative; a small increase in tourism would be expected due to guaranteed public access and state and local advertising.

Impacts would be similar to those of the No Action Alternative.

3. Taxes

Under this alternative, the Service would not pay any taxes or Revenue Sharing, since it would only purchase conservation easements. The owner of the fee title of the 26,000 acres would pay taxes according to the assessed value.

The tax implications would be the same as those for the No Action Alternative.

4. Refuge Staff and Activities

Since the Service would not own the area, less staff would be required. The easements might be managed out of the existing Conte Refuge headquarters in Turners Falls, Massachusetts. Little local economic benefit would result from Service activities.

B. Public Use and Access / Traditional Uses

1. Availability of Land with Public Access

Although the Service would not own the land, the Service's conservation easement would probably seek to provide basic public access.

2. Camps

The Service could not justify paying extra to provide camp lease holders benefits under a conservation easement. Under this alternative, camp lease renewals on the 64 camps on the 26,000 acres would be up to the discretion of the new owners. This would make the impacts to camp leases the same as those described in the No Action Alternative.

Environmental impacts of camps might or might not be phased out.

3. Hunting and Fishing

Hunting and fishing according to state regulations would be allowed on the 22,000 acres of VTANR land and would probably be allowed the 85,000 acres of private land with conservation easements. It would also be allowed on the 26,000 acres with Service conservation easements, unless the purchaser would not accept this provision.

Impacts would likely be similar to those of the No Action Alternative.

4. Trapping

Trapping according to state regulations would be allowed on the 22,000 acres of VTANR land and would probably be allowed on the 85,000 acres of private land with conservation easements. It would also be allowed on the 26,000 acres with Service conservation easements, unless the purchaser would not accept this provision.

Impacts would likely be similar to those of the No Action Alternative.

5. Snowmobiling

Snowmobiling would be allowed on the 26,000 acres with Service conservation easements, unless the purchaser would not accept this provision or the Service had to pay extra for the provision, in which case, the Service would not be able to justify it. Snowmobiling on existing Vermont Association of Snow Travelers trails would be allowed on VTANR lands and would probably be allowed on the 85,000 acres of private land with conservation easements.

Impacts would likely be similar to those of the other alternatives.

6. Road Access and Maintenance

Road access and maintenance on the 26,000 acres of Service conservation easement land would be at the discretion of the land owner. No Service funds would be available for road maintenance to provide public access.

Impacts would likely be similar to those of the other alternatives.

Therefore, road access and maintenance would be at the prerogative of the owner on 111,000 acres, similar to the no action alternative.

C. Protection of Biological Resources

1. Rare Species and Communities

Conservation easement terms on the 85,000 acres and the Service's conservation easement on 26,000 acres would be effective in protecting currently recognized rare species and communities from disturbance. However, management under the terms of the easement on the 26,000 acres would likely not be as pro-active or adaptable as Service management on land that it owned in fee.

This alternative would not be as beneficial to rare species and communities as the proposed alternative, since the easements could not be changed to deal with new problems facing rare species/communities over time or additional or different species/communities as they become rare.

2. Managing for Species Richness and Abundance

If the Service were to condition its easement with a complicated management regime to allow for the needs of many different species, or restrict timber harvesting to provide for species that require older forests, it is unlikely that a timber interest would see enough value in the land in the short-term to buy it. Therefore, the Service would probably not be able to provide best

management under this alternative. Compromises would probably have to be made. The Service's easement could still contribute to the buffer area. The effect on this issue would be similar to the No Action Alternative.

3. Management Flexibility Over Time

Providing wildlife management flexibility for all future possibilities within terms of conservation easements written today is difficult. The flexibility can be in conflict with the needs of the fee owner, especially if they are managing timber. Service easements on the 26,000 acres would have the same limitations as those noted in previous discussions regarding flexibility in easements covering the 85,000 acres. Therefore, overall flexibility in this alternative would be similar to that described in the No Action Alternative.

4. Endangered Species

This issue was discussed in previous sections. Protection for endangered species under this alternative would be the same as discussed under the No Action Alternative.

This alternative would not be as beneficial to state or federally endangered species as the proposed alternative, since the easements could not be changed to deal with new problems facing rare species/communities over time or additional or different species/communities as they become rare.

5. Deer Wintering Habitat

The 26,000 acre area proposed for Service conservation easement under this alternative encompasses Champion's 11,300 acres of the Nulhegan Basin deer wintering area. The Service would incorporate fixed provisions in the easement to provide adequate deer wintering habitat.

This alternative would be beneficial to deer populations, but not able to fine tune management to changing conditions over time.

D. Protection of Water Resources and Water Quality

The Service's 26,000 acre area encompasses the Black Branch, Yellow Branch and portions of the North Branch of the Nulhegan River. It also includes Lewis Pond, which has ultra-oligotrophic (nutrient poor, pristine) water. The Service conservation easement would prevent development and ensure that timber harvesting on these lands would not impact ponds, streams and rivers. VTANR's ownership and the easements covering the remaining 85,000 acres would protect surface water quality as discussed under the No Action Alternative.

E. Local Control and Trust

There would be little or no local influence over the new owner's activities outside the terms of

the Service's easements on the 26,000 acres. The overall impact, therefore, would be similar to the No Action Alternative.

F. Cost

Land Acquisition Costs

The cost to purchase an easement which would reserve the development rights, provide public access, and ensure timber harvesting compatible with Service habitat management objectives would likely cost between 50-90% of the purchase price. This would be between \$2.6 million and \$6 million. Funds for the purchase of the easement would come from the Land and Water Conservation Fund and/or the Migratory Bird Fund.

Operation and Maintenance Costs

A small amount of staff time would need to be dedicated to monitoring the easement conditions. This would be covered by the normal operating budget of Conte Refuge.

Table 4-1 Consequences Summary.

	No Action	Proposed Action	Service Conservation Easement
Forest Products Industry	<p>lack of merchantable stock means harvest reduced in near term</p> <p>VTANR land (22,000 acres) harvest for wildlife habitats likely to be less than for industrial timber production; cannot predict harvest levels until forest management plans developed</p> <p>private timber interest (111,000 acres of conservation easement land managed for sustainable harvest) harvest slightly reduced, shift to higher quality products (sawlogs vs. pulp) longer rotations and fewer large clearcuts</p> <p>loss in production offset by stability of an additional 23% of county dedicated to forestry in perpetuity</p>	<p>lack of merchantable stock means harvest reduced in near term</p> <p>VTANR land (22,000 acres) as described in no action</p> <p>Service land (26,000 acres) harvest for wildlife habitats likely to be less than for industrial timber production; cannot predict harvest levels until forest management plans developed</p> <p>Service and VTANR manage public lands collaboratively</p> <p>private timber interest (85,000 acres of conservation easement land managed for sustainable harvest) harvest slightly reduced</p> <p>loss in production offset by stability of an additional 18% of county dedicated to forestry in perpetuity</p>	<p>lack of merchantable stock means harvest reduced in near term</p> <p>VTANR land (22,000 acres) as described in no action</p> <p>Service easements(26,000 acres) - may be difficult to find buyer for the fee title because Service wants flexible controls on harvesting over time</p> <p>private timber interest (85,000 acres of conservation easement land managed for sustainable harvest) harvest slightly reduced</p> <p>loss in production offset by stability of an additional 18% of county dedicated to forestry in perpetuity</p>
Tourism	small increase probable	moderate increase probable	same as no action

	No Action	Proposed Action	Service Conservation Easement
Taxes	VTANR land (22,000 acres) net revenue gain private timber interest (111,000 acres) probably no tax loss, especially if enrolled in current use program	VTANR land (22,000 acres) net revenue gain Service land (26,000 acres) net revenue gain private timber interest (85,000 acres) probably no tax loss, especially if enrolled in current use program	same as no action
Refuge Staff and Activities	not applicable to this alternative	staff and families will spend salaries in local area refuge office will pay rent and use local subcontractors for many jobs	no staff in local area
Availability of Land with Public Access	access on an additional 29% of county to bring total to 46% of county with public access, unless some land sold without conservation easements	access on additional 29% of county to bring total to 46% of county with public access	same as proposed action

	No Action	Proposed Action	Service Conservation Easement
Camps	approx. 35 camps guaranteed significant extensions; 174 guaranteed 5 year extensions with further extensions at discretion of the new owner	approx. 99 camps guaranteed significant extensions; 110 guaranteed 5 year extensions with further extensions at discretion of the new owner	easement on 26,000 acres may not guarantee extensions, consequences same as no action
Hunting and Fishing	allowed according to state regulations on 22,000 acres VTANR land and 111,000 acres private land with easements, unless some land sold without access easements	allowed on all lands; hunting and fishing encouraged as priority public uses on 26,000 acres of Service land	allowed on all lands, unless purchaser of 26,000 acres will accept as easement terms
Trapping	allowed according to state regulations on 22,000 acres VTANR land and 111,000 acres private land with easements, unless some land has to be sold without easements	allowed according to state regulations on 22,000 acres VTANR land and 85,000 acres private land with easements most opportunities on 26,000 acres of Service land continue, any changes to be defined through planning with citizen input	allowed on all lands, unless purchaser of 26,000 acres will not accept as easement terms
Snowmobiling	allowed on designated roads and trails on all lands, unless some land sold without conservation easements	allowed on designated roads and trails on all lands	allowed on designated roads and trails on all lands unless purchaser of 26,000 acres will not accept as easement terms
Road Access and Maintenance	good on 22,000 acres of VTANR land prerogative of owner on remainder	good on 48,000 acres of VTANR and Service land, Service has dedicated funds available prerogative of owner on remainder	same as no action

	No Action	Proposed Action	Service Conservation Easement
Protection of Rare Species and Communities	<p>very good on VTANR 22,000 acres</p> <p>good on additional 111,000 acres of conservation easement land</p>	<p>very good on VTANR 22,000 acres</p> <p>very good on Service 26,000 acres</p> <p>Service and VTANR collaborate on managing all public land</p> <p>good on 85,000 acres of conservation easement land</p>	<p>same as no action</p>
Managing for Species Richness and Abundance	<p>VTANR 22,000 acres managed with this as a major goal</p> <p>111,000 acres of easement lands contribute to creating a buffer area for the public land</p>	<p>VTANR 22,000 acres managed with this as a major goal</p> <p>Service 26,000 acres managed with this as a major goal</p> <p>Service and VTANR collaborate on managing all public land</p>	<p>VTANR 22,000 acres managed with this as a major</p> <p>may be difficult to sell land if Service conservation easement too restrictive or flexible, compromises best management</p> <p>overall effect similar to no action</p>
Management Flexibility Over Time	<p>VTANR 22,000 acres fee ownership provides good flexibility</p> <p>easements controlling future management on the 111,000 acres would provide healthy environment but little opportunity to adjust habitat management needs over time</p>	<p>VTANR 22,000 acres fee ownership provides good flexibility</p> <p>Service 26,000 acres fee ownership provides good flexibility</p> <p>easements on 85,000 acres with flexibility limitations as in no action</p>	<p>VTANR 22,000 acres fee ownership provides good flexibility</p> <p>Service easements on 26,000 acres, difficult to provide flexibility for all future possibilities within terms of conservation easement written today</p> <p>overall effect similar to no action</p>
Endangered Species	<p>endangered species laws in effect regardless of actions contemplated here</p>	<p>endangered species laws in effect regardless of actions contemplated here</p> <p>Service has no plans for reintroductions on 26,000 acres</p>	<p>endangered species laws in effect regardless of actions contemplated here</p>

	No Action	Proposed Action	Service Conservation Easement
Deer Wintering Habitat	VTANR would shift its ownership to encompass the 11,300 acres of deer wintering habitat inside of Nulhegan Basin and would manage with deer wintering habitat as a high priority	Service 26,000 acres encompassing 11,300 acres of deer wintering habitat inside of Nulhegan Basin would be managed with deer wintering habitat as a high priority	some set provisions in Service's 26,000 acre easement to provide deer wintering habitat
Protection of water quality	good protection on all lands	good protection on all lands	good protection on all lands
Local Control and Trust	VTANR land (22,000 acres) sportsmen and residents have more influence private timber interest (111,000 acres) no influence beyond terms of easements	VTANR land (22,000 acres) sportsmen and residents have more influence Service land (26,000 acres) public input into all decisions, opinions of all citizens considered decisions made within framework of Refuge Improvement Act of 1997 - wildlife first and wildlife-dependent public uses encouraged, compatible uses allowed private timber interest (85,000 acres) no influence beyond terms of easements	similar to no action
Cost	No cost to Service	Acquisition cost: \$5.2 - \$7.8 million Operation and maintenance: \$300,000 - \$600,00	Acquisition cost: \$2.6 - \$6 million Operation and maintenance: absorbed by Conte Refuge current budget

Consultation and Coordination

I. Scoping Meetings

The Service has attended numerous meetings with partners, the Vermont Legislature and various interest groups. These are described in the Chapter 1 scoping discussion.

II. Public Review of the Draft Environmental Assessment

A. Distribution of the Draft Assessment

One thousand two hundred and fifty copies of the draft document were distributed.

1. Mailings

Copies of the draft assessment were mailed to:

- Vermont's United States Senators and Representatives
- New Hampshire's United States Senators and Representatives
- Vermont's State Senators and Representatives
- Vermont's Governor
- VTANR Offices
- Northern Vermont Town Offices
- Essex County Clerk
- Vermont Libraries
- Champion Lands Camp Owners within proposed Service acquisition area
- Champion Lands Abutting Land Owners
- Vermont Sportmens' Clubs
- Northeast Vermont Businesses
- Northeast Vermont Loggers and Consulting Foresters
- Vermont and New Hampshire Conservation Organizations on the regular Conte Refuge mailing list
- Everyone who requested a copy

2. News Releases

On April 5, 1999, a press release announcing the publication of the draft document was faxed to over 45 newspapers, radio stations and television stations in the four Connecticut River watershed states, including 9 in Vermont and 9 in New Hampshire. The release mentioned where copies of the document could be obtained, the availability of documents and Service personnel at a temporary office in Island Pond, the date and location of the public meeting, and the length of the comment period.

3. Public Notices

Public notices announcing the public meeting and availability of the draft document were placed in the following 9 papers, either on April 12, 13, or 14: The Burlington Free Press, the Lyndon Independent, the Newport Daily Express, the Caledonian-Record, the Record Enterprise, the

Northern Beacon, the Journal Opinion, the Times Argus, and the Coos County Democrat.

4. Newsletter

Approximately 1,200 newsletters were mailed to people on the regular Conte Refuge mailing list. The newsletters described the proposed project and covered the same information as the news release.

5. Available on the Internet

The draft document was available on the Conte Refuge homepage on the internet.

B. Opportunities for Comment

1. Temporary Local Office

The Service established a temporary office in the Island Pond, Vermont train station. The office was staffed by Service personnel on eleven days in April, including 3 Saturdays. Evening hours were offered 3 times. Draft assessments and a variety of fact sheets were available. The office was visited by 24 citizens.

2. Public Meetings

An open house was held in the cafeteria of the Lyndon Institute in Lyndonville, Vermont from 2-5 p.m. on April 19th, 1999. Approximately 75 citizens visited and discussed the project with six Service personnel and representatives of The Conservation Fund, the Vermont Land Trust, and the VTANR.

A public meeting was held in the auditorium of the Lyndon Institute from 7-10:45 p.m. on April 19, 1999. Approximately 175 citizens attended, and 51 spoke.

Refuge personnel also discussed the project with people at the following meetings during the comment period:

April 7, 1999. Guildhall, Vermont. Informational meeting sponsored by the Essex and Coos County Conservation Districts to explain the Wildlife Habitat Incentives Program to interested landowners.

April 14, 1999. Guildhall, Vermont. Essex County Conservation District Board meeting.

April 17, 1999. Brattleboro, Vermont. Vermont Audubon Council meeting.

April 24, 1999. Craftsbury Commons, Vermont. National Trappers Association Northeast Leadership Conference.

April 24, 1999. Craftsbury Commons, Vermont. National Trappers Association
Northeast Leadership Conference.

C. Summary of Comments Received

Twenty-one of the speakers at the meeting supported Alternative 2. Nineteen speakers either opposed the entire land protection project or opposed federal involvement. Four supported the project but would prefer State ownership. Seven had comments or questions, but did not clearly support or oppose particular options.

One hundred and seventy-seven letters were received. A few of these letters were also read as testimony. Almost all of the letters were from Vermonters, with eight from New Hampshire residents, three from Maine, eight from Massachusetts, and one each from Connecticut, New York, Pennsylvania, and Illinois. Copies of the letters are found in Appendix 11.

The following organizations submitted letters:

Organizations supporting Alternative 2:

- Bloomfield Board of Selectmen
- Jericho Conservation Commission
- Vermont Recreation and Parks Association
- Save Our World
- Connecticut River Watershed Council
- Wildlife Management Institute
- Connecticut River Joint Commissions
- Northern Forest Alliance
- Vermont Agency of Commerce and Community Development - Division of Historic Preservation (serving as the Vermont State Historic Preservation Office)
- The Conservation Fund
- The Wilderness Society
- Vermont Natural Resources Council
- Vermont State Office of the National Audubon Society
- Vermont Audubon Council
- Vermont Chapter of The Nature Conservancy
- University of Vermont Environmental Program, Natural Areas Center
- Governor of Vermont

Organizations supporting Alternative 2 only if active habitat management is undertaken; otherwise supporting Alternative 3:

- Ruffed Grouse Society

Organizations supporting Alternative 3 or 4:

- New England Chapter of the Wildlife Society

Organizations opposing the project:

Vermont Property Rights Center
Associated Industries of Vermont
Rhode Island Wise Use

Individuals sent 158 letters. Fifty supported Alternative 2, although a subset of seven of those conditioned their support on the Service actively managing land for woodcock and other early successional species, and black ducks. Ninety-nine form letters supporting Alternative 2 were also received. Four letters opposed the project or Alternative 2. Five commenters had comments or questions, but did not clearly support or oppose particular options.

Almost all of the visitors to the Island Pond office and phone calls to that office and the Conte Refuge Office in Turners Falls asked questions rather than offered comments.

D. Response to Comments

Almost all the comments related to the issues already identified and discussed in the draft document. The discussion below summarizes and responds to comments received on those issues pertinent to the analysis required by the National Environmental Policy Act. It also notes other changes made to the document due to corrections and updating.

1. Economy

One commenter felt that the Draft Environmental Assessment did not fully capture the local economy and economic trends. They felt the Draft Assessment concentrated too specifically on just a few segments of a complex and varied economy. They cited "the EA's inadequate consideration of the broad economic benefits likely to accrue to the region. Direct, especially consumptive, uses of the Nulhegan Basin's land and resources have been considered to the near exclusion of other benefits likely to be as important to the region's economy." In order to more accurately describe the economy and the economic impacts of the alternatives, additional information has been incorporated in the "Economy" section of Chapter 3. Additional discussion has been added in Chapter 4. This information shows that the forest products related industry is a relatively small and declining part of the overall economy. It also shows that there are many facets of the service sector, which is already expanding rapidly in the area. This expansion is due, at least in part, to people who move to the area because they are attracted to the natural environment; they require a broad array of services.

There were a number of other comments received that stated the beneficial economic impacts of increased tourism were understated. These commenters pointed out that the Refuge would serve as a destination, which would be important in drawing people to the area and increasing the length of their stay.

Others commented that timber jobs that might be lost provided a greater economic benefit than

tourism jobs which might be created. While this is true in the most simplified comparisons, the actual economic impacts will be more complex. In the first place, not all the tourism jobs are low income; hotel owners undoubtedly benefit more than chambermaids. Secondly, the amenity driven growth which will continue to occur is very diversified and provides other higher income jobs.

One commenter requested funding for a study on the effects on humankind and their habitat as a result of public ownership. The Service has analyzed the impacts on the overall human environment as required by the National Environmental Policy Act.

2. Secondary Impacts

Several commenters pointed out that amenity driven economic growth and increased tourism would both have secondary impacts. Discussions on anticipated secondary impacts have been added to Chapter 4.

3. Acreage and Taxes

Reviewers have noted that acreage figures for Champion lands in Tables 3-3 do not match the grand list figures maintained by the towns. Various estimates derived from a number of sources, (including estimates from Geographic Information Systems) have been available since the announcement of The Conservation Fund's purchase. The acreage figures listed in the table have been replaced with the grand list figures for consistency.

A recent change in the Vermont's PILOT program resulted in different tax implications of their ownership. These have been described in the Chapter 4 discussions on impacts to local taxes. A table based on Brighton's study was removed because it was confusing and may no longer be accurate. The overall impacts have not changed, however; towns will gain revenue as a result of the project.

The Service has refined its acreage figures, and therefore more accurate acreage figures are available and have been incorporated into this Final Assessment. These figures, while refined and improved over those in the Draft Assessment, are still not perfect. They have an estimated error of plus or minus 2 or 3%, and settlement of a number of title problems may also affect final acreage figures. However, the acreage figures and the resulting tax implications in this document are the best available at this time.

4. Public Use and Access / Traditional Uses

a. Desire to Keep Land As It Is

Many commenters expressed a desire to keep the land and access to it just as it is. Many people also expressed confidence that private ownership would have done this. On the other hand, many others supported bringing the land into public ownership and were glad the area would be protected from eventual development and that public access will continue to be available.

Several commenters advised that park-like improvements, such as interpretive maps and kiosks, would detract from the wild nature of the area. They requested that the Service keep interpretive infrastructure to a minimum. The Service will take these comments into consideration when developing its public use plan. In general, improvements for visitors to National Wildlife Refuges are minimal. They usually consist of a few signs and kiosks at entrances or the beginnings of interpretive trails, with orientation and educational materials displayed. Trails and blinds are designed to provide all visitors viewing opportunities without causing undue disturbance to wildlife.

b. Camps

Many reviewers, especially camp owners, have stated that camps should be allowed to continue to exist; that phasing them out is a serious impact and changes a cultural feature of the area. The camps had five year leases, renewable at the discretion of the landowner, so the Service maintains that extending camp leases for the life of the lease holder, not to exceed 50 years, is an improvement over the existing five year period of certain lease. Although it is possible that a succession of subsequent private owners would offer renewals for the next 50 years, it is not probable nor guaranteed.

As to impacts on the "camp culture," Service actions are a small part of the activities and trends in this area and across the "Northern Forest" that will sustain or extinguish this culture over time. The Service's approximately 26,000 acres represents only 6% of Essex County and an insignificant portion of the 26 million acre Northern Forest (from New York to Maine).

Camp owners raised a wide range of issues associated with camps and camp leases. Many of them asked very specific questions about the agencies' policies. The Service has not yet fully developed a camp lease policy or lease language applicable to camp leases in the Nulhegan Basin. These will be developed in consultation with the state and camp owners.

Impacts from camps have been addressed in the Environmental Assessment.

c. Hunting and Trapping

The main concern expressed regarding hunting and trapping is that people want state regulations to remain in effect on the federal land. Although the Service may establish more restrictive regulations (50 C.F.R. Part 32.3), it routinely adopts the state regulations unless there are good reasons to establish refuge-specific variances. Refuge System personnel routinely work with state agency personnel on these issues. The Service will continue to work with VTANR regarding hunting in the Nulhegan Basin, in conformance with the signed agreement promising collaboration (Appendix 3).

A number of commenters have urged the Service to continue the use of pursuit hounds for bear, coyote, and bobcat. The Service has promised to allow all uses currently permitted by state regulation until a hunt plan is developed. The Service will solicit and consider public comment in developing the plan and will comply with the National Environmental Policy Act.

d. Wilderness

Several commenters urged that the Service consider providing an area devoted to non-motorized recreation, which is currently lacking in the Northeast Kingdom. They suggest uses such as "conducting research on interior forest habitat, teaching back country skills, enjoying silence, physical challenge and spiritual renewal" as appropriate activities. They suggest there would be broad public support for a wilderness area in the Nulhegan Basin.

The Service will consider these comments during development of the public use plan.

e. Compatibility

Comments were received that the interim compatibility determinations did not contain enough specifics on the activities to analyze the various proposed uses. A commenter noted that in passing the Refuge Improvement Act, Congress did not direct the Service to issue Interim compatibility determinations of non-priority activities like snowmobiling.

The Service is currently gathering and analyzing the information necessary to prepare adequate compatibility determinations. This will occur through the development of various plans. The Service stresses that the interim compatibility determinations are just that - interim measures to allow the Service to facilitate the continuance of priority public uses (hunting, fishing, wildlife/wildlands observation, wildlife/wildlands photography, environmental education and interpretation) until a more considered decision may be made, as Congress intended. Although interim compatibility determinations on snowmobiling are not required, the Service felt it was advisable in this case given the level of public concern over this issue.

f. Snowmobiling

Several commenters were concerned about the impacts of snowmobiling. They said these impacts were not discussed adequately in the Draft Assessment. A discussion of the impacts of snowmobiling has been added to the "Snowmobiling" sections of Chapter 4.

These commenters feel snowmobiling is potentially incompatible with many other uses, including some of the priority public uses. They comment that, in light of impacts "it is wholly inappropriate that the Service has committed to allowing snowmobiling." They further recommend that "all affected members of the public, including other user groups, not to mention experts in all relevant scientific disciplines should be consulted regarding trail relocation."

The Service, in developing its public use plan and compatibility determinations, will gather input from experts and a variety of user groups and individuals, and will try to balance the needs of a variety of users.

g. Road Access and Maintenance

There were a number of questions about when the roads would be open; people wondered whether this would be by set dates or decided by weather/road conditions. The existing

Champion road opening and closing policies will be continued until a public use plan can be developed that will consider such issues.

One commenter mentioned that trash dumping is common. The Service will attempt to discourage littering and dumping through appropriate regulations and penalties.

h. Requests for Other Uses

Uses not specifically discussed as being allowed in the Assessment, will not be allowed until they can be explored during the development of the public use plan. Special use permits may also be issued to cover certain activities not foreseen by planning.

5. Protection of Biological Resources

a. Appropriate Management

There is widespread support for the protection of the resources. There are widely varying opinions, however, about appropriate management of the resources. Many commenters had concerns about the heavy cutting that had been done under timber company ownership; others felt this level of cutting was good for wildlife. Numerous commenters urged that timber management be phased out to favor mature forests and core ecological reserves where ecological processes are allowed to occur. On the other hand, many commenters support the proposed action only if the refuge is "actively managed" for a variety of wildlife and recreational hunting opportunities. Some people wanted a demonstration area for woodcock management. Others specifically urged management to benefit deer. One commenter wanted corn fields to encourage geese.

The Service recognizes that a good deal of basic inventory work and additional public input needs to be completed before sound, scientifically-based decisions that take various public desires into account can be made. The forest and fire management plans that will be completed will provide an appropriate way to arrive at these decisions.

b. Factual Corrections

Citizens pointed out that loons nest on more ponds than the Draft Assessment mentioned and that some mallards have been seen in the Nulhegan Basin in recent years. The section on waterfowl in Chapter 3 has been revised accordingly.

6. Protection of Water Resources and Water Quality

Reviewers favored the protection to water resources that would be afforded.

7. Cost and Diversion of Resources

A few commenters worried that the purchase of this land and the operation costs of managing it may use resources that should be used to protect other resources elsewhere in the Connecticut River watershed. The Service feels that protecting this high priority Special Focus Area is as

important as protecting others. Refuge personnel have carefully considered this proposal, and found it important to the Refuge's purposes of conserving, protecting and enhancing the natural diversity and abundance of plant, fish and wildlife species and the ecosystems upon which these species depend. It is especially important for securing nesting habitat for black ducks, thrushes and warblers. Although there are other lands at more risk of imminent development, they are also in areas already heavily impacted by development; there are few opportunities to preserve relatively unfragmented forests and relatively pristine stream systems.

Another commenter urged that the Conte Refuge Final Environmental Impact Statement not be forgotten and that conservation assistance to private landowners continue to be provided. The Service intends to maintain the existing broad array of Conte programs and projects.

8. Cultural Resources

The Vermont Division for Historic Preservation, serving as the Vermont State Historic Preservation Office, commented that the archaeological resources possibly exist in the area, and historic resources associated with logging and railroads probably exist. The "Cultural Resources" section of Chapter 3 has been revised accordingly.

9. Other Alternatives

A few people who favored state ownership suggested that the Service buy the land and then resell or "cede" it to the State. The National Wildlife Refuge System purchases land to fulfill the Service's mission, using funds set aside for that purpose. It is inappropriate to dispose of lands that are considered significant enough to be purchased for the System.

10. Refuge Name

A few people were curious about what the new National Wildlife Refuge would be named. Often, geographic or place names are used. "Nulhegan" was an Abnaki Indian name meaning "my log trap," referring to a fish weir. The Refuge will probably be referred to as the Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge. Several people suggested the refuge unit be named after Mollie Beattie.

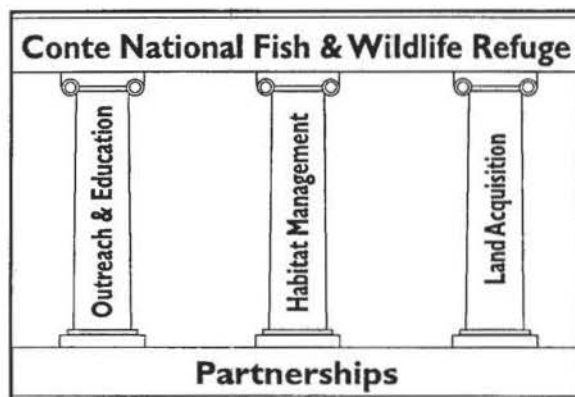
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SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE ACCOMPLISHMENTS



ENVIRONMENTAL EDUCATION

- ▶ Planning the Great Falls Discovery Center, a major cooperative ecotourism, heritage tourism and environmental education center with 5 partners, in Turners Falls, Massachusetts.
- ▶ Cooperating with the Montshire Museum in Vermont, to add exhibits about the Northern Forest and the Refuge.
- ▶ Participating with National Audubon Society and others to create a Connecticut Estuarine Education Center.
- ▶ Educating landowners with the New Hampshire, Massachusetts, and Connecticut Cooperative Extension Services through watershed protection education projects.
- ▶ Providing live video coverage of an American bald eagle nest and anadromous fish passage in a pioneering partnership to use local cable stations to distribute environmental education messages.
- ▶ Using the internet to provide information about the Connecticut River watershed and its subwatersheds, as well as links to local agencies, with the Connecticut River Watershed Council and the United States Environmental Protection Agency.
- ▶ Supporting local environmental education projects throughout the watershed. As of March, 1999, The Environmental Education component of the Conte Refuge Challenge Cost Share program has supported 53 projects with \$338,500 of Federal funding matched by \$595,926 of partner funds. Products produced include: training for over 525 teachers at 50 workshops, 6 environmental curriculums, 5 educational materials, 4 interpretive trails, 32 interpretive signs, 22 videos, 70 radio programs, workshops and field demonstrations for resource managers, 100 public presentations including symposia, and 2 exhibits.

COOPERATIVE RESEARCH, INVENTORY, AND HABITAT MANAGEMENT

- ▶ Conducting a landscape-scale research project to determine whether migrating birds favor riverine habitat during spring migration. This involves six major partners and eighty highly-skilled volunteer birders counting birds at 48 sites throughout the watershed on six weekends each spring for three years.
- ▶ Cooperating with the Biological Resources Division of United States Geological Service to research the most effective sampling methods for monitoring freshwater mussel populations.
- ▶ Cooperating with the Biological Resources Division of the United States Geological Survey and The Nature Conservancy to analyze migrant bird nesting habitat based on land cover data and predictive models.
- ▶ Working with Massachusetts Audubon Society to develop educational brochures for landowners on management to benefit grassland birds.
- ▶ Assisting the City of Westfield, Massachusetts manage 2,300 acres of watershed lands.
- ▶ Cooperating with the Natural Resources Conservation Service and the Connecticut River Conservation District Coalition to attract and deliver over \$900,000 of United States Department of Agriculture Wildlife Habitat Incentive Program funds.
- ▶ Working with the Connecticut River Watershed Council to find opportunities to provide fish passage at small mill dams.
- ▶ Developing a strategy for controlling invasive plants throughout the Connecticut River/ Long Island Sound Ecosystem. Over a dozen groups are already involved in this partnership, being funded by a \$65,000 grant from the National Fish and Wildlife Foundation. Seven high-priority control projects are being funded during the 1998 field season and 6 more in 1999.
- ▶ Supporting Research, inventory and management projects throughout the watershed. As of March, 1999, the Management Component of the Conte Refuge Challenge Cost Share program has participated in 66 local projects, using \$300,710 of Federal funding matched by \$525,535 of partner contributions. Accomplishments include: restoration of over 300 acres of wetlands, grasslands, shrublands, and riparian areas, improved management at 21 sites; research contributing to the protection of populations of 13 rare species; a symposium to encourage the citizen protection of rare plants; six invasive plant control research projects; two rare vegetative community studies; three rare species inventories; two community-based watershed assessment projects; citizen wildlife monitoring programs in 6 towns; several projects training volunteer land management stewards, and the correction of non-point source pollution at ten farms.

COOPERATIVE LAND ACQUISITION

- ▶ The Conte Refuge just acquired its first piece of land. Very fittingly, it was a donation of an island from the Connecticut River Watershed Council.
- ▶ Working with the Upper Valley Land Trust, the Connecticut Chapter of The Nature Conservancy, and the Connecticut Department of Environmental Protection on cooperative land protection projects. The Refuge has already provided technical assistance on conservation easement language and stewardship plans, as well as financial assistance with some transaction costs on two parcels totaling 200 acres.

FUNDING SOURCES

Land and Water Conservation Fund Act of 1965 - This Act provides funding through receipts from the sale of surplus federal land, appropriations from oil and gas receipts from the outer continental shelf, and other sources for land acquisition under several authorities. Appropriations from the Fund may be used for matching grants to states for outdoor recreation projects and for land acquisition by various federal agencies, including the Fish and Wildlife Service.

Migratory Bird Conservation Act of 1929 - The Act established the Migratory Bird Conservation Commission which consists of the Secretaries of the Interior (chairman), Agriculture, and Transportation, two members from the House of Representatives, and an ex-officio member from the state in which a project is located. The Commission approves acquisition of land and water, or interests therein, and sets the priorities for acquisition of lands by the Secretary for sanctuaries or for other management purposes. Under this Act, to acquire lands, or interests therein, the state concerned must consent to such acquisition by legislation. Such legislation has been enacted by most states.

A Conservation Partnership for the Nulhegan Basin and Paul Stream Area

Public Ownership by the

Vermont Agency of Natural Resources
United States Fish and Wildlife Service
January 28, 1999

The Conservation Fund and the Vermont Land Trust announced in December, 1998 that The Fund had reached agreement to purchase about 133,000 acres of Champion International Corporation land in northeastern Vermont.

It is presently contemplated that the Vermont Agency of Natural Resources (ANR) and the United States Fish and Wildlife Service (USFWS) will own in fee-title a total of 48,000 acres +/- of this land in the Nulhegan Basin and Paul Stream Area. The ANR and the USFWS share a commitment to implement wildlife habitat and population management and to provide access to wildlife-dependent and other compatible recreation purposes. They have successfully worked together for many years at the existing Missisquoi National Wildlife Refuge in northwestern Vermont. Both government entities intend to work collaboratively to conserve and to manage the outstanding ecological, cultural and economic, and recreational values of the Nulhegan Basin Paul Stream Area as noted below.

The ANR will receive a gift of about 22,000 acres south of Route 105, adjacent to the Agency's Department of Fish and Wildlife's Wenlock Wildlife Management Area. The State will also purchase conservation and public access easements on 85,000 acres that the Fund hopes to sell, as working forest, to a commercial timber products company. The US Fish and Wildlife Service will purchase about 26,000 acres north of Route 105, which will become part of the Silvio O. Conte National Fish and Wildlife Refuge.

Ecological Values

The Nulhegan Basin Paul Stream Area has a rich array of plant and wildlife species, important natural communities and aquatic resources meriting protection and management attention, including:

- * Common resident wildlife species such as deer, bear and moose. The state's largest deer wintering area is found within the area and vegetative management actions will be identified and implemented to perpetuate softwood shelter values.
- * Rare, threatened, and endangered species such as spruce grouse, loons, and osprey. There are no known Federally-listed species within the area, but state-listed species will be managed in accord with habitat needs and population goals.

- * Migratory bird species, such as songbirds, waterfowl, and birds of prey. The USFWS is the lead management agency for these species under the auspices of the multi-national Migratory Bird Treaty Act.
- * Significant wetland complexes.
- * Pristine streams that support naturally-reproducing native trout populations.

These are state and nationally significant wildlife resources. The ANR's Fish and Wildlife Department has statutory responsibility to manage deer and moose and other species and protect state-listed endangered species.

The USFWS, the National Wildlife Refuge System and Silvio O. Conte National Fish and Wildlife Refuge have specific management mandates. They include the protection and management of migratory birds and fish and of endangered or threatened species. The Conte NFWR Act specifically mandates the protection of all natural diversity.

The ANR and USFWS agree that by working together they can improve the value of the land for all wildlife. By considering their lands as a whole and cooperating on wildlife management, the ANR and USFWS may be able to better accomplish their individual goals. The ANR and the USFWS also welcome the participation of other nearby landowners in managing their land to benefit wildlife.

Camps

The Nulhegan Basin Paul Stream Area contains at least 90 camp leases on land which will become state and federally owned. These camps represent a rich cultural heritage on the Nulhegan Basin Paul Stream Area landscape. The ANR and the USFWS will seek to apply a common standard in addressing the future disposition of the camps. Both parties will seek to provide the following:

- * Leases will continue to be issued for the life of the current lease holder, not to exceed 50 years, beginning in 1999. (Camps may not be used as permanent, year-round residences nor for commercial purposes, including but not limited to guide services for hunting and fishing).
- * Access on existing roads for camp leases.

Tax Implications

Public ownership will affect the amount of local property tax paid. Whether a Town will gain or lose tax income will depend on the current tax status of the parcels, the regulations and policies of each

agency, and appropriation levels.

The National Wildlife Refuge System has been making Refuge Revenue Sharing Payments (Payments in Lieu of Taxes) to local taxing authorities since 1935. By law, this payment is based on 3/4 of 1% of the appraised fair market value of the land. While the Service is authorized to make payments equal to 100% of the formula, in the past five years congressional appropriations have allowed for payments averaging 72% of what would be full payment. For the first five years after refuge ownership begins, the payment will be based on the sale price that the Service pays for the land. The land will be reappraised every five years to keep the payments current with the actual fair market value of the land. In the vast majority of refuges across the country, the Revenue Sharing Payment equals or exceeds the amount that the local taxing authorities would receive if the property were in private ownership. The estimated amount of the payment for the area proposed for Service ownership in the Nulhegan Basin will be provided to the public as soon as an agreement is reached with the Fund on the acreage and the sale price.

Traditional Uses

All parties recognize the long history of hunting, fishing, trapping/furbearer management and other recreation in the Nulhegan Basin and Paul Stream Area. The USFWS recognizes six wildlife dependent priority public uses: hunting, fishing, wildlife observation, wildlife photography environmental education, and interpretation. The ANR agrees with these values and recognizes that other forms of dispersed recreation, such as snowmobiling, hiking and cross-country skiing are also traditional uses of this land. The USFWS will need to prepare management plans subject to public comment. The six priority public uses will continue on public land. Hunting, for example, will be allowed this fall.

Trapping consistent with State laws and regulations will be allowed on the State land. The USFWS has long applied the principles of population management in regulating furbearer populations. The USFWS intends to manage furbearer populations to ensure continued health of these species and to minimize the adverse impacts that wide variations in their populations can have on habitat and the populations of other wildlife. The Fund will retain the trapping rights for one year after the transfer of title of the USFWS land. Within this year, the USFWS will write a Furbearer Management Plan. This plan will specify the general principles of wildlife population management that must be met and will have public input.

Snowmobiling, on existing Vermont Association of Snow Travelers trails, will continue on public land as long as specific trails do not have negative impacts on fish or wildlife, or their habitats. Trails that are a problem will be relocated in consultation with snowmobile groups.

The Nulhegan Basin and Paul Stream Area contains a large network of roads. A thorough review

of these roads in terms of density, location, destination, length, and condition will be made to assess needs for access and recreation and impacts on ecological values. It is clear that some level of public access will continue to be provided.

Other public uses will be addressed by a cooperative state/federal planning process that provides for public involvement.

Public Involvement

Both the USFWS and the ANR believe in the importance of, and need for, public involvement in addressing management and uses of the public lands. Unto that end, opportunities will be provided to solicit such input.

Ronald J. Rege 1/28/99
Ronald J. Rege, Commissioner Designee, Vermont Department of Fish and Wildlife

Anthony D. Leger January 28, 1999
Anthony D. Leger, Assistant Regional Director, Refuges and Wildlife,
U.S. Fish and Wildlife Service, Region 5

Conrad Motyka January 28, 1999
Conrad Motyka, Commissioner, Vermont Department of Forests, Parks
and Recreation

NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT ACT OF 1997

Landmark Law

During the 105th Congress, a bipartisan congressional coalition joined with a diverse group of non-governmental organizations, state fish and wildlife agencies, and the Interior Department to craft the National Wildlife Refuge System Improvement Act of 1997 (P.L.105-57). This Act supplies much needed organic legislation for the first time in the National Wildlife Refuge System's nearly 100-year history. Signed by President Clinton on October 9, 1997, the Act amends the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-ee), and provides significant guidance for management and public use of the Refuge System.

New Statutory Mission Statement

"The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Administration of the Refuge System

The Refuge System is to be consistently directed and managed as a national system of lands and waters devoted to wildlife conservation and management. The Refuge Improvement Act also requires maintenance of the Refuge System's biological integrity, diversity, and environmental health; and monitoring of the status and trends of refuge fish, wildlife, and plants. Continued growth of the Refuge System is to be planned and directed in a manner that will contribute to conservation of the ecosystems of the United States.

Management Hierarchy

As a first priority, the Refuge Improvement Act requires that each refuge be managed to fulfill the Refuge System Mission as well as the specific purpose(s) for which the refuge was established. The Act also declares that compatible wildlife-dependent recreational uses are legitimate and appropriate, priority general public uses of the Refuge System. These six uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are to receive enhanced consideration, in planning and management, over all other general public uses of the Refuge System. When compatible, these wildlife-dependent recreational uses are to be strongly encouraged.

Compatibility Determination

A compatibility determination is required for a wildlife-dependent recreational use or any other public use of any other public use of a refuge. A compatible use is one which, in the sound professional judgement of the Refuge Manager, will not materially interfere with or detract from fulfillment of the Refuge System Mission or refuge purpose(s).

Comprehensive Conservation Plan

The Act requires development of a comprehensive conservation plan for each refuge and management of each refuge consistent with the plan.

Interagency Coordination and Public Involvement

When planning for expanded and new refuges, and when making refuge management decisions, the Act requires effective coordination with other Federal agencies, state fish and wildlife or conservation agencies, state fish and wildlife or conservation agencies, and refuge neighbors. In addition, a refuge is to provide opportunities for public involvement when making a compatibility determination or developing a comprehensive conservation plan.

(from Anderson and Merrill, 1998)

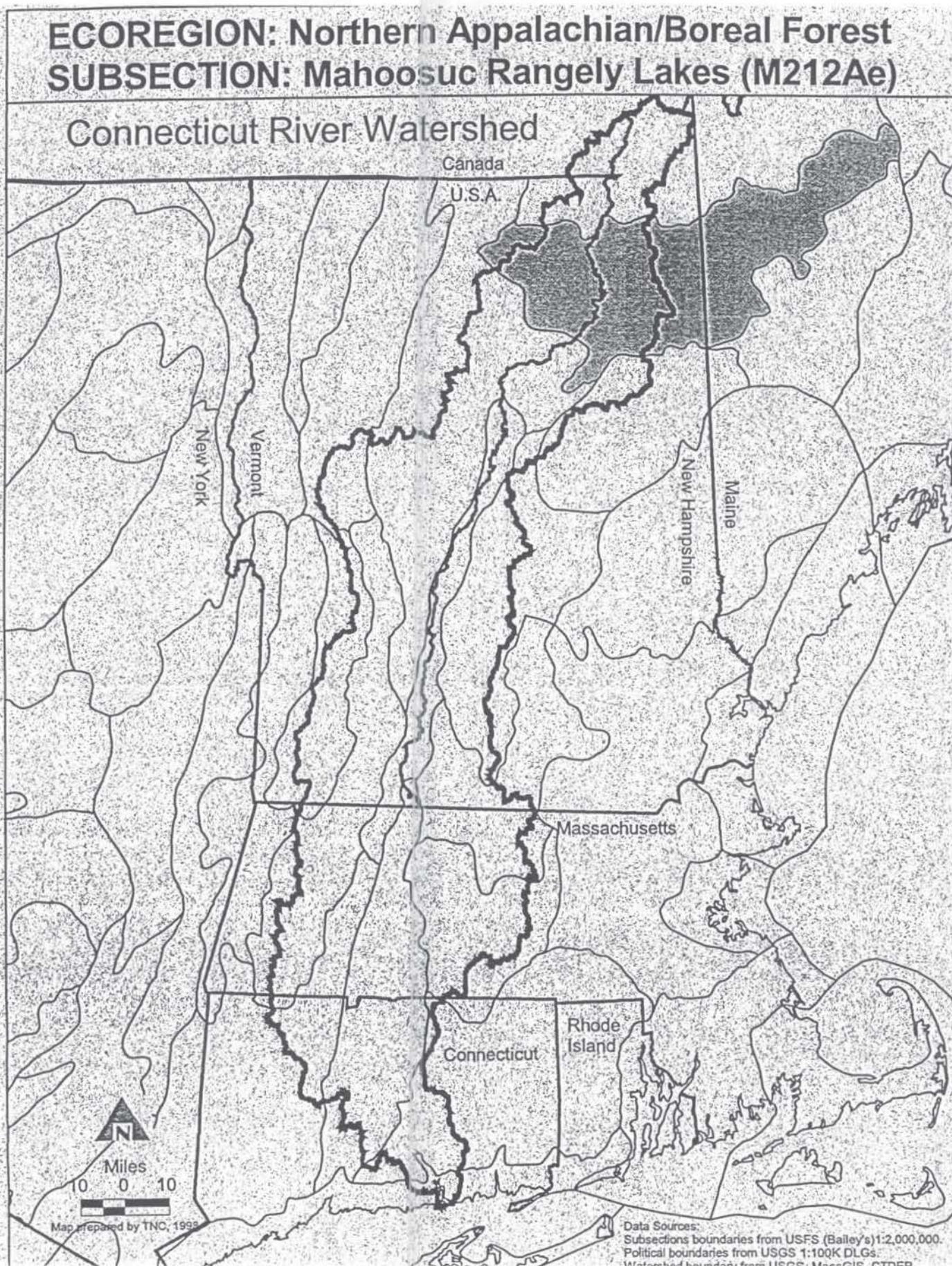
M212Ae

Mahoosic-Rangely Lakes

Ecoregion: Northern Appalachian

Certainty	Descriptive Name	Alliance Code	Alliance Name
2	eastern hemlock-white pine forest	I.A.8.N.d.13	PRINUS STROBUS - TSUGA CANADENSIS FOREST ALLIANCE
2	black spruce forest	I.A.8.N.c.14	PICEA MARIANA FOREST ALLIANCE
2	red spruce-balsam fir forest	I.A.8.N.c.15	PICEA RUBENS - ABIES BALSAAMEA FOREST ALLIANCE
2	black spruce forested bog	I.A.8.N.g.3	PICEA MARIANA SATURATED FOREST ALLIANCE
2	northern white cedar swamp	I.A.8.N.g.6	THUJA OCCIDENTALIS SATURATED FOREST ALLIANCE
2	eastern hemlock swamp	I.A.8.N.g.7	TSUGA CANADENSIS SATURATED FOREST ALLIANCE
2	red spruce-balsam fir swamp	I.A.8.N.g.8	PICEA RUBENS - ABIES BALSAAMEA SATURATED FOREST ALLIANCE
1	red oak-northern hardwood mesic forest	I.B.2.N.a.39	QUERCUS RUBRA - ACER SACCHARUM - (QUERCUS ALBA) FOREST ALLIANCE
2	maple-beech-birch northern hardwood forest	I.B.2.N.a.4	ACER SACCHARUM - BETULA ALLEGHANIENSIS - (FAGUS GRANDIFOLIA) FOREST ALLIANCE
2	sugar maple-ash-basswood rich forest	I.B.2.N.a.5	ACER SACCHARUM - FRAXINUS AMERICANA - TILIA AMERICANA FOREST ALLIANCE
2	silver maple floodplain forest	I.B.2.N.d.4	ACER SACCHARUM TEMPORARILY FLOODED FOREST ALLIANCE
1	red maple-green ash floodplain swamp	I.B.2.N.a.1	ACER RUBRUM - FRAXINUS PENNSYLVANICA SEASONALLY FLOODED FOREST ALLIANCE
1	red maple-black ash seepage swamp	I.B.2.N.g.1	FRAXINUS NIGRA - ACER RUBRUM SATURATED FOREST ALLIANCE
2	red maple-black gum basin swamp	I.B.2.N.g.2	ACER RUBRUM - NYSSA SYLVATICA SATURATED FOREST ALLIANCE
2	white pine-red oak forest	I.C.3.N.a.21	PRINUS STROBUS - QUERCUS (ALBA, RUBRA, VELUTINA) FOREST ALLIANCE
2	hemlock-northern hardwood forest	I.C.3.N.a.32	TSUGA CANADENSIS - BETULA ALLEGHANIENSIS FOREST ALLIANCE
2	red spruce-yellow birch forest	I.C.3.N.a.4	PICEA RUBENS - BETULA ALLEGHANIENSIS FOREST ALLIANCE
2	red maple-red spruce swamp	I.C.3.N.d.10	PICEA RUBENS - ACER RUBRUM SATURATED FOREST ALLIANCE
2	red maple-northern white cedar swamp	I.C.3.N.d.6	THUJA OCCIDENTALIS - ACER RUBRUM SATURATED FOREST ALLIANCE
2	pitch pine-heath woodland	I.I.4.N.a.9	PRINUS (BARKERIANA, RESINOSA) WOODLAND ALLIANCE
2	northern white cedar woodland	I.I.4.N.b.1	THUJA OCCIDENTALIS WOODLAND ALLIANCE
2	spruce fir acidic rocky summit	I.I.4.N.b.3	PICEA RUBENS WOODLAND ALLIANCE
2	black spruce bog woodland	I.I.4.N.f.13	PICEA MARIANA SATURATED WOODLAND ALLIANCE
2	red oak summit/talus woodland	I.I.2.N.a.24	QUERCUS RUBRA - QUERCUS PRINUS WOODLAND ALLIANCE
2	rich talus slope woodland	I.I.2.N.a.28	TILIA AMERICANA - FRAXINUS AMERICANA WOODLAND ALLIANCE
2	red maple wooded marsh	I.I.2.N.c.6	ACER RUBRUM SEASONALLY FLOODED WOODLAND ALLIANCE
2	black spruce-balsam fir krumholtz	III.A.3.N.a.6	PICEA MARIANA - ABIES BALSAAMEA SHRUBLAND ALLIANCE
1	riparian smooth alder thickets	III.B.2.N.d.2	ALNUS SERPULATA TEMPORARILY FLOODED SHRUBLAND ALLIANCE
1	button bush shrub swamp	III.B.2.N.f.1	CEPHALANTHUS OCCIDENTALIS SEMIPERMANENTLY FLOODED SHRUBLAND ALLIANCE
1	highbush blueberry shrub swamp	III.B.2.N.g.5	VACCINIUM CORYMBOSUM SATURATED SHRUBLAND ALLIANCE
2	beachheather dune	IV.A.1.N.a.4	HUDSONIA TOMENTOSA DWARF-SHRUBLAND ALLIANCE
2	black crowberry wet heathland	IV.A.1.N.b.7	EMPETRUM NIGRUM DWARF-SHRUBLAND ALLIANCE
2	sheep laurel-labrador tea-black spruce heathland	IV.A.1.N.d.1	KALIMA ANGUSTIFOLIA - LEDUM GROENLANDICUM DWARF-SHRUBLAND ALLIANCE
2	leatherleaf bog	IV.A.1.N.g.1	CHAMAEDAPHNE CALYCLATA SATURATED DWARF-SHRUBLAND ALLIANCE
2	blueberry heathland	IV.B.2.N.a.1	VACCINIUM (ANGUSTIFOLIUM, MYRTILLOIDES, PALLIDUM) DWARF-SHRUBLAND ALLIANCE
2	alpine blueberry heathland	IV.B.2.N.b.1	VACCINIUM ULLICHOSUM DWARF-SHRUBLAND ALLIANCE
2	alpine meadow	V.A.5.N.g.3	CAREX BIGELOWI - JUNCUS TRIFIDUS HERBACEOUS ALLIANCE
2	deerhair sedge meadow	V.A.5.N.a.1	SCIRPUS CESPITOSUS HERBACEOUS ALLIANCE
1	tussock sedge meadow	V.A.5.N.b.36	CAREX STRICTA SEASONALLY FLOODED HERBACEOUS ALLIANCE
1	bluejoint-reed canary grass meadow	V.A.5.N.b.39	CALAMAGROSTIS CANADENSIS SEASONALLY FLOODED HERBACEOUS ALLIANCE
1	bulrush marsh	V.A.5.N.f.13	SCIRPUS TABERNAMONTANI SEMIPERMANENTLY FLOODED HERBACEOUS ALLIANCE
1	cattail marsh	V.A.5.N.f.9	TYPHA (ANGUSTIFOLIA, LATIFOLIA) - (SCIRPUS SPP.) SEMIPERMANENTLY FLOODED HERBACEOUS ALLIANCE
2	leatherleaf-slender sedge acidic fen	V.A.7.N.a.3	CHAMAEDAPHNE CALYCLATA / CAREX LASIOCARPA SATURATED SHRUB HERBACEOUS ALLIANCE
2	cinquefoil-sedge rich seepage fen	V.A.7.N.p.2	CAREX (FLAVA, HYSTRICINIA, INTERIOR, STERILIS)-CAMPYLUM STELLATUM HERBACEOUS ALLIANCE
2	sweet gale-slender sedge intermediate fen	V.A.7.N.p.3	CAREX LASIOCARPA-MYRICA SALE-CAMPYLUM STELLATUM HERBACEOUS ALLIANCE
1	pickerel weed-arrowweed emergent vegetation	V.B.2.N.e.1	PONTEDERIA CORDATA - PELTANDRIA VIRGINICA SEMIPERMANENTLY FLOODED HERBACEOUS ALLIANCE
1	submerged pondweed vegetation	V.C.2.N.a.17	VALLISNERIA AMERICANA PERMANENTLY FLOODED HERBACEOUS ALLIANCE
1	floating spatterdock vegetation	V.C.2.N.a.9	NYMPHAEA LUTEA TEMPERATE PERMANENTLY FLOODED HERBACEOUS ALLIANCE

(from Anderson and Merrill, 1998)



(from Anderson and Merrill, 1998)

Forest dependent Neotropical Migratory Birds by Subsection:

M212Ae

Alder Flycatcher
American Redstart
Bank Swallow
Barn Swallow
Bay-breasted Warbler
Bicknell's Thrush
Black-and-white Warbler
Black-billed Cuckoo
Black-throated Blue Warbler
Black-throated Green Warbler
Blackburnian Warbler
Blackpoll Warbler
Broad-winged hawk
Canada Warbler
Cape May Warbler
Chestnut-sided warbler
Chipping sparrow
Cliff Swallow
Common Yellowthroat
Eastern Kingbird
Eastern wood-peewee
Gray Catbird
Great Crested Flycatcher
House wren
Indigo Bunting
Least Flycatcher
Lincoln's Sparrow
Magnolia Warbler
Mourning Warbler
Nashville Warbler
Northern Parula
Northern rough-winged swallow
Northern Waterthrush
Olive-sided Flycatcher
Ovenbird
Palm Warbler
Philadelphia Vireo
Purple Martin
Red-eyed Vireo
Rose-breasted Grosbeak
Ruby-throated Hummingbird
Scarlet Tanager
Solitary Vireo
Swainson's Thrush
Tennessee Warbler
Veery
Warbling Vireo
Whip-poor-will
Wilson's Warbler
Wood thrush
Yellow bellied Flycatcher
Yellow Warbler

INTERIM COMPATIBILITY DETERMINATION

WILDLIFE/WILDLANDS OBSERVATION, PHOTOGRAPHY, ENVIRONMENTAL
EDUCATION, and INTERPRETATION IN THE NULHEGAN BASIN
ESSEX, VERMONT

STATION NAME: Silvio O. Conte National Fish and Wildlife Refuge

ESTABLISHING AND ACQUISITION AUTHORITIES:

Silvio O. Conte National Fish and Wildlife Refuge Act (P.L.102-212)

PURPOSES FOR WHICH ESTABLISHED:

The purposes of the Conte Refuge, as stated in the Conte Refuge Act are:

- (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 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; 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.

OTHER APPLICABLE LAWS, REGULATIONS, AND POLICIES

1. Antiquities Act of 1906 (34 STAT 225).
2. Migratory Bird Conservation Act of 1929 (16 USC 715r; 45 STAT 1222).
3. Refuge Recreation Act of 1962 (16 USC 460k 1-4; 76 STAT 653).
4. National Wildlife Refuge Administrative Act of 1966 as amended (16 USC 668dd-668ee; 80 STAT 927).
5. National Environmental Policy Act of 1969 (42USC 4321, et seq; 83 STAT 852).
6. National Wildlife Refuge Regulations for the most recent fiscal year (50 CFR Subchapter C; 43 CFR 3101.3-3).
7. The Endangered Species Act of 1973, as amended (16USC 1531-1543; 87 STAT 884).
8. Executive Order 11990, Protection of Wetlands
9. The National Wildlife Refuge System Improvement Act of 1997 (PL 105-57).

DESCRIPTION OF USE:

Camp residents, nearby residents, and tourists visit the Champion Lands to observe and photograph wildlife and wildlands. In addition, school classes and organizations probably use the area for environmental education and interpretation activities.

ANTICIPATED IMPACTS OF THE USE:

Visitors on foot and in vehicles may cause disturbance to some wildlife. This is a concern where there are concentrations of wildlife. The Nulhegan Basin is very large, and the wildlife present are usually dispersed, except small concentrations of waterfowl on ponds during migration and deer in wintering areas. Although nesting loons do not concentrate, they are especially sensitive to disturbance.

Visitors engaged in the subject activities can also damage plants and disturb soil, which may then cause siltation in water bodies. Such impacts are usually minor.

DETERMINATION: This use is compatible X.
This use is not compatible _____.

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:

No major modifications are anticipated prior to completion of a public use plan.

If any public use is found to be damaging a sensitive biological resource, signs may be placed to make public aware of the problem and temporarily redirect their activity.

JUSTIFICATION:

These are wildlife-dependent priority public uses. Under the provisions of the Refuge Improvement Act, they should continue uninterrupted until planning is completed.

NEPA COMPLIANCE:

This interim compatibility determination is being made prior to acquisition of the subject property. It accompanies an Environmental Assessment for the land acquisition.

APPROVAL:

Refuge Manager Larry Bendish Date: 3/29/99

Reviewed by Thomas A. Galletti Date: 3/29/99

INTERIM COMPATIBILITY DETERMINATION
HUNTING AND FISHING IN THE NULHEGAN BASIN
ESSEX COUNTY, VERMONT

STATION NAME: Silvio O. Conte National Fish and Wildlife Refuge

ESTABLISHING AND ACQUISITION AUTHORITIES:

Silvio O. Conte National Fish and Wildlife Refuge Act (P.L.102-212)

PURPOSES FOR WHICH ESTABLISHED:

The purposes of the Conte Refuge, as stated in the Conte Refuge Act are:

- (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 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; 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.

OTHER APPLICABLE LAWS, REGULATIONS, AND POLICIES

1. Antiquities Act of 1906 (34 STAT 225).
2. Migratory Bird Conservation Act of 1929 (16 USC 715r; 45 STAT 1222).
3. Refuge Recreation Act of 1962 (16 USC 460k 1-4; 76 STAT 653).
4. National Wildlife Refuge Administrative Act of 1966 as amended (16 USC 668dd-668ee; 80 STAT 927).
5. National Environmental Policy Act of 1969 (42USC 4321, et seq; 83 STAT 852).
6. National Wildlife Refuge Regulations for the most recent fiscal year (50 CFR Subchapter C; 43 CFR 3101.3-3).
7. The Endangered Species Act of 1973, as amended (16USC 1531-1543; 87 STAT 884).
8. Executive Order 11990, Protection of Wetlands
9. The National Wildlife Refuge System Improvement Act of 1997 (PL 105-57).

DESCRIPTION OF USE:

Hunters pursue deer, moose, bear, snowshoe hare, waterfowl, woodcock and ruffed grouse in the area. It is also permissible to hunt raccoons, fox, coyote, squirrels. Fishermen fish for a variety of species in the ponds, streams and rivers of the area.

ANTICIPATED IMPACTS OF THE USE:

Hunting and fishing are currently carried out according to State regulations, which are designed to maintain healthy levels of the target species. There are no known adverse impacts.

DETERMINATION: This use is compatible X.
This use is not compatible _____.

STIPULATIONS NECESSARY TO ENSURE COMPARABILITY:

These activities will continue, in accordance with State regulations until a hunt plan and a public use plan covering fishing, with appropriate input, is developed.

JUSTIFICATION:

These are wildlife-dependent priority public uses. Under the provisions of the National Wildlife Refuge System Improvement Act, they should continue uninterrupted until planning is

completed.

NEPA COMPLIANCE:

This interim compatibility determination is being made prior to acquisition of the subject property. It accompanies an Environmental Assessment for the land acquisition.

APPROVAL:

Refuge Manager Larry Bendish Date: 3/29/99

Reviewed by Thomas O'Hester Date: 3/29/99

INTERIM COMPATIBILITY DETERMINATION

SNOWMOBILING IN THE NULHEGAN BASIN ESSEX COUNTY, VERMONT

STATION NAME: Silvio O. Conte National Fish and Wildlife Refuge

ESTABLISHING AND ACQUISITION AUTHORITIES:

Silvio O. Conte National Fish and Wildlife Refuge Act (P.L.102-212)

PURPOSES FOR WHICH ESTABLISHED:

The purposes of the Conte Refuge, as stated in the Conte Refuge Act are:

- (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 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; 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.

OTHER APPLICABLE LAWS, REGULATIONS, AND POLICIES

1. Antiquities Act of 1906 (34 STAT 225).
2. Migratory Bird Conservation Act of 1929 (16 USC 715r; 45 STAT 1222).
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4. National Wildlife Refuge Administrative Act of 1966 as amended (16 USC 668dd-668ee; 80 STAT 927).
5. National Environmental Policy Act of 1969 (42USC 4321, et seq; 83 STAT 852).
6. National Wildlife Refuge Regulations for the most recent fiscal year (50 CFR Subchapter C; 43 CFR 3101.3-3).
7. The Endangered Species Act of 1973, as amended (16USC 1531-1543; 87 STAT 884).
8. Executive Order 11990, Protection of Wetlands.
9. The National Wildlife Refuge System Improvement Act of 1997 (PL 105-57).

DESCRIPTION OF USE:

The Vermont Association of Snow Travelers, Inc. (VAST) has an extensive network of snowmobile trails throughout Champion's lands. Many of these trails are over existing gravel roads. The trails are marked and groomed, and travel off of the marked trails is discouraged. Many snowmobilers travel to the Island Pond area to use the trails, and support the local economy.

ANTICIPATED IMPACTS OF THE USE:

Snowmobiles are noisy, and could disturb wildlife. However, during the winter, nesting waterfowl and songbirds are absent. Resident animals are less active and deer seek sheltered areas. As long as the trails are not located in or too close to deer wintering areas, there is little disturbance to wildlife.

The noise may detract from other public users experiences. Cross country skiers, for example, may prefer a quiet environment.

The other major impact caused by vehicles is plant and soil damage. The winter snow and frozen earth minimize the impacts of snowmobiles.

DETERMINATION: This use is compatible X . .
This use is not compatible ____.

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:

Only preexisting VAST trails will be used.

Snowmobiles must remain on marked trails at all times.

If any trails are judged to impact sensitive biological resources, they will be relocated, in consultation with VAST.

JUSTIFICATION:

Although not a wildlife-dependent use, this traditional and economically valuable activity, as stipulated, is deemed not to materially interfere with or detract from fulfillment of the purposes of the Silvio O. Conte National Fish and Wildlife Refuge.

NEPA COMPLIANCE:

This interim compatibility determination is being made prior to acquisition of the subject property. It accompanies an Environmental Assessment for the land acquisition.

APPROVAL:

Refuge Manager

Larry Bandoli

Date:

3/29/99

Reviewed by

Thomas A. Bletcher

Date:

3/29/99

U.S. FISH AND WILDLIFE SERVICE ACQUISITION OF CAMPS

The Uniform Relocation Assistance and Real Property Acquisitions Policy Act (Act) will guide U.S. Fish and Wildlife Service (Service) procedures for acquiring camps. An overview of the Act follows.

INTRODUCTION

Congress enacted the Act in 1970, and amended it in 1987. The latest implementing regulations were effective as of April 30, 1993. The purpose of the Act is to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs, and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs. Service procedures for acquisition of land or interests therein and for the relocation of occupants are governed by the Act.

POLICIES FOR ACQUIRING CAMPS

According to the Act, camp owners are considered to be tenants. The term "tenant" means a person who has temporary use and occupancy of real property owned by another.

Section 24.105 of the Act outlines the following procedures for acquisition of tenant-owned improvements.

(a) Acquisition of improvements. When acquiring any interest in real property, the Agency shall offer to acquire at least an equal interest in all buildings, structures, or other improvements located upon the real property to be acquired, which it requires to be removed or which it determines will be adversely affected by the use to which such real property will be put. This shall include any improvement of a tenant-owner who has the right or obligation to remove the improvement at the expiration of the lease term.

(b) Improvements considered to be real property. Any building, structure, or other improvement, which would be considered to be real property if owned by the owner of the real property on which it is located, shall be considered to be real property for the purposes of this Subpart.

(c) Appraisal and establishment of just compensation for tenant-owned improvements. Just compensation for a tenant-owned improvement is the amount which the improvement contributes to the fair market value of the whole property or its salvage value, whichever is greater. Salvage value is defined at §24.2(s):

The term "salvage value" means the probable sale price of an item, if offered for sale on the condition that it will be removed from the property at the buyer's expense, allowing a reasonable period of time to find a person buying with knowledge of the uses and purposes for which it is adaptable and capable of being used, including separate use of serviceable components and scrap when there is no reasonable prospect of sale except on that basis.

(d) Special conditions. No payment shall be made to a tenant-owner for any real property improvement unless:

- (1) The tenant-owner, in consideration for the payment, assigns, transfers, and releases to the Agency all of the tenant-owner's right, title, and interest in the improvement; and
- (2) The owner of the real property on which the improvement is located disclaims all interest in the improvement; and
- (3) The payment does not result in the duplication of any compensation otherwise authorized by law.

(e) Alternative compensation. Nothing in this Subpart shall be construed to deprive the tenant-owner of any right to reject payment under this Subpart and to obtain payment for such property interests in accordance with other applicable law.

COMMENT LETTERS

5 February 1999

Sherburn E. Lang
RR#1 Box 245
Lyndonville, Vt. 05851

Governor of Vermont
Howard Dean, M.D.
Montpelier, Vermont
05609

Ronald J. Regan
Commissioner,
Vt. Dept. Fish & Wildlife

Anthony D. Leger
Asst. Regional Director
USFWS Region 5

Conrad Motyka
Commissioner
VT. Dept. Forest, Parks & Rec.

Gentlemen:

After attending the open informational meeting in Island Pond, on Feb. 10, I find that I am still very worried about the proposal. The varied comments, by those who chose to speak, showed that many people, as well, are not comfortable with the proposal as it is written. I applaud the Agency of Natural Resources for attempting to get a feel of what, people of this area, think the final outcome should include. However, I suspect, that the deeper they delve into the problem, the more complex it becomes.

The fact that it is complex and problematic, is an indicator that it can not be resolved quickly, but will require time to sound out what, we Vermonters, really want and need. I am not comfortable with any state and federal agency taking land out of private ownership, but it appears that we will not have any say in the matter. That leave us only with the opportunity to ponder the results of the transaction.

First lets look at the Governors letter of January 28, 1999, headed Deed restrictions Vermont will hold on the "Champion Lands". The first paragraph of this letter stated that Vermont was buying a "guarantee forever" of public access, a working forest and an economic resource. This statement is only a partial truth. The reason for this is because the state of Vermont does not, nor will it have, the ultimate control over all of the land.

Once the U.S. Fish and Wildlife Service gets hold of their segment, approximately 26,000 acres, there is very little that, we Vermonters, will have in the ability to manage and maintain this land "open to the public". It is a known fact, that the USFWS has a plan of operation, that is mandated by their own management team, and in some cases, by federal laws. We will NOT be able to implement programs that do not coincide with their programs. We will not have the ability to protest the construction of 8 foot high containment fences. We will not have the ability to block the implementation of any "user fees" that may be adopted as a means to "maintain and preserve" the area. We will not say in the matter of prohibiting the restrictions implemented, such as: no bear hunting with dogs, no bird hunting with dogs, no rabbit hunting with dogs, or no camping on federal land. These are just a few of some of the restrictions that apply to other federal land management areas.

You may or may not agree that any or all of these restrictions would be enacted, but consider this. Under the management of Champion Paper Company, there were none of these restrictions. I am worried that some restrictions will be created, some fees will be levied and some areas will not be 100% open to the public. Therefore, as a whole, we Vermonters will lose the accessibility that we have been accustomed to for many years. How can we consider this as "being better"? How is this a better deal? It can be a better deal, if the USFWS is not involved. I have heard that the real reason the USFWS is involved at all is because our Vermont politicians do not want to seriously commit to this project, financially. Therefore, the USFWS was able to get an option.

Many of us remember the series of hearings that were held only a few years ago in regard to the Silvio Conte Fish and Wildlife Refuge Act. They had a grand plan to encumber approximately 732,000 acres of land in and adjacent to the entire Connecticut River basin. After much opposition of Vermonters and New Hampshire residents of the northern county areas, the USFWS swore that they had no plans to purchase property or get directly involved with land purchases, north of the White River/ Hanover areas. They also ended up with a plan that encumbered far less acreage.

Well, it didn't come true; they lied to all of us. I didn't believe them then, and I definitely have no reason to believe them now. Regardless of what they tell us now, you can be sure that they will go back on their word, just as they have done before.

At the meeting I spoke briefly with the spokesperson for USFWS. I indicated to him that I personally felt that our own Fish & Wildlife Department could manage any problem that would come up in the management of the Champion Land. His response was....."but I have plenty of money". This is true, but at what price do we get this money. We all are well aware of the fact that "the Feds" never give out money without there being "strings attached". I do not think that it is in the best interest of Vermonters to have the USFWS involved with their overly oppressive "strings attached". I am not alone in this opinion. Many, if not most of the people that I have spoken with, concur that we do not need to have the USFWS involved at all, in this project.

The state of Vermont CAN afford to buy this segment of land offered to the USFWS and should do so. We may have to spend money that was earmarked for other projects to do so, but it can be done. Example: a \$200,000 painting, that we don't need, or a choo-choo train for \$1 million that will only serve a few; lets be real, gentlemen. This deal can serve ALL of Vermont, not just a certain few or a certain area.

If you believe that this is indeed a "unique opportunity for Vermont" then you would support it 100%, and do everything possible to ensure that all the land is managed by Vermonters, for all Vermonters. Remember this, gentlemen; if you do not buy it and get control of it, for all of us, the opportunity is lost forever. Quite frankly, I am appalled that, after all your TV hype, and newspaper hype, that our government is NOT 100% committed to this land purchase. The fact is this; you just did not want it to fall into private hands, that may or may not have severely restricted public access. This would have meant loss of revenues for the state, and that probably is your greater concern. The loss of camp revenues would have a very bad effect on the local towns budgets, and this is indeed, a serious problem for many towns.

In respect to the camp issue, I have the following comment. I am disgusted with the proposal to limit the lease "for up to fifty years (and not less than twenty years)". We had no time limitation with Champion, only a lease fee change every five years. If we didn't like the lease fee, we could sell the property. I also understand that selling or transferring ownership is prohibited. And, if I have read the proposal correctly, you still plan on letting the towns collect taxes on the camps. If this is the case; then at the end of the lease, whether it is one year, five years, or fifty years, we have to vacate the property and relinquish it to "the state". I believe, that at this point, we have a "taking of property by the state". How do you plan on compensating the camp owners for the value of their property, once you "take over" the property?

What is the reason that camp owners can not retain their leases? Are you afraid that the camp owners will have something more than other Vermonters? If that is your argument, then it is a poor one. Everywhere in the state, people rent or purchase homes. Some in cities and some in towns, and some in rural, undeveloped areas. They do so, because they choose to do so, for a variety of reasons, whether it is due to an abundance of available services, or the lack of the same services. But normally, it is for some private desire. But if you say that no Vermonter should not own more, or enjoy more, than another Vermonter, then you are thinking along the lines of Socialism. They believe that everyone is entitled to an equal share. It works in theory only. I don't own a camp on Lake Champlain, because I can see no point in owning one there. By the same token, a home owner, living on Lake Champlain, probably would see no point in owning a remote campsite on Champion land. The difficulty in this issue is: it will become state land. Understandably, this is a different and new problem for the Agency of Natural Resources, but use the uniqueness of the opportunity to create a unique opportunity.... for us camp owners.

We can and will be an asset to this land. Allow us to rent out our camps, if we wish, to allow more Vermonters and other people to come and enjoy this land. Look around.... Do you see an overabundance of hotels and motels for the people to stay in? If you want to promote this land as a great environmental recreation area, you must provide something more than remoteness. People are not going to drive for hours just to see "nothing but woods" and then go home. Vermont residents and other people alike are a diversified group and we will have to provide for them all, if the Northeast Kingdom is to become the "playground of the State of Vermont".

As the logging industry winds down from this area, and it surely will, then some other means of economic support must be made available to the residents of the Northeast Kingdom. By buying this land, you are stating to us that the industry is tourism. Well, leaf peckers and tree huggers will not sustain a decent economic means for the residents of the area. We must be allowed to provide services. Canoe and boat rentals, guide services, including hiking guides, fishing and hunting guides, bicycle guides, and science related guiding can all become assets to the area. Mini marts, hotels, restaurants, bed & breakfasts, and camp rentals can also be assets. But keep in mind, that none of the above mentioned services will sustain a person, and provide them a decent living. People will still have to have other viable work. The reason is, that tourism alone will never provide a decent living, if it is operated under strict guidelines. A business becomes successful when it is allowed to flourish and mature on its own. If there is a need, it will be utilized. But if you put too many restrictions on a business and attempt to create the "perfect business or service" then it is doomed for failure. If you start restricting snowmachining, for example, then it will not be long before this recreational activity will move to New Hampshire. Think of the revenue loss!!!

I do not want to see the area "commercialized" nor do I want to see it "restricted" in any manner. That is my opinion. What you must determine is, "what is best for the people of the Northeast Kingdom and the Champion Land". Buy the land. Buy it all or get control of it all, and let Vermonters manage it for all of Vermont. Do not start out with a load of restrictions. They can and should be implemented, only when it is proven that they are necessary. Allow US, the residents, of the Northeast Kingdom, to be able to plan our new destiny with the new destiny plan that you have forced us to deal with. We have all the right people, i.e. foresters, biologists, loggers, farmers, sportsmen, right here in the area.

Work with us, listen to us, and we will work and listen to you. In this manner, it can be a "win-win" opportunity for all Vermonters.

I hope that you will make this letter available to the other directors, commissioners, and members involved with the Champion Land transaction.

Respectfully,

"Sam" Sherburn E. Lang

HOWARD DEAN, M.D.
Governor



State of Vermont
OFFICE OF THE GOVERNOR
Montpelier 05609

Tel.: (802) 828-3333
Fax: (802) 828-3339
TDD: (802) 828-3345

April 2, 1999

The Bloomfield Selectboard
c/o Sherry Belknap, Chair
P.O. Box 336
North Stratford, New Hampshire 03590

Dear Selectboard members and residents of Bloomfield, Vermont,

Thank you for your letter supporting the deal to purchase the so-called Champion lands. I appreciate having the views of Bloomfield's local government and a number of her citizens. I have asked Commissioner Motyka and Commissioner Regan to contact you directly to pursue your ideas about how Bloomfield can be involved in this historic land deal.

Vermonters are now guaranteed, forever, a working forest and public access to these lands. Your support for the Conservation Fund's partnership with the United States Fish and Wildlife Service is a positive start to our relationship with the federal government. I hope that you will develop strong contacts with Mr. Bandolin in order that he may benefit from local input into management decisions on prospective U.S. Fish & Wildlife Service lands.

Thanks again for writing.

Sincerely,

Howard Dean, M.D.
Governor

HD/dmr

cc: Conrad Motyka, Commissioner, Department of Forests, Parks and Recreation
Ron Regan, Commissioner, Department of Fish and Wildlife
Larry Bandolin, U.S. Fish and Wildlife Service

RECEIVED
4-5-99

DAVID
RESPONSE DUE 4/6
MAN
CODE # 4420

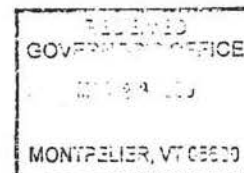
Governor Howard Dean
State of Vermont
Office of the Governor
Montpelier, VT. 05609

Dear Gov. Dean,

We are writing this letter to express our support in regard to the proposed acquisition of the Nulhegan Basin by the U.S. Fish & Wildlife Service. The people of Bloomfield have been informed of the proposed matter. At our town meeting there was no discussion about the proposal of the Nulhegan Basin. The people of Bloomfield understand the history of what has happened in the past to these lands. The ecological value of the area in question is without a doubt one of states greatest treasures. We need to ask ourselves why are we at this particular juncture at this point in time? If you look at the history of events in the past 20 years it will tell you that corporate greed has gotten us where we are today. It is most unfortunate to convey this to you however it is the truth. In writing this letter we will tell you that the deer herd is not in the Basin at present. Due to heavy cutting their shelter wood that they desperately depend on for cover is no longer there. We are concerned about the opposition of some hunting clubs with the idea of federal acquisition. Where were these people when the area was being heavily cut? Where were these people when they were proposing to aerial spray tens of thousands of acres in the very area that the federal government is now proposing to buy and protect. The people of Bloomfield and surrounding communities do not tend to hunt in the immediate area of the Nulhegan Basin. It is primarily out of respect for the herds ultimate domain. We support the federal acquisition of the Nulhegan Basin. It is our understanding that the agreement signed between the State of Vermont and the U.S. Fish & Wildlife will insure that some cutting will take place to insure habitat benefit and the long term integrity of the herd. This arrangement should be honored for the health and integrity of all species that the Nulhegan Basin supports. We would also appreciate our neighbors from all communities of our great state to support us at this time. Having the U.S. Fish & Wildlife as neighbors will insure that the Basin will be taken care of for generations to come.

Town of Bloomfield, VT.
P.O. Box 336
N. Stratford, N. H. 03590

3/20/99



We would also like to state for the record that Bloomfield will be the largest organized town within the proposed boundaries of said refuge. It would be our hope that the state and federal government would consider Bloomfield as the focal point for any office, information center, etc. Our Old Town Hall would be a great place for the occupancy of federal offices and information center. We have been working diligently to preserve the integrity of the old town hall. It sets at the junction of the Connecticut and Nulhegan rivers. It would seem only fitting to have the focal point in Bloomfield. We would appreciate everyone's support in this matter.

We Remain
The Bloomfield Selectboard

Sherry Belknap Chair *Sherry Belknap*

Paul Savage *Paul Savage*

Gerard Routhier *Gerard Routhier*

cc. Nancy Bell-The Conservation Fund
cc. Darby Bradley- The Vermont Land Trust
cc. Larry Bandolin- U.S. Fish & Wildlife Service
cc. Hon. Senator Patrick Leahy
cc. Hon. Senator James Jeffords
cc. Hon. Rep. Bernard Sanders
cc. Ron Regan-Commissioner Fish & Wildlife
cc. Conrad Montyka- Commissioner of Forest & Parks
cc. House of Representatives (all Members)
cc. VT. State Senators (all Senators)

Signatures of residents of Bloomfield Vermont.

Paullette Routhier
GARY CURTIS *Gary Curtis*
William DeBartolo
Rose DeBartolo *Rose DeBartolo*
CLAIRE BELISLE *Claire Belisle*
ALTON KING *Alton King*
DONNA L. PIERCE *Donna L. Pierce*
ELAINE BORST *Elaine Borst*
Michael Belknap *Michael Belknap*
ROGER COOTNER *Roger Cootner*
Richard Ramsey
Richard Ramsey

Joyce Whittier
PAUL WHEELER *Paul Wheeler*
Richard A. Bond
Jean Bishop Bond
JEAN BISHOP BOND
SUSAN FULKE *Susan Fulke*
Christopher Raymond *Christopher Raymond*
PAULINE LEPINE *Pauline Lepine*
JOSEPH P. LEPINE *Joseph P. Lepine*

Author: <tnewmark@tnc.org> at -INTERNET
Date: 4/12/99 17:33
Priority: Normal
Subject: Nulhegan Basin

Dear Mr. Conte,

I am writing to you to show my support in preserving the Nulhegan Basin in the Northeast Kingdom. I would prefer that the US Fish and Wildlife Service buy the full 26,000 acres so that you have control of the whole parcel. This is essential to the life and health of the population of animals and plants and the Vermont community.

Tammy E. Newmark
P.O. Box 172
Burlington, VT 05402

Author: "John A. Bellefeuille" <Penny-Pincher@quest-net.com> at -internet
Date: 4/12/99 14:55
Priority: Normal
Subject: Nulhegan-National Wildlife Refuge

From: John A. Bellefeuille
15 Densmore Road
RR 1 Box 37A
Chelsea, Vermont 05038-9704

I am not certain that I can attend the meeting at Lindonville on the 19th of April. However, I wish to take this opportunity to express my concerns about the resolution of what happens to the Champion Land.

I am and have for some time been an advocate of the creation of a second Vermont National Wildlife Refuge. Therefore, I believe it is the best interest of most Vermonters if the 26,000 acres is purchased in full fee by the United States Wildlife Service.

Respectfully Yours;

John A. Bellefeuille P.E.

Author: <ghennemuth@lakeregionhs.k12.vt.us (Greg Hennemuth (LRU))> at -INTERNET
Date: 4/13/99 21:07

Priority: Normal

Subject: Mulhegan Basin as NWR

I favor the full fee purchase of the Mulhegan Basin toward the establishment of a NWR if this means preservation of its rare biotic communities, water systems and designation of wilderness lands. Thank you.



Vermont Recreation and Parks Association

An Affiliate of National Recreation and Park Association

RECEIVED
4-12-99

April 8, 1999

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte Fish and Wildlife Refuge
38 Avenue A
Turner's Falls, MA 01376

Dear Manager:

I am writing on behalf of the Executive Committee of the Vermont Recreation and Park Association to support the Fish and Wildlife Service's acquisition of 26,000 acres of the so-called "Champion Lands".

The Vermont Recreation and Park Association is composed of professionals and volunteers who provide and advocate for quality recreation and park services to the people of Vermont and its visitors.

It is our feeling that this acquisition is critical to the long term public recreation access of these lands for fishing, hunting, snowmobiling, cross country skiing, nature study, hiking, mountain bicycling, and many, many other outdoor activities. Without public protection, these lands will almost certainly be subdivided and public access greatly diminished.

Thank you for your leadership in helping to protect these important lands.

Sincerely,

George E. Plumb
Executive Director

President
Dale Dintaman
POB 56
Vernon, VT 05354

Vice President
Denise Albert
POB 17
Essex Jct., VT 05453

Treasurer
Douglas Dayton
54 River St.
Woodstock, VT 05091

Secretary
Jenny Lane
Drawer B
Randolph, VT 05060

Executive Director
George Plumb
305 Plumb Lane
Washington, VT 05675

Author: Kris & Stewart McDermet <laluna@together.net> at -INTERNET
Date: 4/14/99 12:17
Priority: Normal
Subject: Nulhegan opportunity

Whom I Hope Is Concerned:

What a great opportunity for Vermont and following generations. We are writing to give strong support to purchase in full fee for this valuable tract of land. To anyone who is familiar with the area the reason are obvious. I am amazed at the amount of wildlife that benefit from the biodiversity here. I feel that the fish, salmon and trout, especially have a valuable area here that we can help preserve. Then when one adds all the other wildlife moose, bear, deer, and the birds that really need the help, it seems like an opportunity that would be tragic to let slip away.

Again we strongly support the preservation of this land and feel that the purchase in full fee is the best method to accomplish this.

Thank you for listening.

Stewart and Kristen McDermet
Butterfield Rd.
Dummerston, Vt. 05301

April 12, 1999

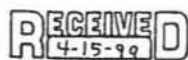
RECEIVED
4-14-99

We support Alternative 2

Nulhegan River is a crucial area for ecological integrity and biodiversity of the Northeast Kingdom and the entire Connecticut River Watershed. The Nulhegan River is Vermont's largest free flowing river and provides prime spawning habitat for Atlantic salmon and naturally reproducing native trout populations. Moose and bear wander using the Nulhegan in Vermont's most extensive habitat. Rare, threatened and endangered birds like loons, black backed woodpeckers, grey jays, boreal chickadees and spruce grouse find extensive habitat in the area. The pristine streams in the area allow native trout populations to reproduce and provide prime spawning habitat for the Atlantic salmon. Deer graze in the state's largest deer wintering area. Migratory birds regularly flock to this crucial feeding area along a major north-south flyway. Old growth and rare forest ecosystems ^{would be protected} ~~are~~ The 15 lakes and ponds would be saved from development pressure.

Sincerely,
The Burrells, 187 Woodbine Rd.
Shelburne Vt. 05482-6702

APRIL 11, 1999 1



To

CONTE NATIONAL FISH AND WILD LIFE REFUGE

38 AVENUE A

TURNERS FALLS MA 01376

REF

CONSERVATION PARTNER SHIP

NULNEGAN BASIN NORTHERN VERMONT

PAGE 1 FACT SHEET

PAGE 2 LEASE AGREEMENT

PAGE 3 MASTER SKETCH PLAN

PAGE 4 LOCATION OF LOT 4

FROM

RICHARD DAY

RR3 BOX 114

ST ALBANS VERMONT 05478

1-802-524-4862

PLEASE RESPOND WITH YOUR COMMENTS

THANK YOU

Richard Day

2

FACT SHEET PAGE 1

1 PURCHASE BY U.S. FISH AND WILD LIFE OF THE NULNEGAN BASIN WILL NEGATE ANY POSSIBLE PURCHASE OF THIS LOT FOR MYSELF OR ANY OTHER PERSON OR GROUP OF PERSONS.

2 I AM AN "UNWILLING" PARTICIPATE BECAUSE I FEEL THIS IS AN INAPPROPRIATE USE OF TAXPAYERS MONEY, BOTH BY THE STATE OF VERMONT AND THE U.S. GOVERNMENT

3 THE U.S. CONSTITUTION AND VERMONT CONSTITUTION GIVES NO RIGHT TO GOVERNMENT OWNER SHIP FOR RECREATION AL PROPERTIES. LAND OWNER SHIP IS A RIGHT OF PRIVATE PROPERTY OWNERS ONLY.

4 ONLY LANDS TO BE PURCHASED FOR MILITARY BASES TO INSURE THE SECURITY OF THE COUNTRY AND ESSENTIAL STATE GOVERNMENT FUNCTIONS ARE ALLOWED UNDER OUR CONSTITUTIONS. COLLECTIVE LAND OWNERSHIP BY FEDERAL OR STATE GOVERNMENTS ARE COMMUNIST. POPULATION CONTROL PLOYS.

LEASE AGREEMENT PAGE 2

PARTIES

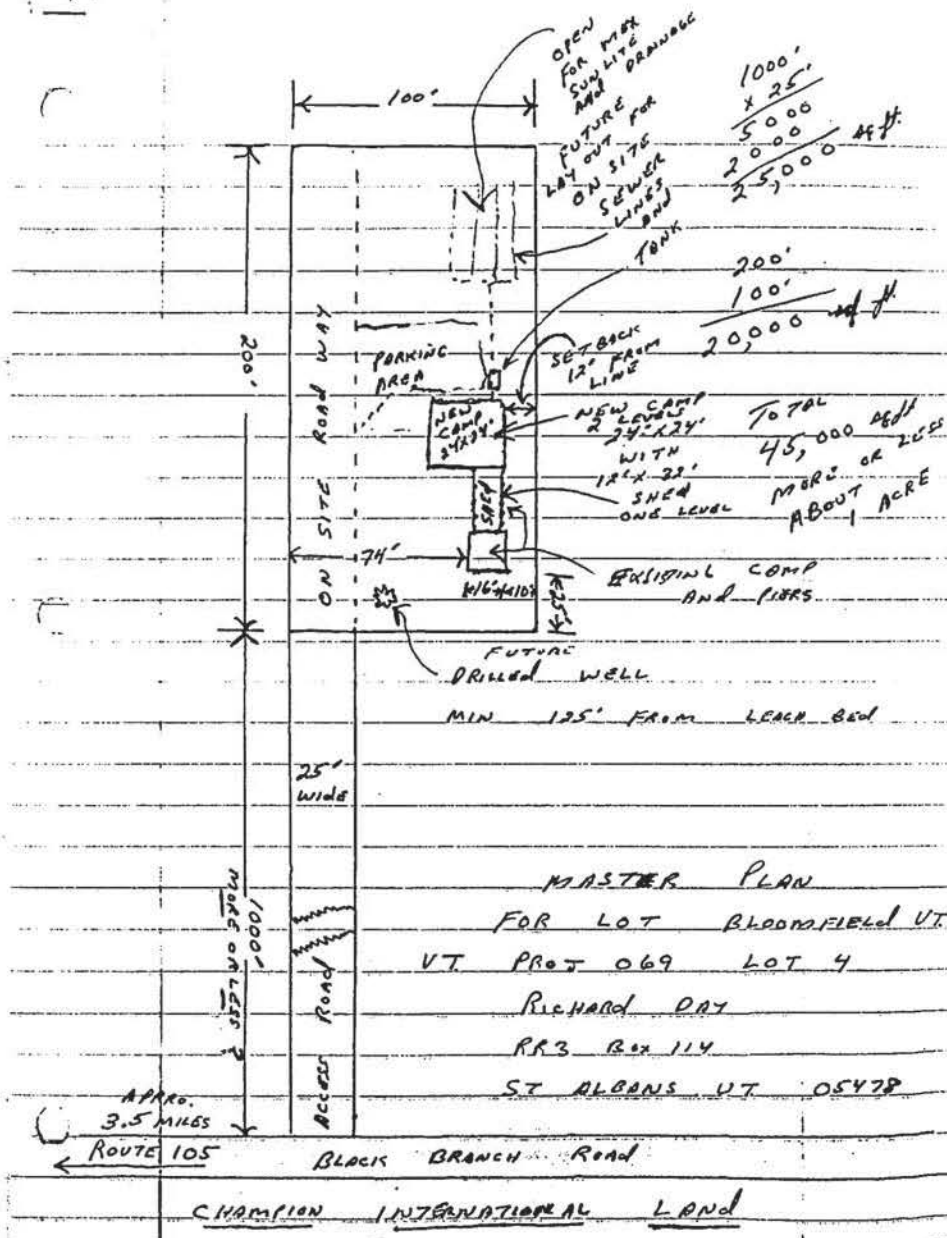
U.S. FISH AND WILDLIFE

and

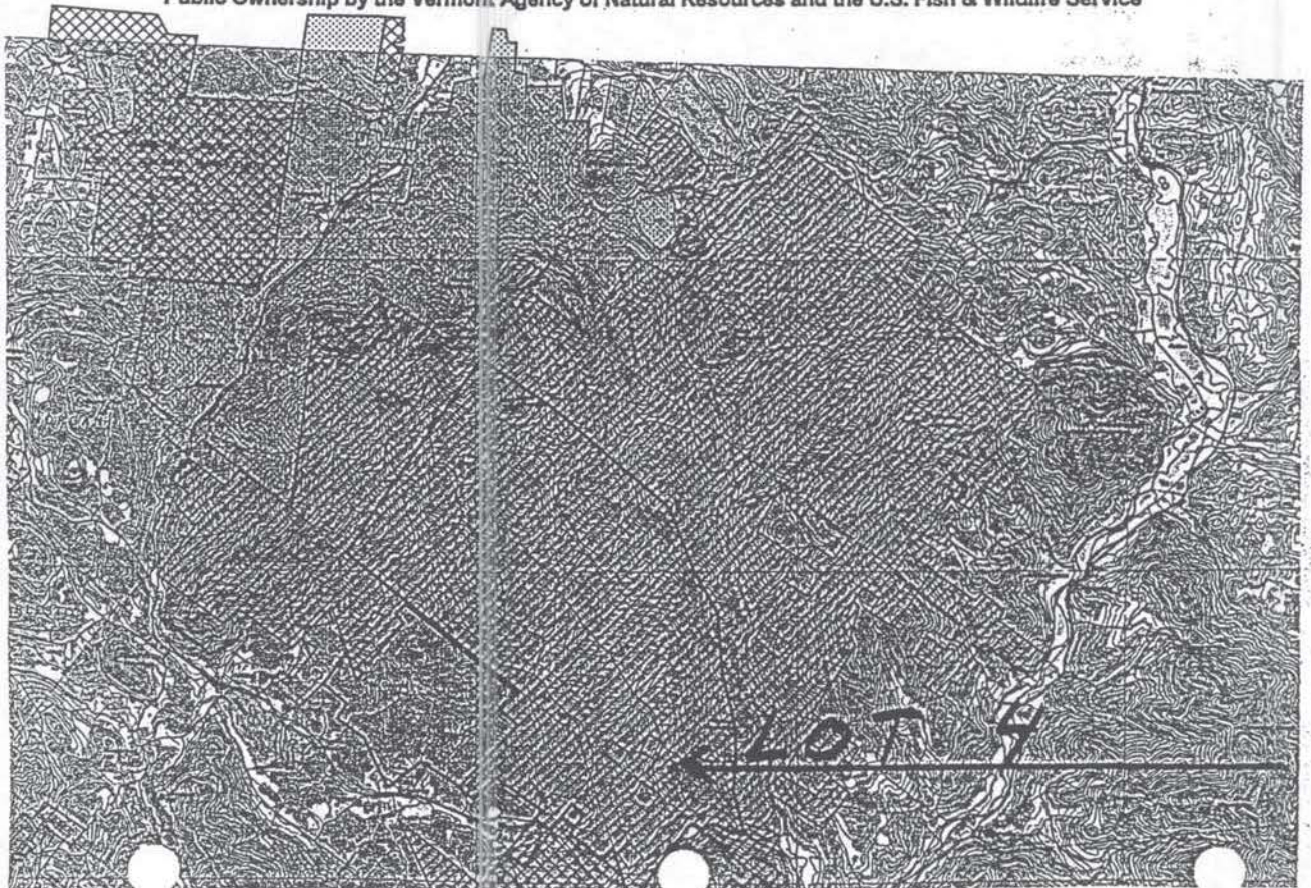
RICHARD S. DAY AND CHILDREN

MASTER PLAN

LOT WILL BE SURVEYED BY LEASEE AT THEIR EXPENSE CORNER POSTS OR PINS SHALL BE INSTALLED TO ESTABLISH BOUNDARIES, TO DEFINE "LEASED PROPERTY". IN THE FUTURE THIS WILL PREVENT ANY "MISUNDERSTANDINGS" BY FEDERAL, STATE, OR LOCAL BUREAUCRATES WHOM WILL CONTROL THE USE OF THE SILVIO O. CONTE NATIONAL WILDLIFE REFUGE. ENCLOSED SKETCH PLAN (PAGE 3) WILL BE INCORPORATED INTO FUTURE LAND SURVEY MAP, AND FILED WITH TOWN CLERK BLOOMFIELD VERMONT. ACCESS ROAD TO LOT 4 FROM BLOCK BRANCH ROAD AND ALL IMPROVEMENTS TO BE PERFORMED AND PAID FOR BY LEASEE A TIME LIMIT SHALL NOT BE IMPOSED BY LEASEE OR LESSOR DURING IMPROVEMENT OF PROPERTY. ALL IMPROVEMENTS SHALL FALL UNDER THE LOCAL ZONING JURISDICTION OF BLOOMFIELD VERMONT.



A Conservation Partnership for the Nulhegan Basin and Paul Stream Focus Area
Public Ownership by the Vermont Agency of Natural Resources and the U.S. Fish & Wildlife Service



RECEIVED
4-16-99

4/13/99

Dear Sir;

We are writing to comment on
your letter dated March 30, 1999 in
reference to FWS/Region 5/RW.
We just want to say how much
we enjoy the Lewis Pond area. We
have a camp on Lewis Pond and have
enjoyed how quiet and peaceful it
is there. We also ride the many roads
around the Lewis Pond area. I have a
disability and am not able to walk,
so we get a lot of enjoyment just
being at camp or riding around
observing the land and the abundance
of wildlife. We hope we will be
able to continue enjoying our camp
lease and wood-roads access for
many more years.

Thank you,

Mr & Mrs Norman Potter

P.O. Box 193

Leicester, NH 03582

PH: 603-636-2249



12 April 1999

RECEIVED
4-15-99

Refuge Manager
US Fish and Wildlife Service
Silvio D. Conte NWR
38 Avenue A
Turners Falls MA 01376

Dear Refuge Manager:

I am writing to urge you to do all
you can to create a wildlife refuge
in the Northeast Kingdom, as part of the

Champion Land deal. All Vermonters
need this land protected, now and for
future generations, to the fullest extent
possible. If the US Fish and Wildlife
Service could buy the 36,000 acres in
question, that would be splendid —
affording the greatest protection of animals
and plants, over the long haul.

Thank you for your dedication to a
Vermont which will still have wild
places in the year 3000!

Sincerely,

Bonnie Acker
German Street
Burlington VT 05401



Save Our World • VT
P.O. Box 437
Rochester, VT 05767
(802) 767-3273

13 April 1999

RECEIVED
4-16-99

Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turner Falls, MA 01376

14 Gibbs Street
Proctor, VT 05765
April 14, 1999

RECEIVED
4-16-99

Dear Sir,

I would like to add my voice in support of the creation of a National Wildlife Refuge in the Nulhegan River Basin of Vermont that is part of the recently acquired Champion Lands.

I have been drawn to this area of Vermont on several occasions to camp, to explore, to enjoy alone and in the company of others. This boreal habitat of spruce and bogs holds a special attraction for me as a bird watcher and photographer. It is here and only here that we in Vermont can find and enjoy those species associated with this unique habitat, namely the boreal chickadee, the grey jay, the black-backed woodpecker and the spruce grouse, to name but four. For naturalists of other persuasions, for hikers and outdoor enthusiasts of all kinds, this area is a treasure trove. As a refuge for its varied and special wildlife, the habitat and its preservation is essential.

The maintenance of the integrity and cohesiveness of this extensive land area in perpetuity, while ensuring public access and appropriate use, is surely a function compatible with the goals of a National Wildlife Refuge. Federal supervision and federal financial support are essential ingredients to preserve the biodiversity, beauty and future integrity of this sensitive and special corner of Vermont for all time. I trust that the 26,000 acres involved having been purchased by the United States Fish and Wildlife Service will have a secure future as part of the National Wildlife Refuge system.

In my travels around this country I have visited many National Forests and National Wildlife Refuges and the Nulhegan River Basin ranks among the most inviting of them all. As a National Wildlife Refuge it would be a draw for naturalists and outdoor enthusiasts from throughout the United States. The economic implications for the local economy can not be underestimated.

Sincerely,
Roy Filcher
Roy Filcher Proctor, VT

802-459-2851

For the Earth,
Harrison Leonard

Author: <Peter.H.Richardson@VALLEY.NET (Peter H. Richardson)> at -internet
Date: 4/18/99 10:10
Priority: Normal
Subject: NULHEGAN

Refuge Manager,

I write to express strong support for the USFWS's proposal to purchase 26,000 acres in the NULHEGAN Basin. I understand this is the "Preferred Alternative" in your current EA. As you indicated in your EIS, the Nulhegan watershed is important habitat for both fish and wildlife. We now have the opportunity protect a free flowing part of the Connecticut River Watershed.

The "Champion deal" is a great example of public private cooperation. The Refuge's leadership in identifying the Nulhegan as an area that needed protection should be followed up by purchasing the 26,000 acres.

Listen carefully to any concerns that are expressed about the proposed action but without significant new information you should move ahead promptly.

Pete Richardson
POBox 1005
Norwich, VT 05055

PS Could I get a copy of the barrier to fish passage study ?

1 802 649 2232

FROM : DesMEULES, OLMSTEAD & OSTLER PHONE NO. : 1 802 649 2232

Apr. 16 1999 04:40PM P1

Peter J. DesMeules
1344 Galaxy Hill Road
North Pomfret, VT 05053-5012

April 16, 1999

VIA FACSIMILE (413)863-3070

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

Dear Sir:

I am a resident of Pomfret, Vermont. I am writing this letter to let you know that I strongly support the U.S. Fish and Wildlife Service's purchase, in fee, of the 26,000 acres in the Nulhegan Basin which are part of the so-called Champion Land deal.

In my opinion, the more land that is owned, managed and protected by the U.S. Fish and Wildlife Service, the better.

In the twenty-five (25) or so years that I have lived in Vermont, I have seen the State rapidly transformed by sprawl, subdivisions and vacation homes. Whenever there is an opportunity for the U.S. Fish and Wildlife Service to purchase, own, manage and protect land, it should jump at the chance.

Although I have my concerns when the U.S. Forest Service wants to acquire land (because of their road building and "get out the cut" mentality), I have no such concerns with respect to U.S. Fish and Wildlife Service ownership and management.

Please do all in your power to establish a National Wildlife Refuge in the Nulhegan Basin.

Sincerely,


Peter J. DesMeules

PJD:apn
p\adminis\refuge.let

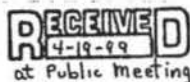
To: All CONCERNED Parties

4/19/99

2.)

RE: CREATION OF A NATIONAL Wildlife
Refuge in the Nulhegan River basin

Recommendation: Most FAVORABLE!



To All CONCERNED Parties:

My name is Ken Ward. It is my pleasure to represent three groups, private in nature, whose function it is to advise on, and act in behalf of, the public interest, in matters pertaining to the environment. That representation includes: A.) Being the Vice President of Rutland County Audubon Society; B.) Sitting on the Board of Forest Watch; C.) Being, with my wife Pat, the state representatives of the Alaskan Wilderness League.

The Conservation Funds enlightened and courageous decision to sell 26,000 acres to the U.S. Fish and Wildlife Service, enables that body to consider creating the Nulhegan Refuge in Vermont, under the Silvio Conte National Wildlife Refuge, which covers the entire Connecticut River watershed.

Why does this parcel need the ultimate protection we can afford it? It is the ecological jewel of the parcel; the Nulhegan Basin is the home of Vermont's largest free-flowing stream; the state's largest deer wintering yards; significant wetland complexes such as the Yellow Bogs, home to rare, threatened and endangered species including Spruce Grouse, Common Loon, Black-backed wood pecker, Threetoed Wood pecker, Grey Jay, and Bonaparte Chickadee. The area also contains 200 acres of old-growth spruce forest, and pristine streams for

native trout and Atlantic Salmon.

It has been my very recent pleasure to work on and complete the research and documentation needed for the nomination of a parcel to be included in the National Audubon Society's Important Bird Areas or IBA's. The essence of the program, initiated very successfully in Europe, where pressure on environmentally sensitive and ecologically necessary areas is extreme, has three action criteria; Identify the most essential areas for birds; Monitor these areas for changes in the habitat; Conserve these areas for long term biodiversity. The creation of the Nulhegan Refuge will enable and guarantee the success of guaranteeing that biodiversity, in the matter of protecting the aforementioned bird species.

About 25 years ago, Marion Clawson, a world renowned scholar on natural resources, wrote a ground-breaking book, on age-old public policy question; "Public Forests For Whom and For What?". The question is still being asked, that is why we are here. Planners, economists and other experts will be called on to fine up their computers and generate economic analyses, but our democracy is founded on the principle that the public is the expert on deciding what is in the public interest. So what does the public say?

Two recent public opinion surveys performed by the U. of Vermont, (paid for by the U.S. Forest Service) gave straight answers from the people of Vermont, New Hampshire and the rest of New England. 94% to support

3.)

protection of all remaining undisturbed, unroaded forests. 71% urge management of areas for protection of ecological processes; 64% support establishment of more wildernesses with 25% undecided.

Interestingly, an article recently in "Birding" the April, 1988 Edition, entitled, "The Growing Popularity of Birding in the U.S.," was written by 3 U.S.D.A. Forest Service people, out of the Southern Research Station Forest Science Lab in Athens, Georgia. It is based on a survey of the recreational interests of the American people - the NSRE; the National Survey on Recreation and the Environment. Of the activities tracked between 1983-1995, Birding, hiking, backpacking, downhill skiing, and primitive camping were the five fastest growing activities in the country.

If these surveys representing public, not private opinion are to be implemented, as they should; then we in Vermont assembled here tonight to consider future public policy should pay attention to the following known facts: New England has less than 1% of the nation's public lands (Vermont ranks in the bottom 5 states); One-third of the nation's population lives within a days drive of it! Millions of American families are increasingly looking to our relatively small public domain for places to implement the above 5 outdoor activities. Take birding alone (the fastest growing activity); 54 million people watch birds (27% of people over 16). On average, according to American Birding Association data, these people are older, more affluent, and spend at least 7 times away from home bird watching

4.)

to the Northeast Kingdom who will spend their money in local stores, motels, inns, gas stations, etc.

The private forests in Vermont and New England, 90% or more of the area's forest land - can easily meet society's demand for wood. Our public forests, in particular identified wildlands, with rare, threatened, or endangered species, should be acquired and managed to provide what private forests most normally do not provide, and what the vast majority of people have said they want; landscapes where nature rules, that maximize habitat for critical species, ^{meaning} large areas free from logging, roads and motorized vehicles, where people will find solitude, beauty, and opportunities for the quiet recreation they indicate they prefer.

Heed the respectful, democratic call of the people for whom our public lands and forests are managed. Federal acquisition of the Nulhegan will do this.

Ken and Pat Ward
406 Hawk View Rd
Brandon, VT. 05733-8543
802-247-5691
Rutland County Audubon
Forest Watch
The Alaskan Wilderness
Society,



04/19/1999
Richard W. Hoffman
PO Box 652
Montpelier, Vermont
05601-0652

(2)

Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, Mass. 01376

Dear Sir:

I urge the US Fish and Wildlife Service to step forward and make a full-fee purchase of 26,000 acres of the Nulhegan Basin. The US Fish and Wildlife Service could then designate this critical riparian area as Vermont's second National Wildlife Refuge. There are many good reasons why the US Fish and Wildlife Service needs to go ahead and make a full-fee purchase of these 26,000 acres of Nulhegan watershed lands.

The Nulhegan Basin lies in close proximity to the headwaters of the Connecticut River and is a critical area for maintaining and protecting the ecological integrity and biodiversity of Vermont's Northeast Kingdom and the entire Connecticut River Watershed. The Nulhegan River is Vermont's largest free flowing river and provides important habitat for native flora and fauna.

Atlantic salmon and native trout populations use this riparian environment for spawning and reproduction. The Nulhegan River provides Vermont's most extensive habitat for free roaming moose and black bear. The Nulhegan River and adjacent lands provide crucial habitat for many threatened and endangered birds such as leons, black backed woodpeckers, gray jays, boreal chickadees, and spruce grouse. Vermont's largest deer wintering yard is located adjacent to the Nulhegan River. The Nulhegan River and contiguous lands serve as a crucial feeding area for large numbers of birds migrating along the eastern north-south flyway.

Old growth forests and unique forest ecosystems would be protected by setting aside the 26,000 acres of critical habitat along the Nulhegan River as a National Wildlife Refuge. The full-fee purchase of the 26,000 acres would also protect fifteen lakes and ponds from development pressure.

The Nulhegan River Basin provides many Vermonters and out of state visitors with a unique opportunity to go birding, hiking, hunting, and fishing. Let us properly protect the resources that make these activities possible.

The US Fish and Wildlife Service's full-fee purchase of the 26,000 acres of Nulhegan River Basin will provide necessary protection for crucial wildlife habitat and for the numerous species of flora and fauna that reside in this habitat. The US Fish and Wildlife Service's full-fee purchase of this critical acreage will provide a healthy ecological core of land for the entire Northeast Kingdom and Connecticut River Watershed.

Thankyou for your attention.

Sincerely,

Richard W. Hoffman
Richard W. Hoffman



Wildlife Management Institute

Scot J. Williamson, Field Representative
RR 1 Box 587 Spur Road • North Stratford, NH 03590
Phone (603) 636-9846 • FAX (603) 636-9853



ROLLIN D. SPARROWE
President

LONNIE L. WILLIAMSON
Vice-President

RICHARD E. McCABE
Secretary

April 19, 1999

Mr. Ron Lambertson
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035-9589

Dear Mr. Lambertson:

I write today to provide the comments of the Wildlife Management Institute (WMI) to the draft Environmental Assessment on "U. S. Fish and Wildlife Service (USFWS) Participation in a Partnership to Protect "Champion Lands" in Essex County, Vermont - Options for Protecting the Nulhegan Basin Special Focus Area". WMI is a private, nonprofit, scientific and educational organization dedicated to the restoration, sound management and wise use of natural resources in North America. Founded in 1911 by the sporting arms and ammunition industry, WMI strives to improve all facets of wildlife management by working closely with state wildlife management agencies, federal natural resource agencies, and conservation groups.

WMI supports Alternative II (Proposed Action: USFWS acquires 26,000 acres) for the following reasons:

1. WMI agrees with the USFWS that the proposed project was large enough to initiate actions that were not described in the Conte National Wildlife Refuge (NWR) Environmental Impact Statement. With the publication of the referenced Environmental Analysis, the USFWS has complied with the National Environmental Policy Act by collecting public input on environmental impacts associated with various alternatives, including a no-action alternative.
2. Based upon the National Wildlife Refuge Improvement Act of 1997, hunting and fishing will be priority uses of the Nulhegan Unit of the Conte NWR. Furthermore, there is no scientific evidence in any body of literature that would suggest that deer, moose, black bear, upland bird, and waterfowl hunting should in any manner be regulated above and beyond those regulations established by the Vermont Fish and Wildlife Department.

3. WMI supports the USFWS recognition of the need for management to enhance habitats for declining species. The Partners in Flight Physiographic Region Plan documents neotropical migrant birds inhabiting mature spruce/fir, all aged northern hardwood, and early successional shrub/scrub habitats as priority species of concern. We believe the Nulhegan Unit of the Conte NWR provides the USFWS a special opportunity to perpetuate conditions favorable to two priority species that require mature spruce/fir management through the creation of the Nulhegan Deer Wintering Area Plan.
4. The Partners in Flight Physiographic Region Plan identifies American Woodcock as one of ten priority species within the region. To address the habitat needs of this declining species, WMI supports the implementation of the USFWS Region 5 Northeast Woodcock Management Plan and believes the Nulhegan Unit of the Conte NWR provides a special opportunity to meet several of the recommendations contained within the Plan. Specifically, Strategy 1.1 seeks to "Establish demonstration areas on National Wildlife Refuges that demonstrate the benefits and techniques of management of early-successional forests for woodcock and other wildlife" - the Conte NWR is named specifically. Strategy 1.4 recommends to "Conduct workshops on management of early-successional forests for woodcock and other wildlife at different sites throughout the Northeast every 2 years - again the Conte is named specifically.
5. WMI understands that the Nulhegan Unit of the Conte NWR is impossibly small to function as a potential restoration site for wolf, cougar, or lynx and therefore we support the USFWS position that Nulhegan Unit of the Conte NWR will not serve as a restoration site. We do urge, however, that special attention be brought to habitat enhancement for lynx. Any activity that enhances habitat for snowshoe hare, especially those activities that provide for dense regenerating spruce/fir, will likewise improve the ability of lynx to use the area.
6. Trapping is best viewed as a management tool to meet some desired objective within a furbearer management plan. As the Environmental Assessment states, however, trapping is also a recognized recreational activity. WMI supports the creation of a furbearer management plan that uses trapping as a management tool, but also incorporates wherever possible the allowance for recreational trapping.

In closing, WMI support the actions of the USFWS to acquire the 26,000 acre Nulhegan Unit of the Conte NWR. We do not support, however, any other deviations from the existing Conte NWR Final Environmental Impact Statement. Specifically, we urge the USFWS to accelerate the use of management assistance grants and conservation easements in the northern watershed. WMI requests that an appropriation equal to the acquisition cost of the Nulhegan

Unit of the Conte NWR be applied to cost-share assistance on the private lands of the Northeast Kingdom of Vermont and the North Country of New Hampshire.

Finally, let the record reflect that WMI thanks the Conservation Fund for providing the guiding vision in securing the protection of this important tract.

Thank you for the opportunity to share these comments.

Sincerely,

Scot Williamson



State of Vermont

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation

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4-19-99

AGENCY OF NATURAL RESOURCES
103 South Main Street
Center Building
Waterbury, Vermont 05671-0301
OFFICE OF THE SECRETARY
John B. Kassel, Secretary
Tel. 802-241-3600
FAX 802-244-1102

April 15, 1999

Larry Bandolin, Refuge Manager
U. S. Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A.
Turners Falls, MA 01376

Dear Mr. Bandolin:

The Agency of Natural Resources, through its departments of Fish and Wildlife and Forests, Parks and Recreation, has reviewed the draft Environmental Assessment report on Options for Protecting the Nulhegan Basin Focus Area prepared by the U.S. Fish and Wildlife Service. Due to numerous and outstanding ecological and recreational resources associated with this region, the Agency has long considered the conservation of these lands a priority. Like the Service, we share your concern about the future of this special area of Vermont.

The pending sale of the Champion lands in Vermont to The Conservation Fund provides an important opportunity to consider the protection of the Nulhegan Basin and surrounding area on a much different scale than what was originally anticipated under the Conte Refuge Final Environmental Impact Statement. As a participant and partner in the Champion Lands project, the Agency is pleased the Service has taken the initiative to describe within the draft Environmental Assessment various alternatives for protecting this unique resource. These comments on the draft Environmental Assessment are offered by the Agency in the spirit of cooperation and in the broad interest of responsible land conservation.

As a general comment, the draft EA makes only brief mention of The Conservation Fund's role in the Champion Lands project. As the prospective buyer of the Champion lands, the Conservation Fund has been instrumental in developing the proposed conservation design of this project. They have been very active in soliciting the assistance and participation from both public agencies and non-profit conservation organizations in this effort. The very structure of this project is largely based on both the strong conservation goals and the financial objectives of The Conservation Fund. Further, the viability of any of the alternatives discussed within the draft EA hinges greatly on this very issue. The Fund's pivotal role in this project deserves to be highlighted in the EA.

Specific comments are offered below with the corresponding page and paragraph numbers:

2

Page 8, Section D, Paragraph 2: This paragraph references the Northern Forest Lands Council's consensus recommendations which, among other things, supported public land acquisition and easements to conserve exceptional or important lands. While this is certainly accurate, the Agency is about to complete work on a new Lands Conservation Plan and Vermont Forest Resources Plan. Both of these planning efforts have met with the challenging issue of placing additional lands under public ownership. The Service should be prepared to respond to this issue, as it will undoubtedly be raised again during the public comment period for the EA.

Page 12, Paragraph 3: This paragraph states that the State's acquisition of 22,000 acres is outside the Nulhegan Basin. This is not entirely accurate since the northern extent of the area currently proposed for State ownership includes a relatively small portion of the basin (in the vicinity of Wenlock WMA).

Map: The map included within the draft EA depicts the 26,000-acre area proposed for federal ownership as one contiguous parcel. However, the refuge area would actually be composed of two separate parcels, as the corridor for the 450kv line that bisects this area is owned in fee by the transmission company. This should be accurately portrayed on the map in the same manner as shown for the area proposed for State ownership.

Page 12, Paragraph 4: This paragraph points out the great disparity between the acres currently proposed for federal ownership in the Nulhegan Basin (26,000 acres) and the original acreage estimate for fee acquisition by the Service for the entire Conte Refuge (6,530 acres) as contained within the FEIS. The current acquisition proposal by the Service represents a fourfold increase over what was originally projected in the FEIS and is the primary reason why the Service has prepared the draft EA. The Service should address whether the scale of this project jeopardizes future conservation projects within other focus areas along the Connecticut River watershed that may also be of importance from an ecological or habitat perspective.

Page 26, Section 2, Paragraph 3: This section references the Agency's 1994 Connecticut River Water Quality Assessment Report. Since the completion of this report, the Agency has worked closely with Champion in implementing a program for maintaining water quality on their operations. With respect to the reference to Paul Stream, it should be recognized that the Paul Stream Road serves as a major haul road and is located very close to the edge of the stream in many areas. Like many town highways and other roadways in Vermont, road maintenance and use can affect water quality and can be a significant source of non-point pollution. Perhaps this issue should be addressed within the EA as it is something that both the Agency and the Service will need to be aware of and deal with.

Page 36, Section D, Paragraph 2: This section states that there are a total of 153 miles of gravel roads and an additional 68 miles of skidder trails on the 133,000 acres of land owned by Champion. Yet on page 37 under section 3 it is stated that there are over 400 miles of snowmobile trails on Champion lands. It seems hard to believe that there are more miles of snowmobile trails on these lands than the total number of forest road miles. These figures should be verified and/or qualified.

Page 37, Paragraph 3: Although it is true that relatively little waterfowl hunting currently occurs in Essex County, it should be noted that the Nulhegan Basin does provide habitat for both nesting and migrating waterfowl including mallards, black ducks and ring-necked ducks.

Page 40, Section 1, Paragraph 2: This section correctly assumes that ANR would probably adjust the boundaries of its 22,000 acre ownership northward to incorporate the deer wintering area and perhaps other portions of the Nulhegan Basin under the No Action Alternative. It should be noted, however, that much of the fieldwork in preparing a management plan for this area (i.e. identification of heritage sites, wetlands, etc.) has already been accomplished. ANR would certainly propose lengthening the cutting rotation over what had previously been agreed to in the Nulhegan Deer Wintering Area Management Plan Agreement it signed with Champion. While it would be difficult to predict exactly how much harvesting might occur in the Nulhegan Basin under ANR ownership until specific management plans are developed, it would be safe to assume that there would be some reduction over the amount harvested under Champion ownership.

Page 41, Section 3, Paragraph 1: This section refers to the State's PILOT payments to communities in which it owns land and is no longer correct. The Supplemental Appropriations Bill recently signed into law by the Governor (H.130) now establishes the ANR's PILOT payment at 1% of the property's fair market value as determined by the State Division of Property Valuation and Review (or 1% of the current use value if the property was enrolled in the use value program as of January, 1999). The EA should be revised to reflect this change.

Page 41, Section 3, Paragraph 2: This section states that on large tracts where there is little development pressure, there is little difference between the value of a parcel before and after a conservation easement has been placed on it. Yet, on page 60 under section F, the Service states that the estimated value of a conservation easement it would hold on the property (under Alternative III) would be between 50%-90% of the property's purchase price. It should be noted that there is a clear distinction between a town assessor's view of the value of a property encumbered by a conservation easement and the actual purchase price of a conservation easement.

Page 45, Section D, Paragraph 1: This section states that under the No Action Alternative (Alternative I), ANR's ownership would protect 10 ponds. However, this assessment mistakenly assumes ANR's 22,000 acre holding would continue to be located south of RT. 105. As previously stated, ANR would most likely shift its 22,000 acres northward within Nulhegan Basin which would result in fewer ponds being protected.

Page 48, Paragraph 1: The reference to the Agency's PILOT payment should be revised to reflect the recent legislative change (see comment Page 41, Section 3, Paragraph 1 above).

Page 49, Table 4-2: The figures in this table under the State PILOT column should be revised in light of the recent change in the Agency's PILOT formula.

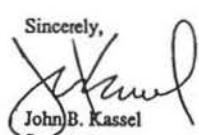
Page 51, Section 3, Paragraph 2: While the Service states that it will likely support continued deer, moose, upland bird and waterfowl hunting, there is no mention of the Service's position relative to bear hunting or hunting with dogs (e.g. pursuit hounds for bear, coyotes, etc.). These hunting activities are a traditional use of these lands and represent an important component of the region's rich rural heritage. During the various "scoping" meetings held this past winter on this project, concern was expressed that these hunting activities might not be allowed to continue under federal ownership. This is an important issue that deserves to be clearly and specifically addressed in the EA.

Page 51, Section 3, Paragraph 3: Other than for migratory birds, the Agency is not convinced that the Service has the authority to establish regulations that are either more restrictive or more liberal than existing State regulations for species on Refuge lands. This issue is significant and deserves further attention. In any event, it seems appropriate that the Service would coordinate management of game species with the Agency's Fish and Wildlife Department.

Page 52, Section 4, Paragraph 2: The Agency commends the Service for recognizing that trapping can be a legitimate recreational and economic activity on Refuge lands when there are harvestable surpluses of furbearers. This is an important concept that should be incorporated within the development of the Service's "Furbearer Management Plan" for the Basin.

Thank you for providing the Agency the opportunity to comment on the draft Environmental Assessment. We look forward to working with the Service on the protection of the Nulhegan Basin.

Sincerely,


John B. Kassel
Secretary

cpm

cc: Governor Howard Dean, M.D.
Conrad Motyka, Commissioner, Department of Forests, Parks & Recreation
Ron Regan, Commissioner, Department of Fish & Wildlife

Phillip J. Sentner II
Alexandra Evans
P.O. Box 278
Peacham, VT 05862
802-592-3608

RECEIVED
4-19-99

Refuge Manager, USFWS
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

Apr. 15, 1999

re- EA for proposed Champion Land purchase in VT NE Kingdom/ Nulhegan Basin

Dear Refuge Manager/USFWS:

We strongly support the purchase in fee simple by the USFWS of 26,000 acres in the Nulhegan Basin and the creation of a National Wildlife Refuge. We live in the Northeast Kingdom of Vermont and this is a rare and significant opportunity to protect what is rapidly vanishing in this part of the country, an intact pristine piece of land. All too often economic consideration wins out and another piece of property is developed, logged or exploited in some other fashion. Spend the money and save this extensive property and manage it as a wildlife refuge. There are enough other lands in the Champion deal that will be able to be logged and economically exploited. Keep out motorised vehicles/boats and save it for the future.

We spend as much time as we can walking, canoeing and hiking in the dwindling wild places in Vermont. We visit the Northern Forest and the area of the Champion land deal frequently. The USFWS should protect the basin. It would be money well spent. In fact, it is a bargain.

Please do not be swayed by the voices calling for preserving the "traditional uses" of the land. This results in the land being used for private gain and not being preserved for this and future generations.

Thank for reading our letter and purchase the basin outright.

Yours truly,

Alexandra Evans

Phillip J. Sentner II

Phillip J. Sentner II
Alexandra Evans

Sent by: AspenLaw+Business 7813963647 7813963647

04/19/99 10:37AM Job 651

Page 2/2

Thomas W. Lincoln
27 Gleason Street
Medford, MA 02155

Phone (617) 396-2043 Facsimile (617) 396-3647

April 19, 1999

BY FACSIMILE

Refuge Manager
U.S. Fish and Wildlife Service
Silvio Conte NWR
38 Avenue A
Turners Falls, MA 01376

RE: Nulhegan Basin

Dear Sir or Madam:

As a frequent visitor to Vermont and a federal taxpayer, I am writing to urge you to adopt the "Purchase in Full Fee" option for the 26,000 acres of the Nulhegan Basin and its incorporation into your Wildlife Refuge.

This is an unprecedented opportunity to "do the right thing" by the environment of Vermont and the Northeast. The Champion Land deal represents a wonderful opportunity to not only preserve large ecosystems at one fell swoop, but should be a model for the kind of public-private undertakings that will make it possible to advance land conservation in a serious way.

As saliently, or more, we have a moral obligation to the other species who inhabit our world. The Nulhegan Basin is a rich ecosystem with the kind of biodiversity that we need to preserve: it is a miracle it is still there and we cannot pass by this opportunity to ensure its permanent and careful preservation!

I trust you will enter my letter into the written record of the hearing and inform me of the outcome. I hope you will add the Nulhegan Basin as a further Unit of the Refuge. Today's generation, and our children and generations to come will thank you for having the vision and fortitude to do so! Thank you.

Sincerely yours,

Thomas W. Lincoln
Thomas W. Lincoln

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4-19-99

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

4/15/99

Dear folk,

Enclosed is a letter from MRS. SPRUCE GROUSE.
She can tell you her story. As you know, she is
on Vermont's endangered list.

She is also part of some art work -
she and her family - just after their hatching.
She also has a drawing of one of her suitors,
you know, the one with the fancy tail.

She asked me to support
Alternative 2 which would
allow the U.S. Fish and
Wildlife Service to
acquire NULHEGAN BASIN
to create Natl. Wildlife Refuge.
(with no motor vehicles
permitted ever.) She sends you
some soft cluckings...



HELEN & JOHN
KENNEDY
41 HAWK LANE
PITTSFIELD, VT.
05752-0588
(802) 746-8095

Dear Humans,

I eat conifer needles, buds, especially spruce, berries and insects
and rarely move from my home base in the deep evergreen woods -
but I fear I'm losing my northern forest.

I might be well camouflaged in forest with my contour and flight
feather colors, but on special occasions, my friends, the male birds dance
in a courtship ceremony strutting, posturing and fluffing out their gorgeous
fan-like tail feathers to show us females how great they are. He also advertises
himself as a drummer and one who loves parties. He does a nearly vertical
flutter of wings, producing a drumming sound by rapidly beating wings, sometimes
clapping wings above their backs. But generally we are silent birds with low pitched
hoots, or clucking which I use, almost warning to call to my chicks.

When I use a nesting site, I prefer forests of spruce, pine or hemlock,
tamarack swamps, cedar bogs and lowlands with sluggish stream. I select
of bushes or under low hanging spruce limbs, I make a shallow mossy hollow,
a hole in duff with leaves, grasses, spruce needles and perhaps a few feathers. I usually
lay 4-8 eggs that are a buff to rusty-cinnamon color marked with spots of brown.
It takes 24 days of incubation. My chicks are precocial and downy, born
with eyes open. We must leave the nest in 1-2 days because we have so many
predators. The chicks follow me and I show them where the food can be found.
They grow their wing feathers in a few days and can fly at 10 days.

You can find us quietly picking through the wonderful duff of the
forest floor. We all scratch for a living. What is duff? It is years of
leaves which litter the forest floor, enriched by pods, branches and creatures
who died and bit by bit eaten by insects, worms, etc., into minerals and nutrients
by organisms (PROTIZOANS, BACTERIA, ALGAE, and FUNGI). These recyclers
return minerals and nutrients into the soil, keeping it fertile and rich.
Without these recyclers trees, etc., could not keep growing. If our forest
was logged, most would wash away and die - and eventually so would we.

Now we also have to worry about human caused air pollution,
acid rain and its chemical poisons. Will humans fail to be good stewards
of living nature? They should be aware that biodiversity loss is the
folly - their descendants are least likely to forgive.

a resident of Nulhegan Basin
Mrs. S.G.

83 Peapack Bridge Rd
Weedbridge, VT 05753
April 14, 1999



Refuge Manager
Silvio Conte NWR
38 Colman Ave
Turners Falls, MA 01376

Dear Sir:

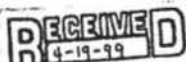
I am a birder, and a person devoted
to the outdoors. I especially value
wild places, undisturbed by de-
velopment.

I hope that you will support
purchase of the Nulhegan Basin by the
U.S. Fish & Wildlife Service, and
turning it into a National Wildlife
Refuge. Some of my favorite places
are Merritt Island NWR in Florida,
Brigantine in New Jersey, Parker
River in Mass. I would like to add
Nulhegan to that list.

Sincerely,
Majorie B. Nelson

April 15, 1999

Dear Sir:



I write as one who has yet to visit the area of the Nulhegan Basin. I strongly support Alternative 2 which would allow the U.S. Fish and Wildlife Service to acquire the Nulhegan Basin to create a National Wildlife Refuge.

Since I am now $77\frac{3}{4}$ years of age - I write with both sorrow and a certain urgency; sorrow that I have not visited the Basin previously, urgency, with advancing age!

The Basin Area sounds like a wonder of ecological development and biodiversity of the Northeast Kingdom and the whole Connecticut River watershed.

P. 2

The river is Vermont's largest free-flowing river, providing excellent spawning habitat for Atlantic Salmon and naturally reproducing native trout.

Large animals, rare birds, inhabit the whole area. Old growth and rare forest ecosystems would be thus protected and 15 lakes and ponds would be saved from the pressures of development, in addition.

Part of this letter is selfish - for me. But the really important reason is for our descendants - unto the 7th generation, as wise native Americans have said.

I knew Silvio Conte slightly when he was in the House of Representatives.

Surely his benevolent shade would approve this great step

P. 3

forward in preservation.

Yours heartfeltdly,
Hilda A. Robbins



Ms. Hilda Robbins
P.O. Box 178
Manchester, VT 05254

Refuge Manager
U.S. Fish & Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turner Falls, MA 01376

RECEIVED
4-19-99

Dear Sirs or Madam:

I am very pleased to hear about the possibility of the Nulhegan Basin in northeastern Vermont becoming a National Wildlife Refuge. I would support this full fee purchase by the USFWS for the management and preservation of the Basin's unique wildlife communities and water systems.

Protection of our vital, untouched and natural functioning ecosystems is critical in this ultra-intensive use-oriented society. Vermonters are no exception. When landowners see money potential in resources, sooner or later they will be tapped. The Nulhegan Basin has impressive prime Atlantic salmon and naturally reproducing native trout populations and contains Vermont's largest free flowing river. I think that 50 - 60% of Vermont's Rivers are in a degraded state. Lets save this one!

This is not only one of Vermont's treasures, but one of our nation's. I think that hunting should be tightly regulated if this does become a refuge. I've talked to sons of hunters. Some speak of shooting pileated woodpeckers and other birds and laugh. I do not want this to happen to one of the rare species or any other in the Nulhegan. So, I would support a wilderness designation if possible. This may not preclude hunting but would limit access. Serious, ethical hunters would be attracted to a "untrammelled" site and would not abuse the privilege of hunting.

When I get a life of my own, what I would do is paddle a kayak through the Nulhegan and enjoy the peace and quiet, the wildlife sounds and the grandness of the wilderness. If a National Wildlife Refuge would perpetuate these values, then I support this move. Thanks for your consideration.

Sincerely,



Gregory S. Hennemuth
science teacher, family person, concerned citizen, taxpayer

This same letter sent to:

*Leahy, Jeffords, Sanders; US Senate
J. Bloom, H. Maynard, J.P. Crowley, VT House
Daniel, Baker VT House*

David S Yates
28 Olympus Rd.
Proctor VT 05765
March 15, 1999

RECEIVED
4-19-99

*We particularly support alternative #2 -
purchase in full fee - US Fish + WL buy 26,000 A.*

I write to urge your support for the creation of the Nulhegan Unit of the Conte National Wildlife Refuge.

*Thank you,
DSY*

As part of the Champion/International Paper land deal the Conservation Fund will purchase 133,000 acres of VT forestland. Further the Conservation Fund would like to sell 26,000 acres of this to the U.S. Fish & Wildlife to create a National Wildlife Refuge in the Nulhegan River basin. This refuge would be the first under the Silvio Conte National Wildlife Refuge which covers the entire Connecticut River system.

Creation of this refuge would be good for Vermonters. The National Wildlife Refuge System Improvement Act of 1997 would require biodiversity be protected. The same Act would support traditional uses like hunting, fishing, wildlife observation & photography plus environmental education and interpretation.

Creation of such a refuge would be good for the North-East Kingdom's economy by bringing more people who appreciate wildlife and birds to the area. (Over 54 million people now watch birds.)

Again, I urge your support in establishment of Nulhegan National Wildlife Refuge.

Sincerely,

David S Yates

DSY/dy

RALPH ROGOSCH
24 Daigle Dr.
Enosburg Falls, Vt. 05450
802-433-8351

Refuge Manager
US Fish & Wildlife Service
Silvio O. Conte NWR
38 Ave. A
Turners Falls, MA 01376



DEAR MANAGER,
I AM A MEMBER OF THE NORTH EASTERN LOGGERS
ASSOCIATION. I CUT WOOD FOR A LIVING. STILL I
WANT TO SUPPORT THE U.S. FISH & WILDLIFE SERVICE'S
PURCHASE IN FULL FEE OF 26,000 ACRES IN THE
NULHEGAN BASIN. I BELIEVE IT IS IMPORTANT
TO HAVE SOME SET ASIDES OF OLD GROWTH TIMBER,
JUST TO KNOW THEY ARE THERE & WON'T BE DISTURBED.
I UNDERSTAND THAT RESPONSIBLE LOGGING AND TIMBER
MANAGEMENT WILL BE ALLOWED IN OTHER AREAS OF
THE FORMER CHAMPION LANDS.

THANK YOU FOR HEARING MY OPINION
Ralph Rogosch

Author: "MERCHANT JOHN" <john.merchant@vtburl.ang.af.mil> at -INTERNET
Date: 4/19/99 07:16
Priority: Normal
Subject: Nulhegan Basin

Attention Refuge Manager:

As members of our local conservation commission, we received a newsletter informing us of the upcoming meeting concerning the Nulhegan Basin. We read the letter and discussed the proposals presented within. I regret that we will not be able to make the evening meeting.

We would like to go on record in support of Environmental assessment number 2, where the US Fish & Wildlife service would purchase the 26,000 acres. We feel very strongly that this would be the best way to protect and conserve this land for the enjoyment of Vermonters, and the preservation of wildlife and habitat.

Again, please count our vote in support of EA #2 as individual members. We are the members of the Jericho Conservation Commission. Tom Baribault (chair), Glen Wood, Livy Strong, Joanne Konczal, Shad Emerson, Jean-Ellen Sauseville, Wendy Berenback, & John Merchant.

Thank you for your consideration in this matter, and please keep us informed of the results.

Respectfully,

John S. Merchant

Jericho Conserv. Comm.

Groton, VT 05046
April 15, 1999



Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

Dear Refuge Manager:

We have vacationed in Northeastern Vermont for 40 years and have lived here permanently for the last eight. We spend a lot of time hiking in the woods, first with our children and now with our grandchildren and friends. We have experienced first hand the increasing pressures on the woodlands, streams and lakes from people, pollution, excessive logging, increased recreational use in all seasons. And we are aware of the complexity of accommodating the many demands on these resources.

That is why we are so keen on the opportunity for the Fish and Wildlife Service to purchase 26,000 acres in the Northeast Kingdom. We heartily support Alternative 2, the outright purchase of the acreage, which will enable your Agency to manage the entire watershed, preserving and restoring the natural habitat for the plants, the critters and the people!

We could hardly believe the report of the ground-breaking cooperation among interested groups that the conservation plan entailed when we first heard of it. Such forging of mutual interests, although difficult, chart the pathway to the future health of our forests and streams and is another reason to proceed with the original vision incorporated in Alternative 2.

We hope we can count on your leadership to bring about the purchase and future development of the Nulhegan Basin.

Sincerely,

Margery S. and Alan M. Walker
Margery S. and Alan M. Walker



P.O. Box 168
Westfield, VT 05874
April 16, 1999

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

I am writing with concern about the creation of the Nulhegan Basin Unit of the Silvio O. Conte National Wildlife Refuge. I support Alternative 2 in the Environmental Assessment now in progress.

In March I wrote to Senators Jeffords and Leahy urging their support of the Nulhegan National Wildlife Refuge. Enclosed is a copy of the reply from Senator Jeffords in which he expressed his full support.

Our national refuge system is required by legislation to be managed for the maintenance of biological integrity, diversity and environmental health. In addition, the Nulhegan National Wildlife Refuge will support all six traditional public uses listed in the Improvement Act of 1997, (hunting, fishing, wildlife observation, photography, environmental education and interpretation).

Under Alternative 2 fifteen lakes and ponds would be saved from development pressure, old growth and rare forest ecosystems would be protected and the Nulhegan River and pristine streams would continue to provide spawning habitat for Atlantic salmon. For these and many other reasons Alternative 2 is the preferred Alternative.

If the Nulhegan Basin Unit of the Silvio O. Conte National Wildlife Refuge is created under Alternative 2 it will set an example and be an inspiration nationally for environmentalists, timber companies, communities and the business world to work together toward common goals. I urge the adoption of Alternative 2 in the Environmental Assessment.

Yours sincerely,

Marjorie A. Grant
Marjorie A. Grant

JAMES M. JEFFORDS
VERMONT

COMMITTEES:
HEALTH, EDUCATION, LABOR, AND PENSIONS
CHAIRMAN

Subcommittees:
Aging
Children and Families (ex officio)
Employment, Safety, and Training
Public Health (ex officio)

United States Senate

WASHINGTON, DC 20510-4503

March 24, 1999

Marjorie A. Grant
PO Box 168
Westfield, Vermont 05874

Dear Marjorie:

Thank you for contacting me regarding the possible inclusion of a portion of the Champion Lands in the Conte National Wildlife Refuge. I was glad to hear from you.

The purchase of 133,000 acres in the Northeast Kingdom by the Conservation Fund is one of the most significant land transactions in the history of Vermont. The use of these lands will help shape the economy and environment of the region for years to come. The Conservation Fund has clearly stated their intent to allow continued access by hunters, snowmobilers and other recreationists, and to keep about 2/3 of the area in managed timber production. Maintaining these uses of the land will be important to the residents of the region and also to the regional economy.

About 26,000 acres of this land is being considered for fee title inclusion in the Silvio Conte National Wildlife Refuge. These are the lands at the core of the Nulhegan Basin and include some of the most important wildlife habitat and natural communities in Vermont.

I strongly support the general plan for public ownership of the Champion Lands, for the very reason that the Vermont Legislature and citizens are now debating the details of how the land will be used. Such public participation would not have been the case for a strictly private sale. If the citizens of Vermont, the Vermont Legislature and the Governor determine that the level of federal involvement should be diminished, I will listen and do all that I can to support the desired outcome. The overall plan for the land to remain open to the public and managed for traditional uses, with public input along the way, must not be jeopardized in the process.

Thank you again for contacting me. I will follow this issue closely and would be glad to hear from you again on this, or any other federal matter.

Sincerely,

Jim
James M. Jeffords

JMJ:abm

WASHINGTON OFFICE:
728 Hart Building
Washington, DC 20510-4503
(202) 224-8141

MONTPELIER OFFICE:
58 State Street
Montpelier, VT 05602
(802) 223-5273

RUTLAND OFFICE:
Lindholm Building, 2nd Floor
3 South Main Street
Rutland, VT 05701
(802) 779-3976

BURLINGTON OFFICE:
30 Main Street
Suite 250
Burlington, VT 05401
(802) 858-4001

FINANCE

Subcommittees:
Health Care
International Trade
Social Security and Family Policy

VETERANS' AFFAIRS

SPECIAL COMMITTEE ON AGING

TOLL FREE TDD/TTY: 1-800-835-5500
vermont@jeffords.senate.gov
http://www.senate.gov/~jeffords

Earth Week 1999

Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

Dear Refuge Manager,

This week is meant to be a celebration of our planet and its precious resources. Across the country, committed folks are getting together and making a statement- our country needs more protected wildland, not more clearcutting, development and pavement; our country needs stronger environmental regulations, not watered down regulation and enforcement; our country needs more habitat for endangered species, not fragmented parcels; our country needs to promote energy conservation and move away from a fossil fuel economy; not support continued fossil fuel use; our country needs to take a leading role in scaling back greenhouse emission.

Here in Vermont we have the opportunity to make a significant impact on protecting the biodiversity, aesthetics, outdoor recreation opportunities and ecology of our beautiful state. The US Fish and Wildlife Service has the opportunity to protect the ecological integrity and biodiversity of the Northeast Kingdom by creating the Nulhegan Basin Unit of the Silvio O. Conte National Wildlife Refuge. I fully support alternative 2 of the Draft Environmental Assessment that would purchase in full fee the Nulhegan Basin and look forward to the day when I can visit the Refuge lands. Please grant us this wish during our Earth Week celebrations.

Sincerely,

The following individuals signed "Earthweek 1999" letter (79 from VT):

Sarah Swetelitsch
Cara Ciamja
Kristen Wiener
Annalei McGreevy
Lamar Friedner
David Poole
John Burlas
Ashley Ann Harter
Christine Roy
Shena Smith-Connolly
Erin Star Hughes
Julie Whitmer
Billy MacDonald
Mike Landon
Beverly Titus
Rebecca Chaffee
Deter Brown
Aaron Walsh
Gina Grill
Sara Halpen
Emily Wilcoxon
Jon Exall
Sara A. Pollock
Stephen Callahan
Susan Schmalgi
Devon Meyer
Bonnie Marcus
Mark H. Bushlow
Felicity Smith
Kimberly A. Kelcourse
Joshua F. Cobell
Philip Noone
Tate Daly
Jim Keys
Christopher Hugo
Dan Bursetin
Dana Oppelaar
Rachael Manzo
Timothy Hoffman
M. Brahm Burr
Sam Cain
Kristin Combs
Mathew Streeter
Allison Jackson

Jessilyn Dolan
Daniel Dziedzic
Justin Dextraden
Jennifer Powell
Emily Donlon
Susan Henry
Brian Schneider
K. R. O'Neal
Joseph Cummins
Jen Sheldon
Michael Lerman
Robby Rix
Elyse Stoller
Todd Murray
Jessica Gross
Andrew Healey
A.D. Langer
Sarah Wolfe
Allison Buck
Justin Francese
Jaime Sucheime
Anyia E. Federowski
Mark Preston
J. Mossrian
Jacqueline K. Couture
Brian Mayoch
Dan Pelletier
Jara Johnson
Greg Western
Beth a. Murphy
Jerry Klohs
Elizabeth Murphy
Patrick Hill
Sean Quinn
V.J. Guarino
Michael Casey
Jillian Schuesslir
Greg Avon
Ben Scherster
Matthew E. Hannon

And: 17 others whose names were not legible

To whom it may
concern:

RECEIVED
4-22-99

I am unable to attend the
hearing on April 19th at Lyndon Institute
but want very much to ~~support~~^{EXPRESS} my
strong support for protection of the
Nulhegan Basin. I would personally
be delighted to see the U.S. Fish &
Wildlife Service acquire this land
although I realize that in the Northeast
Kingdom there's likely to be resistance.
I find this resistance hard to understand.
Mixed usage with protection of important
ecological sites seem to me to tread
on no one's toes and to ensure a
wildlife heritage down through the
generations. The Nulhegan Basin
is critical habitat for so many species.
+ very much hope we will rise to
this occasion & do the right thing.

Sincerely,

Hilary Smith
(address over)

Refuge Manager APRIL 19-99
Dear ~~Mr~~^{of the} Contentment-

I cannot attend today's
meeting regarding the
Environmental Assessment
regarding the 26,000 acres
in Vermont's Northeast Kingdom.

Instead, let me advise the
US Fish & Wildlife Service to
purchase in full fee the 26,000
acres.

I have studied the issue.
Alternative 2 is the clear
choice because the pristine streams,
Nulhegan River, Nulhegan Basin,
and surrounding forests, lakes and
ponds are in crucial need of
protection.

RECEIVED
4-22-99

We are at a critical stage in human
evolution. Those who would compromise
what remains left of the eco-systems God
so generously endowed this world with are
not fully aware of how urgently our
survival depends on biodiversity and ecological
integrity.

As a Vermonter, a lover of life, animals,
health, and economic prosperity (the future
of human economy depends on land
conservation although the logic & Mrs
has not yet been figured out by many
Industrial Age businesspeople), I ask
you with a heavy heart to
understand and act wisely regarding
this opportunity to protect the
Northeast Kingdom. Again, please
buy in full, and let the good ~~green~~
green earth prevail.

Sincerely-

John Savore
PO Box 19
N. Bennington, Vermont
05257



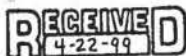
CONNECTICUT RIVER WATERSHED COUNCIL

Protecting the Connecticut River Since 1952

UPPER VALLEY OFFICE: P.O. Box 206, Saxtons River, VT 05154
PHONE: 802/869-CRWC FAX: 802/869-2137 NH 603/675-2518 EMAIL: crwc@sover.net

April 19, 1999

Larry Bandolin Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, Ma 01376



Dear Larry:

The Connecticut River Watershed Council (CRWC) is pleased to submit the following comments on the draft Environmental Assessment on the Options for Protecting the Nulhegan Basin Special Focus Area.

CRWC congratulates the US Fish and Wildlife Service for working in close coordination with state and private organizations to protect the Nulhegan River Basin and specifically by its decision to control the land by fee title purchase. CRWC enthusiastically supports the purchase of the Nulhegan River Basin land by the Service and supports the presented options for protecting one of the most outstanding habitat areas in the Northeast under the Conte Refuge Program. The following comments are intended to help the Service be successful in the effort to protect the Watershed.

In the out years the cooperation between the Service and Vermont Agency of Natural Resources (VTANR) should continue and grow more productive. Since each entity owns separate parcels of land in the area, this coordination will be necessary so that land use plans will remain the same and offer enhanced protection to the valuable habitat in both parcels.

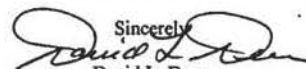
The need for coordination is especially true on the issue of historic uses of the land for camps, hunting, fishing, hiking, snowmobiling and other outdoor activities now enjoyed by the public. As both the Service and VTANR develop management plans for their parcels balancing the need to be responsive to the public expectations and protecting critical habitat will be difficult at best. A lack of coordination between the entities would only make the situation more difficult. It is important that resources of time and money are set aside by both entities to insure that a public and coordinated planning process takes place. The necessary resources should be identified now and committed now by both entities as part of any final plans prepared for the Basin.

The concern raised in the Assessment about sedimentation within the Nulhegan Watershed and Pauls Stream Watershed would be addressed by requiring that any logging activities be required to meet the Heavy Cutting Requirements now in Vermont statute. The provisions in law require logging activities to be conducted in such a way so

as to prevent logging site run off from being discharged into the waters of the state. The Acceptable Management Practices for logging are advisory only unless the area to be cut is over 40 acres and the cut itself will take the remaining tree count below the federally established "C" line. If this is the case then the AMPs become mandatory. Consequently if the Service is to see improvement in the sedimentation problem they should require that all logging operations in the watershed meet or exceed the Heavy Cutting Regulations regardless of the acreage involved in the logging operation.

The Assessment intimates, but does not state, that there may be some changes in the provisions concerning logging practices in the deer wintering yard in the Nulhegan Basin that are now set out in an existing agreement between Champion and the State of Vermont. These provisions help protect the largest deer wintering yard in the state. If there are to be any changes in the forestry practices as they exist under the agreement, the Service should develop them in conjunction with the Vermont Fish and Wildlife Department (VTF&W). VT F&W have been working with Champion and monitoring this site for years. The Service should take advantage of and listen to their expertise and experience in developing any new logging regime.

The issue of historic uses and the expectation of the public that these uses should continue versus the protection of valuable species habitat will be the biggest challenge for the Service. CRWC holds the protection of the habitat to be the higher priority for the Service over historic uses by the public. The Assessment sets out some time limits on camp leases as well as expectations for the future of hunting, fishing, trapping and snowmobiling on the lands. The public process envisioned to set the new criteria for the traditional uses will be interesting to observe to say the least. What is vital for the Service is to be responsive, where they can be, to the public but to hold to the higher priority and protect the habitat in the watershed.

Sincerely,

David L. Deen
River Steward

Cc Governor Howard Dean, MD
John Kassel Secretary VTANR
Ronald Regan Commissioner VTF&W
Senator Patrick Leahy
Senator James Jeffords
Representative Bernie Sanders
Nat Tripp VTCRJC
Charles Carter NVDA
Elizabeth Courtney VNRC
Darby Bradley VLT
Robert Klein TNC
Neera Harmon Northern Forest Alliance

Bradford VT
April 19, 1999



Larry Bandolin, Refuge Manager
Silvio O. Conte NWR
38 Avenue A

Turners Falls, MA 01376

Re: Nulhegan Basin as part of Conte NWR.
Talking with you, Carolyn and Fran, today,
at Lyndonport was reassuring regarding
the Nulhegan Basin being maintained as
a protected area if it is ^{purchased} managed by
US Fish & Wildlife Service as part of the Conte
NWR.

It is a "touchy" situation regarding the
camp owners, but the land was never theirs
and they aren't being showed out. They need
to broaden their perspective to see the
long-term benefits of a NWR right next door,
while ^{still} being able to hunt, fish, hike etc.

Thanks to all of you for being in
Lyndonville, today, talking with us & providing
informative printed material.

Shirley Rogers

Matteo Burani
343 Partridge Hill
Hinesburg, VT 05461
April 19, 1999



Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, MA 01376

To whom it may concern:

I am writing today to show my complete support for alternative 2 of the "Draft Environmental Assessment of the US Fish and Wildlife Service Participation in a Partnership to Protect the 'Champion Lands' in Essex County, Vermont". Full fee acquisition of the Nulhegan Basin is the ONLY way to truly protect this area of vital ecological value. By creating a National Wildlife Refuge and a system where citizens can monitor and have a voice in the management of the land will ensure a healthy and biologically diverse ecosystem.

Since the Nulhegan Basin is the area within the Champion Lands with the greatest density of quality timber it is fair to assume that any private purchaser of these lands would immediately dip into the Nulhegan Basin lands to create a profit while the rest of the timber supplies grow. As a result, the alternative of buying easements on the land would be completely inadequate to its protection. Besides, without Fish and Wildlife money there is no way that the Conservation Fund, the Vermont Land Trust and the State of Vermont will be able to find the appropriate money needed to seal this monumental deal.

My message is simple: let's get this deal done, create the Refuge. Vermont needs more public land, not less. The Conte Refuge is an excellent example of why our Congressional delegation needs to do everything it can to pass legislation that will permanently fund the Land and Water Conservation Fund at a \$900 million level with the Northern Forest as a area of national importance.

Sincerely,

Matteo

Matteo Burani

cc: Senators Jeffords & Leahy, Representative Sanders

Dear Refuge Manager, **RECEIVED** 20 April
4-23-99

It has come to my attention through the work of people at the Vermont Natural Resources Council, the V.N.R.C. that a proposal to have a National Wildlife refuge in the Nulhegan Basin is a popular choice by members of the community. I support Alternative 2.

As a resident of Vermont who enjoys camping, hiking and encountering wildlife in the area, I hope the U.S. Fish and Wildlife Service can properly manage this tract of 26,000 acres, so that more will be added to it & in the future!

The upper Connecticut River Watershed is a crucial area to begin conservation of natural resources and allow the renewal of life! Though the deer herd has suffered a decline due to overcutting, if properly cared for, a restoration of habitat can occur!

May the Nulhegan River run free and provide a lively spawning habitat for Atlantic Salmon and naturally reproducing "native" trout!

- over -

RECEIVED
Bird populations also need to continue to have a protected habitat in this area because not only overwintering birds maintain homes here, but also migratory species use the area as a feeding ground on this major north-south flyway. Maintain and protect old growth, second and regrowth Forests so that wild life can be restored!

Ease development pressure on the area's 15 lakes and ponds so that more people can begin to understand the necessity of natural wild life conservation.

Sincerely, Leland Alper

Leland Alper
p.o. box 811
Hardwick, VT
05843

Marc Lapin
Forest Ecologist
239 Cedar Hill Road
Cornwall, VT 05753
802-462-2514

RECEIVED
4-23-99

April 21, 1999

Larry Bandolin, Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

Dear Mr. Bandolin:

I appreciate the opportunity to comment on the Draft Environmental Assessment regarding the Nulhegan Basin Special Focus Area. Please register my support for the proposed action, Alternative II. I have conducted ecological fieldwork all over the state of Vermont, and, without question, the Nulhegan Basin is one of the natural jewels of the state as well as the whole of the eastern United States. It is of extreme importance for the conservation of natural ecosystems and the conservation of ecosystem and biological diversity that the Nulhegan Basin be protected and be managed for ecological integrity. I believe that public ownership of the land in question is the best available means to achieve those goals.

I realize that an environmental assessment is not a management plan, but the ideas and intents expressed in the EA will be consulted for providing guidance to the future management plans and will be seen by many as "promises" to the public. Since this is the case, I would like to state some of my concerns regarding the text of "Chapter 4. Environmental Consequences." On page 46, in reference to consequences on the local forest products industry, the draft EA states that future management would emphasize a balance of habitat types on a landscape scale and that forest management and land-cover trends on surrounding lands would bear on refuge management decisions. I feel that it is necessary to point out that in our short human life-spans we often cannot truly see longer-term ecological consequences. What one may judge to be a trend may not turn out to be so in the time frame of a forest ecosystem, wildlife population or generation of trees. Refuge management should be fundamentally based on the long term integrity of the ecosystems on the refuge; it should not attempt to balance regional "habitat needs," but instead should attempt to provide for a level of ecological function and integrity that is nearly always absent from large private land holdings.

In short, the refuge is best able to serve the broad management goals by trusting to natural ecosystem dynamics to provide for a diversity of vegetation series (i.e., successional cover-type and forest structure). If the proposed federal lands and state lands are managed more-or-less together under a regime of natural ecosystem dynamics, there is the opportunity to have nearly 50,000 contiguous acres functioning under a natural disturbance regime. Truly, this is rare in the eastern United States. Although in our lives we are unlikely to see the patchwork of structural and vegetative diversity created by natural ecosystem dynamics, the coming generations will inherit a piece of landscape that has been allowed to develop naturally and unencumbered by human preferences for certain species and certain forest stand characteristics.

I urge you to change the language and the intent expressed on page 17, section "3. Management Flexibility Over Time," page 46, section "1. Forest Products Industry" and page 53 section "2. Managing for Species Richness and Abundance." Rather than the old paradigm and management style of attempting to create by manipulations "a balance of habitat types on a landscape scale," should we not forge the new paradigm of allowing natural forces to operate on nature's temporal and spatial scales to provide for a diverse 50,000 acre landscape in the long term.

Sincerely,

Marc Lapin

James A. Harris
PO Box 26 Fairlee VT 05045
Tel: (802) 333-9407 Fax: (802) 333-9525

RECEIVED
4-23-99

April 20, 1999

To Beth Goettel - Fish and Wildlife Service,

In Reference to the Wildlife Service's purchase of the Champion land in Vermont.

1. I ask you not only listen to the wishes of the people who's lives this Wildlife Refuge will impact but to implement policies that respect our culture.
2. Too often folks from away have the sense that "they" "now what is best for others and through their policies pay only lip service to views and ways that are alien to their own. The old adage, "When in Rome do as the Romans do," is appropriate.
3. We as sportsmen have expended allot of energy along with the Vt. Fish & Wildlife Dept. developing Game management plans. The Most recent of which is The Bear Management plan. We as Vermonter's are proud of the plan and believe in addresses all aspects of the echo- system.
4. My family has been HUNTING WITH HOUNDS for generations here in Vermont. It is part of our life, our social interaction with family, friends, and neighbor, our recreation. More importantly it is the instrument we teach our children about the lessons of life to include, right form wrong, social and personal responsibilities, to appreciate, respect and defend what God has given us. It is what binds us together as a people and family.
5. I ask that you respect our way of life.
6. I ask that you follow the Vt. Fish & Wild life laws and not impose more restrictive laws upon us.
7. I ask to be notified of all public hearings.

Respectfully,

Jim Harris

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Wildlife Refuge
38 Avenue A
Turners Falls MA 01376

20 April 1999



We wish to submit the following comments regarding the four alternatives under consideration in the Environmental Assessment for the proposed Nulhegan Basin Unit of the Silvio O. Conte NWR.

We endorse Alternative 2 (the purchase in full fee, by the USFWS, of 26,000 acres) since this is the best way to give permanent protection to the natural diversity of these lands and to maintain their ecological integrity.

As people with Vermont roots (we have extended family members living in the state and grew up in West Rutland), we are intimately familiar with these lands. We have gone birding up there and know how critical these lands are to maintaining the state's small but robust populations of such boreal birds as the Gray Jay and Boreal Chickadee.

The Nulhegan Basin is a key part of the Connecticut River Watershed. As Vermont's largest free-flowing river, the Nulhegan provides critical spawning habitat for Atlantic Salmon and native trout populations. Two of Vermont's largest mammals, moose and black bear, freely wander along the Nulhegan and the area is also the state's largest deer wintering yard.

Acquisition by the USFWS would also protect 15 lakes and ponds from development pressures, and would preserve the integrity and natural and aesthetic values of the area's forests.

This is a once-in-a-lifetime opportunity to protect the very heart of the Northeast Kingdom. It is vitally important that everything possible be done to protect the ecological and aesthetic values of the area.

Again, we endorse Alternative 2 as the preferred alternative and urge the USFWS to press forward with the full fee acquisition of the 26,000 acres for the Nulhegan Bay Unit.

Sincerely

The Gregs
Alan and Monica Gregory
PO Box 571
Conyngham PA 18219-0571

The University of Vermont

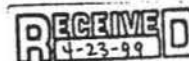
NATURAL AREAS CENTER

ENVIRONMENTAL PROGRAM
153 SOUTH PROSPECT STREET
BURLINGTON, VERMONT 05401-3595
PHONE: (802) 656-4055
FAX: (802) 656-8015



April 19, 1999

Silvio O. Conte National Wildlife Refuge
U.S. Fish and Wildlife Service
38 Avenue A
Turners Falls, MA 01376



Greetings:

I am writing in regards to the Draft Environmental Assessment for the Champion Lands in Essex County, Vermont. I am on the staff of the Environmental Program at the University of Vermont where I instruct courses and advise student research in Vermont Natural History, Landscape Restoration, Conservation Biology, and Natural Areas Stewardship. I am familiar with the Nulhegan Basin Area, having led field trips in the region for over 12 years.

I strongly recommend that the U.S Fish and Wildlife Service adopt Alternative 2. Acquiring the land in the Nulhegan Basin in full fee will allow the Service the best opportunity to manage the area for biological diversity values, providing its expertise to the mix of public and private ownership evolving in this important land conservation project. Providing a "core reserve" in the Nulhegan Basin with adjacent lands managed for more diverse uses mimics reserve design models developed by conservation biologists here and elsewhere. This important and special natural region of Vermont deserves no less!

Thank you.

Rick Paradis

Rick Paradis
University of Vermont Environmental Program

3/25/99



To the editor: U.S. Fish & Wildlife Service

Senator Elizabeth Ready: The state cannot assert itself over the property rights of individuals—defend the constitution as you are sworn to do! Look up these arguments!

Knowing in my heart this is just a government land grab in the NE kingdom designed to benefit only those included in the deal I re-read the constitution.

I browsed the first Article dwelling on the statement: That all persons are born equally free and independent, and have certain natural, inherent and unalienable rights amongst which are the enjoying defending life, liberty, acquiring, possessing and protecting property.

I also studied Article 2 which states private property ought to be subservient to public uses when necessity requires it nevertheless whenever any person's property is taken for the use of the public, the owner ought to receive and equivalent in money. I remember comparing these articles which contrast a persons right vs governments right to only make property subservient to public use and then only when necessity requires it. No right to own it just make it subservient to public use. This fit well with the courts previous decision which indicated that land could not be taken for mere public benefit. But then I ended up browsing Section 66 in Chapter II. Every person...may purchase, or by other just means acquire, hold and transfer land or other real estate, and after one year's residence shall be deemed a free denizen thereof... A reaffirmation of Article 1. The law is a double edged sword. By specifically defining persons as owners and using article 2 to define the states right to make property subservient, the constitution eliminates the state as a property owner. This is a clear irrefutable simple English definition of who can hold and buy property. Only individual persons may purchase hold or acquire property. With the support of Article 1 and 2 it is clear. Further definition from Section 66 shows that only persons may own while in contrast the state can make property subservient and then only when necessity requires. The government cannot own or acquire property. The right to own property is only a persons right. Land described in Article 2 is Private Property. Private property, all land owned by persons is private property owned by persons. The state can never interfere with the property rights spelled out in Articles 1, 2, and Section 66.

Government is supposed to be the protector of rights. The constitution identifies those rights and creates boundaries for the operation of government. Vermont is constitutionally mandated to be governed by a Governor, Senate and House of Representatives. Only they can make and define the laws. Delegating those powers violates the requirement of the three branches to govern. It also denies equity across the state when any of these powers are delegated to towns. What is viewed as compelling and fair in the town; may be grossly inequitable across the state. All rights must parallel the right to fairness declared for education.

When the state is involved for mere public benefit it is illegal. Court has ruled that! If land could be bought for mere public benefit all private property would disappear!

For the state to divert any property away from any private sale between persons is unconstitutional. The state cannot judge that the land will have uses it does not want! The state or feds. have no right to determine what will be done with property or elevate the rights of Land Trusts above ours for the purchase. Tax breaks cannot be given to influence the states position, it is the rest of us that need to make up those tax breaks. Persons are protected with rights down to the simple enjoyment of private property. Surely there is not a compelling reason for government to buy property simply because it is private and it will not be enjoyed the way the state wants it to be enjoyed.

The property being condemned for a bike path in Colchester by the town is of little significance to all other Vermont towns. Condemnation is supposed to take place as mandated by constitutional law at the state level. The significance of a bike path for the common benefit of Colchester is not a compelling reason for the state to take land. Condemnation can be viewed as nothing more than mere public benefit confined to Colchester which has been ruled illegal.

Land Trust's, and Current Use which requires changing your deed to give property rights to government to buy lower taxes; the bike path in Colchester and condemning action by any other town; and the state government's role

to obtain land in the kingdom for the sake of holding property for the enjoyment of the state rather than a private person especially when there is no reason to believe current uses would be eliminated with private ownership, in all cases is illegal and unconstitutional. We are not a collective society. Ayn Rand's "Anthem" must be read to see lawmakers an idea of what they are doing.. Lawmakers need to review and comply with our constitutions. All of our rights are spelled out as equally free, and independent persons. We are equally free and independent owners of our private property. All (property) rights are natural, inherent and unalienable not to be given or controlled by government. A right that is regulated is not a right!

A copy of this letter is sent to the Attorney General, and Senator Ready so they can start protecting our rights.

Sincerely

William Brueckner

William Brueckner Sr
1421 Shaw Mansion RD
Waterbury Ctr. Vt 05677
1-802-244-7517

The Champion land sale
violates the rights of Vermonters
as outlined in this letter.

Only private persons may
acquire hold or transfer land!

Government (State or Federal) has no
right to interfere with private

land sales or acquire property

You are violating the Vermont State
Constitution & previous William Brueckner
Court rulings

RECEIVED
4-23-99

April 19, 1999

Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls MA 01376

Dear Refuge Manager,

I regret that I am unable to attend today's public hearing on the Nulhegan National Wildlife Refuge, but I wish to express my conviction that the US Fish and Wildlife Service should buy outright those 26,000 beautiful acres and save them for all time from development. The wildlife, forest ecosystems and clear pure streams of the Nulhegan Basin constitute an irreplaceable heritage that we have the opportunity and duty to leave for future generations. I hope to take grandchildren there to experience the peace and joy that I've found in wilderness and nowhere else. Please act to make that possible.

Thank you for your attention.

Sincerely,
Jofinda Gershon
Jofinda Gershon
49 Pleasant St.
Proctor, VT 05765

Author: Bob Burnham <transit@together.net> at -internet
Date: 4/24/1999 9:14 AM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Establish the Nulhegan Basin NWR

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte NWR

I write in support of Alternative 2 of the Environmental Assessment of the Nulhegan Basin and urge that the USF&W Service purchase the 26,000 acres. My wife and I have hiked and photographed wildlife in the proposed refuge area--we live about 25 miles away in East Burke. The Nulhegan Basin and Paul Stream areas represent great ecosystems with considerable biodiversity. They must not be abused by commercial exploitation. A managed wildlife refuge is the best hope of preserving this crucial, relatively unspoiled area for future generations.

Robert A. Burnham
Victory Road
East Burke, VT 05832

Can it be you don't know
anything about how the
government works?



VPRC
VERMONT PROPERTY RIGHTS CENTER
Underhill, Vermont 05489
Phone/Fax 802-899-4668



RECEIVED
4-26-99

copy of this document also
received on 4-20-99 via
fax machine.

April 19, 1999

REFUGE MANAGER
U. S. Fish and Wildlife Service
Silvio Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

413 863 3070 FAX or R5RW_SOCNWR@fws.gov

Subject: 133,000 Acre Purchase of Champion Lands - testimony

**BAD FOR THE FOREST ECONOMY, BAD FOR
BUSINESSES THAT PROVIDE GOODS AND SERVICES,
AND BAD FOR THE TAXPAYERS IN THE TOWNS
EFFECTED.**

As a adjoining and/or inholder of property I request a Vermont Act 250 Environmental Assessment of the effect on Northeast Kingdom economy on all aspects of human habitat. I request that every adjoining property owner be formally notify as required by zoning regulations of the change of use from "tree farming" to "INTERNATIONAL, federal and state reserve or preserve." Property owners should be supplied with a copy of current restrictions placed on INHOLDERS AND ADJOINING landowners adjoining these type of reserves in New Hampshire, New York's Adirondack Park, and Maine.

I respectfully request funding for a study of the impact on human habitat, the new inholders in these reserves, and adjoining property owners. We have many people with professional credentials at the State and National level. I am sure I could get the cream of the crop to serve on the first environmental study to address the effects on humankind and their habitat as a result of a federal and state purchase of land within a township.

1 OF 4

I URGE YOU TO SERIOUSLY CONSIDER THIS PROPOSAL!

- What will be the effect on human habitat?
- What will be the effect on adjoining property owners?
- What will be the effect on "inholders" on these federal and state preserves or reserves?
- Will those who own existing structures be granted a lease after 2000?
- Will those who own existing structures on lease land be granted an opportunity to obtain a lease after the one time lease renewal?
- If no new leases are to be issued how can this program be identified as traditional uses?
- Will the addition of garages, porches and extra bedrooms be allowed on privately owner land in the federal reserve? On leased land?
- Will a 42 acres lot size designation be required to building on privately owned property within the federal reserve like that of the Adirondack Park?
- Will the Federal government place boulders in the middle of the road and pull all the culverts to restore it's traditional use by species other than humankind?
- Will there be a 100 year moratorium on tree cutting on the federal or state owned land?

A review of the draft Environmental Assessment for the purchase of land from Champion reveals the following:

The biologist, "while stating over and over again, WE ARE BIOLOGIST" when it comes to answering the tough questions didn't adequately identify all the species present or endangered or analyze the impact on humankind. Biologists think of themselves in terms of wildlife and are not qualified to evaluate the emotional and financial effects on humankind.

Many areas of the report are totally in-adequate and reflect a concentration on wildlife with no emphasis on humankind.

It is our belief that we can prove that the shut down of logging by Champion has already had a major impact on the Northeast Kingdom economy. This cause and effect combined with the known fact that federal and state ownership of property will resulted in an unjust transfer of tax burden to remaining residents are well known facts. We believe these impacts will occur.

- A major impact on personal income from logging.
- A major decreased the populations of the towns effected. The population of the largest town in the district has dropped from 1581 to 1361.
- An impact on the mental health of the towns effected. In the 1997/1998 fiscal year there were 17 suicides or attempted.

2 of 4

Hunting and Fishing Appendix 8

I quote (5) "to fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands: and" Treaty obligations have the same effect of law as our Constitutions. Cloaked in this one little phrase is the loss of sovereignty over our public and private land use. This loss of sovereignty resulted from acts passed by the United Nations as submitted and approved by member nations without a private property principle. Much of the regulation was proposed by the USSR and adopted in role call votes by the United Nations. These U. N. Designations of Preserves and Reserves, including Biosphere Reserves, encompass the Champlain Valley and basically all of the property contained in the northern parts of New York, Vermont, New Hampshire, and Maine. It is best described as the 26 Million Acre Northern Forest Lands Act or Study.

Snowmobiling See Appendix 9

Only pre-existing VAST trails will be used! This is an attempt to cloak what will come in the future. A shut down of VAST trails as more and more designations are placed on the land. This means no new trails for VAST. In the Underhill State Park, Vermont and Underhill through designations, after the fact, and through collective public planning has limited the use of the park to a select few cross country skiers who can't stand the noise of snowmobiling!

Camp owners to be considered tenants. See Appendix 10

(temporary use and occupancy of real property) Paragraph (a) is double talk and not to the point. An equal interest in all buildings, structures, and other improvements, could be interpreted to mean half interest in the assets of the owner.

The word, "Tenant" under "Policies for Acquiring Camps" in effect means the government can evict over 200 citizens who have leases and own buildings, structures, and other improvements at any time. You can, of course, remove your private property, or as I interpret it, the government will pay you half of what its worth. *With this policy position and the fact no new leases will be issued indicates a failure to maintain the traditional uses.*

I suspect that under (c) the government will pay only salvage value. As the deadline gets closer and closer the property's fair market value will be salvage value. If it has to be moved no one is going to offer what it cost to construct. Property owners will suffer a loss.

Respectfully yours,
Thomas J. Morse
Thomas J. Morse
Director

- Will result in decreased sales by those businesses who supply goods and services to the forest industry.
- Cause a redistributed the taxes burden to those remaining residents. In the 1997/1998 Brighton had a tax increase of over 30%.
- Will decreased the Town's Grand List substantial, now and more in the future as some land is bought by the federal and state government and sold to exempt organizations.
- Will result in massive regulation of federal land as witnessed in the Adirondack Park and other federal reserves.
- Create a town burden of supplying fire protection, police protection, search and rescue, record keeping of property transfers by the towns effected.

An in-depth analysis should occur on the future impact of the suspension of logging operations on the following lands:

- The land Purchased by the Federal Government
- The land purchased by the State of Vermont
- The land held by the Land Trust
- The land held by the Conservation Fund

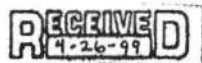
The impact on the area from the redesignation of the Nulhegan Basin to Class A Waters:

- Specifically, what regulations are enforced on adjoining land to Class A waters?
- Will more than the federal land be effected?
- How large an area will be effected?
- Will the federal government allow logging on federal land in the Nulhegan Basin?

The impact of the federal designation "Heritage River" on the Nulhegan River, a tributary of the Connecticut River:

- Specifically, what are the designations use on adjoining land of a Heritage River?
- Will there be any funding as a result of the designation?
- Who will be eligible for that funding?
- Does the regulation seek out and find pollution or does it regulate the use of land as the tool to prevent pollution?

April 21, 1999
24 River Road
North Chittenden VT. 05763



Refuge manager
U.S. Fish + Wildlife Service
Selvio O. Conte NWR,

This letter is in response to the action alert letter concerning the Mulhegan - national wildlife Refuge. Unfortunately the letter arrived in the P.M. mail on the day of the public hearing rendering my attendance impossible.

I am a true nature lover + love all things wild + the natural habitats to sustain these creatures must be preserved at all costs. I love the birding, hiking, (hunting for survival only - not sport.) It's not much sport killing a defenseless unaware animal that can't defend itself. I enjoy, very much just being in these areas observing them, absorbing them, wondering how much longer they will survive before the saw and the bulldozer eliminates them forever.

I have lived in the Chittenden / North Chittenden Town area going on 38 years. My three children have grown up here. The town of Chittenden (City) recently saved the beautiful Chittenden Reservoir area by voting to have C.V.P.S. sell the area to the Forest Service area instead of to private developers. The developer tried desperately

2.

to convince the voters that developing the lake front area was best for the town, money in their pocket being their main object. Most of these residents are natural nature lovers too, + head heads provided + C.V.P.S. was allowed to sell the land + reserve area to the Forest Service.

Areas like the Mulhegan and the opportunity to preserve them forever doesn't happen very often. We owe it to ourselves + to our future generations to step in, whenever + wherever we can, to preserve the beautiful areas. Once lost + or destroyed, they are lost forever.

my family + I very strongly support
alternative 2. Go for it!!

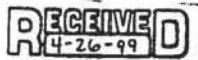
Sincerely:
Harold (Holt) L. Rodgers
+ Family



Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation

State of Vermont

AGENCY OF NATURAL RESOURCES



DEPARTMENT OF FISH AND WILDLIFE
103 South Main Street, 10 South
Waterbury, Vermont 05671-0501

Tel: (802) 241-3700
TDD: 1-800-253-0191

Nongame & Natural Heritage Program

Email: erics@fwd.anr.state.vt.us

Telephone: 802-241-3714

April 20, 1999

Larry Bandolin, Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, Massachusetts 01376

Subject: Draft Environmental Assessment, Nulhegan Basin

Dear Larry,

Thank you for providing me an others the opportunity to comment on the Draft Environmental Assessment on Options for Protecting the Nulhegan Basin Special Focus Area. I am writing to express my strong support for Alternative II (the Proposed Action). I believe that the range of alternatives provided in the Draft Environmental Assessment (Alternatives I - IV) are reasonable in covering the U.S. Fish and Wildlife Service's potential involvement in the Nulhegan Basin area.

The Nulhegan Basin is an exceptional natural area of both state and national significance. The combination of bedrock geology, glacial surficial deposits, climate, and the force of moving water over thousands of years has created an ecosystem in the Nulhegan Basin that contains many species and natural communities typical of more northern or boreal regions of the continent. These species and communities (terrestrial, wetland, and aquatic) are a very important aspect of this region's biological diversity. Management of this critical basin and associated lands to the south in the Paul Stream watershed should be for the long term protection of ecological integrity, with appropriate public access provided. These goals can best be accomplished through public ownership.

I have specific concerns that relate more to ultimate management of the Nulhegan Basin land should the Service proceed with fee-simple acquisition. First, although I clearly believe in and understand the importance of maintaining public access to these lands and waters, any future management by the Service should focus primarily on restoring and maintaining the ecological and biological integrity of these lands and waters. Locations of existing or proposed roads and trails, and access by motorized vehicles should be judged critically against their affect on ecological integrity.

Larry Bandolin
April 20, 1999
Page 2

Similarly, managing for species richness or abundance of particular species of interest should be weighed against the affect of these practices on ecological integrity and the species that may be displaced by the management. In many cases it may be that communities under the forces of natural disturbance will provide the diversity of habitats and successional types necessary to sustain individual species of interest over the long term, without forest management practices. Maintaining management flexibility over time is a logical goal and should provide the basis for making decisions of this type.

I look forward to working with you in the future and I hope that the continuing public process will lead to a strong presence by the U.S. Fish and Wildlife Service in the Nulhegan Basin of Vermont.

Sincerely,

Eric R. Sorenson
Community Ecologist

Equal Opportunity Employer

Regional Offices - Barre/Essex Jct./Pittsford/N. Springfield/St. Johnsbury

Author: "John Gosselin" <grouse@together.net> at -internet
Date: 4/25/1999 7:23 PM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Champion Land/Nulhegan Basin

As it pertains to the subject land and proposed acquisition by USF&W, please let it be known that I favor:

ALTERNATIVE #2, with the contingency that this land be actively managed for habitat for a variety of wildlife and recreational hunting opportunities.

If this cannot be made to happen, then I favor:

ALTERNATIVE #3, protection through conservation easements.

Thank you,

John Gosselin
Chairman, Green Mountain Chapter
The Ruffed Grouse Society
20 Delorme Rd.
Fairfax, VT 05454

24 Beech Rd.
N. Chittenden, VT 05701
April 20, 1999

RECEIVED
4-26-99

Dear Mr. Conte:

I'm writing in re. to the Nulhegan Basin National Wildlife Refuge Proposal. Not being aware of the hearing on April 19th in time to attend, I was to express my opinion via letter.

Having lived in VT. for thirty-five yrs., I have personally observed the sickening changes, in the negative, to the forests & rural atmosphere of Vermont. Developments are popping up like toadstools as well as the problems that accompany them.

We can never go back or stop growth, but, it does have to be controlled; and, we have to preserve what precious little is left!

It is rare that we are given a chance to preserve as priceless an area as this is; and, an awesome responsibility to the earth and our children. What an honor for you to be a party to this opportunity.

A resounding "yes" to Alternative 2!

Sincerely,

Patricia L. Rodgers

Author: Marianne and Michael Walsh <walshesover.net> at -internet
Date: 4/28/1999 6:10 PM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Draft EA: Champion Lands (Vermont)

28 April 1999

Subject: Comments for the Draft EA, USFWS Participation in a Partnership to Protect "the Champion Lands" in Essex County, Vermont

REF: FWS / Region 5/ RW

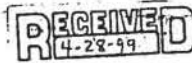
1) I would like to thank you for the opportunity to comment on the Draft EA for the proposed inclusion of the Champion Lands into the USFWS Silvio O. Conte National Fish and Wildlife Refuge System. The effort is well appreciated, and I thank you for considering Vermont for the first significant parcel in the refuge system.

2) I have read the document and found it well written and quite informative. You have made a very strong case for your preferred alternative, which I agree with. Not only is the ecology of the area considered, but the impact on the local populace. The concept of private, state, and federal ownership of different portions of the vast block of Champion lands is excellent, as it brings in various paradigms of land management to the area. Hopefully, the strengths of all three types of ownership will build on each other to the benefit of all.

3) There are a few issues on which I would like to comment. First and foremost, I don't believe trapping should be allowed in the wild life refuge. This is a crude and barbaric sport, and is no way to make a living. As your EA notes, very little of this is going on in the Mulhegan Basin, so cessation should have little economic impact. Secondly, I don't believe that logging should be allowed in the Basin. As you have noted in the document, the forest lands surrounding the Basin have been heavily logged in the recent past, so there should be no need to "open land for wildlife" within the Basin. There are natural methods for this to occur, and they should be allowed to run their course. Opening the land to commercial harvest, no matter how small a scale, sets a bad precedent for the Basin. I fear an expansion based on "local economic needs", as has occurred in the West. This inevitably leads to overharvesting, destructive forestry practices, and the ruination of the ecology. Third, although I agree that the snowmobile trails maintained by VAST should remain open, I think you should be very careful when you determine the extent of the current trail system. Major trunks and arteries should be allowed to remain open, but smaller trails should be closely examined. VAST has greatly expanded its known trail network before when similar situations have arisen. Fourth, I would like to comment on the management of the Refuge for wildlife, as opposed to game. The State of Vermont has no funding for wildlife, concentrating exclusively on game species. I feel it is important and integral to the concept of the multiple ownership of the Champion lands that the USFWS manage their land with ALL species in mind, not just a few. Although I detest the overuse of the word diversity, there is no getting around its importance as well as the lack of its support, even in a state as forward thinking as Vermont.

4) I wish you the best of luck in your endeavor. The Champion Lands are an important issue, not just to the Conte Refuge system and the State of Vermont, but to the nation. I have heard from colleagues in Idaho and Alaska, who wish their states could do something like this before the Forest Service and the multinational timber industries destroy our national trust. Thank you again for the opportunity to comment on your fine Plan.

Michael R. Walsh, PE
151 E. Camp Hill Rd.
Weathersfield, VT 05156



April 25, 1999

Mr. Larry Bandolin
Manager, Silvio O. Conte Wildlife Refuge
U.S. Fish and Wildlife Service
38 Ave. A
Turners Falls, Mass. 01376

Dear Mr. Bandolin;

I hereby submit comments on the Draft Environmental Assessment regarding protection of the former Champion lands in Essex County, Vermont, hereinafter called the Document.

Based on my understanding of the applicable law (see end), the procedure represented by this Document, and its intended purpose, adoption of its Alternative II, is highly irregular and may even be illegal. According to the CEQ regulation governing Environmental Assessments (EA's), 40 CFR 1508.9, an EA serves only to determine whether an Environmental Impact Statement (EIS) should be prepared or that there be a Finding of No Significant Impact (FONSI). This Document fulfills neither that definition nor purpose.

Instead it is a site-specific EIS that purports to be tiered on the Alternative D Action Plan in the Final Conte Refuge EIS (FEIS), adopted in October, 1995 (Doc. p. 2, pgh. 1). However, the problem here is not simply terminology, but that the preferred Alternative II here is a radical departure from anything in Alternative D of the FEIS. This specified outright U.S. Fish and Wildlife Service (Service) purchase of only 600 acres in the whole Connecticut Valley watershed from Bradford, Vermont to the Canadian Border, and for Service involvement in protecting only 25820 acres additionally through acquisition of easements or other cooperative arrangements (FEIS, pp. 4-37, 4-38). According to CEQ regulation 40 CFR 1508.28, a properly tiered EIS would address only the details of how the FEIS Action Plan would be implemented within those parameters. Yet, Alternative II calls for the fee purchase of a whopping 26,000 acres in just one of 48 Focus Areas in the whole watershed to be "tiered" on those modest Alternative D provisions in what would be a truly astounding defiance of gravity. Given these circumstances, plus the additional environmental impacts resulting from the particular circumstances of this proposed purchase, a full EIS in its own right is clearly required, and any preliminary true EA would probably be superfluous.

The Service offhandedly acknowledges an awareness of this gravity issue on p. 1, pgh. 2 of the Document, and on p. 11, pgh. 2, last line. However, it attempts to defuse it with the statements on P. 9 and 10. The problem here is that a reasonable person could also conclude from these that, 1) the Service didn't know what it was doing when it prepared the original Conte EIS, or, 2) that the Conte Refuge Act is impossible to implement in any rational, predictable way, and since the Service already has wide latitude in property or property rights acquisition to "protect" whatever, the whole Act should be junked. I am sure that these considerations were not what Congress intended when it enacted Conte, any more than it was to give the Service a blanket authorization to go around gobbling up huge tracts of land in the Connecticut Valley watershed on an opportunistic basis. Obviously,

a project of the Conte Refuge EIS's magnitude must allow for flexibility, error, and unpredictability, but not to the exponential degree present here.

A proper EIS would address the cumulative impacts resulting from the process involved in the Champion lands purchase, which were not at issue in the original Conte analysis. Namely, one whereby non-profits with an environmentalist mission buy up tracts of land, seek to unload some or all of it, or rights to it, onto the taxpayers, then use the proceeds to proliferate the process. The adverse effects of this socioeconomic equivalent of cancer on the economies and social fabric in rural areas are obvious and undeniable. Here, in what has been designated the Northern Forest Region (NFR), its menace is particularly acute, since the NFR has long been targeted by hosts of influential environmentalist groups for reduction to a vast, depopulated wilderness park for their back-to-nature self-indulgence.

Their principal means for achieving this is through ever more public acquisition of land or the rights to it, in which this process is key. For example, we have the "Wildlands" scheme being promoted by the Northern Forest Alliance, a coalition of some 30 of these groups, and more extreme, the "bioregions and corridors" one, which would confine human populations and activity (until they were driven out) to highly regulated mini-versions of Indian reservations. Moreover, these adverse effects are being exacerbated by for-profit corporations which have discovered a good racket in also buying up tracts of land, then seeking to recover most of their investment in a "corporate welfare" variation on this theme. A good example here is the earlier Hancock Timber Resources purchase of 31,000 acres adjoining the area in question where "development rights" were subsequently unloaded onto the taxpayers for some \$2.5 million. Finally, it should be pointed out that these Federal "Trust Funds" used to fuel this process, like the Land and Water Conservation Fund, actually exist only to the extent that Congress is willing to appropriate taxpayer dollars in their name.

The circumstances involved in the purchase also gives rise to another set of impacts that would be addressed in a legitimate EIS, and which probably should have been addressed even in this Document. These result from the insidious manner whereby these non-profits use financial leverage to preempt and manipulate public policy for their own purposes in a "wag-the-dog" manner. For example, that \$4.5 million contribution by the Richard K. Mellon Foundation was contingent on the State of Vermont matching it (Doc. p. 9). Absent the subtle pressure implicit in this "gift", the Vermont legislature could probably have put their \$4.5 million to better use, such as alleviating the dismal socioeconomic conditions in Essex County (Doc. p. 32, pgh. 2-3, p. 34, pgh. 2), where the need is clearly for more "development" than it is for more "protection".

Likewise, although the Service disingenuously claims to have been "offered" its 26,000 acres (Doc. p. 1, last pgh.), its involvement in the purchase was obviously part of the scheme from the outset. Again, couldn't its proposed \$5.2-7.8 million participation be better used to fulfill the Alternative D objectives throughout the whole Connecticut Valley watershed rather than being concentrated on just one of those 48 Focus Areas? Given the shoestring cash and optimistic projections that characterize the financing of this scheme (Doc. p. 9), what we actually have here is public agencies being maneuvered, albeit willingly, into subsidizing private land speculation. If the purchasers just want to protect environmentally significant portions of these lands rather than perpetuate a cancerous process, then they should be prepared to sell off some of those less-, or non-critical 85,000 acres

So I am sorry, ladies and gentlemen, you have not made a convincing case for the purchase of those 26,000 acres, nor have you endeavored to do so in a proper, objective, and thorough manner.

Sincerely,

Ronald R. Spalding

Donald R. Spalding

RFD. Knothole Road
Whitefield, N.H. 03598

Legal reference for these comments: Environmental Law Handbook, 13th. Edition;
Thomas F.P. Sullivan, Editor; Government
Institutes, Inc., 1995; pp. 308-332.

without restriction, even if it means selling to those (gasp!) evil developers.

ARE

Then there, the relevant and significant impacts that should have been addressed in this Document, regardless of its scope and purpose, but weren't. The Service can point out the drawbacks of conservation easements and cooperative agreements (Doc. pp. 11-12) but is deafeningly silent on those of fee purchase. For example, despite the meaningless statement that the Service has "no plans" to artificially introduce endangered species on its 26,000 acres (Doc. p. 54, pgh. 5), once it owns them outright, there is nothing to legally prevent it from doing so, and then using that as a pretext to renege on its commitments to allow camps, outdoor recreation, and timber harvesting. The Document's attempt to transmogrify those modest Alternative D provisions into a broddingnagian land grab is hardly reassuring in this regard.

Even with good intentions to honor promises and formal agreements, once land or rights to it come under Federal ownership, Agencies are powerless to prevent barrages of environmentalist lawsuits which invariably seek to further close it off to productive use and recreational access. In this case the vulnerability is particularly relevant because of the importance of the wood to the forest products industry in N.Y., N.H., and Maine (Doc. p. 35, pgh. 2). As an example of this effect, in 1993, James River Corp. at one point publicly warned that operations at its Berlin, N.H. mills would be curtailed because of so many environmentalist legal challenges to its wood supply from the White Mountain National Forest. And now we have Green Mountain Watch seeking to "spotted owl" the whole NFR with the Indiana bat.

In fact, this Document reads more like a sales promotion than an objective attempt to identify and evaluate environmental impacts. We have the rosy scenario tax benefit projections, oblivious to the historical and congenital refusal of Congress (which can always come up with more money to buy land) to provide more than token payments in lieu of taxes (Doc. p. 47-49). Then there is the "eco-tourism" mantra, whereby flocks of bird watchers will descend on the proposed refuge along with their feathered friends, despite the pallid substitute eco-tourism has proven to be for resource-based productive activity in the West, and despite the fact that most of its featured wildlife is so common throughout the region that it can even be a pest in some cases (Doc. p. 47, pgh. 3-4). Most egregious is the 8-year-old poll showing overwhelming support for more public land acquisition in the region (Doc. p. 39, pgh. 1), despite the heightened awareness and concern over the environmentalist assaults on its economy and way of life which have occurred in the interim (see above).

Finally, the Document's No Action Alternative repeatedly refers to 111,000 acres being at issue when the absence of Service participation would mainly affect only 26,000 acres (Doc. p. 40-41). Moreover, it is curiously at odds with the original Conte FEIS in which this acreage is also a Focus Area (FEIS p. 3-48). P. 41, last pgh. indicates that under No Action there would be no Service involvement whatsoever when Alternative D clearly provides that such should and would occur within its scope. The implication is that unless Alternative II (or III) here is approved, the Service will take all its resources and go away forever (so there!). Yet, despite all these positive and negative sales pitches, the Document, to its credit, also points out that under Champion ownership, these lands were receiving adequate protection (Doc. p. 11, pgh. 1, p. 30, pgh. 2), and it is obvious that under the new owners, the degree and areal extent of this protection would be even greater, with or without Service participation.

Author: <dgreenough@us.ibm.com> at -INTERNET
Date: 4/28/1999 10:45 AM
Priority: Normal
TO: Fran Plauskys at SHA-MAIN1
Subject: No subject given

Dear sirs,

I was unable to attend last week's hearing on the draft environmental assessment for the proposed Conte National wildlife refuge. I am aware of the proposed alternatives, and as avid sportsman in the state of Vermont, I wanted to take the opportunity to express my opinion. I fully support public acquisition of this property provided it is managed properly to maximize support of native wildlife. In the past this area was one of the best areas to hunt ducks and upland game, in particular black ducks and woodcock. Since both of these species have been on the decline, this would be a perfect opportunity though proper habitat management to showcase what can be done to restore the numbers of these species. Therefore, I would support alternative #2, provided the refuge is actively managed for wildlife native to the area and provided it would be open to hunting. Otherwise, I guess I would have to support the lesser of the other two evils, and support alternative #3.

Dave Greenough

Author: "JAMES SHARP" <NEMID@nwf.org> at -internet
Date: 4/29/1999 10:50 AM
Priority: Normal
TO: Fran Plauskys at SHA-MAIN1
Subject: Champion Land Deal

To whom it may concern:

Thank you for the chance to comment on a golden opportunity for the people of Vermont and the Northeast.

I support enthusiastically the purchase of 26,000 acres of Vermont's Northeast Kingdom by the U. S. Fish and Wildlife Service as part of what I believe you list as "Alternative 2" and what the newspapers describe as the "Champion Land Deal."

The Nulhegan basin is a treasured resource in so many respects: a decent-sized flowing river, great spawning grounds, terrific wildlife habitat for moose and deer and dozens of smaller mammals, a prize deer yard, more than a dozen undeveloped lakes and ponds, some old growth forest and irreplaceable ecosystems, biodiversity galore...

Please don't squander this chance to add this jewel to The Kingdom's tiara. Buy it and protect it as fully as you can. Our great, great grandchildren will thank our foresight for squirrelling away such an inheritance.

Thank you for your consideration.

Sincerely,

James Sharp
7 Winter Street
Montpelier, VT

26 April 1999
46 Rip Rd.
Hamden, N.H. 03755
603-643-8397

Larry Bandolin

Dear Mr. Bandolin:

RECEIVED
APR 29 1999

The goal is the opportunity to comment on the Draft Environmental Assessment: Options for Protecting the Nulhegan Basin Special Forest Area. I strongly support the Preferred Alternative (Alternative II).

On P. 40 of the E. A. paragraph 3 under "Forest Products Industry" speaks of "in delivering... 26% of the capacity to forest production." I think you mean to state capacity to sustainable forest production. See paragraph 10 of the E. A. paragraph 3.

The discussion of snowmobiles is entirely inadequate. Snowmobiles have killed many bears and porcupine populations (graze, oil and natural gas) and the paved snow roads displace many species and snowmobiles. Snowmobiles are not a "natural" use anywhere. By adopting snowmobiles, not only in place, you lose any opportunity to objective bear the data. You are unable to determine how snowmobile use affects your data. Lynx, caribou and wolves are traditional users of the Nulhegan Basin. Since last visiting the Lake Umbagog State, I have come across two more reliable sightings of caribou in southern N.H. and Southern Vermont.

The E. A. entirely ignores the issue of mountain bikes and off road (trail or wheel) short hand type devices. The Society for Protection of N.H. Forests has a policy of "no wheel vehicles" on Society lands (except those involved in timber harvest). The Mountaineering Museum (a Lake Umbagog corporation) bans all off road bicycle use. The US FWS should set a good example and encourage pedestrian use. You have no right to ignore this bicycle issue. There are many good reasons to ban mountain bikes - stream bank erosion, soil erosion, petroleum product pollution, plant and animal disturbance, noise - from braking, and reduced public consciousness about the environmental safety of

has been an increase in winter use of mountain bikes, largely on trail bikes. This leads to erosion. Many mountain bikes are noisy but lazy vehicles who wish to enter the woods to engage in illegal activities - including

Sincerely,

RECEIVED
APR 29 1999

Thomas A. Smith

Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte NWR
38 Avenue A
Turners Falls, Ma. 01376

142 Cobb Hill Road
Waterbury, Vt. 05676
April 26, 1999

RECEIVED
4-29-99

Dear Refuge Manager:

I support the purchase of the Nulhegan Basin to create a publicly-owned land base as part of the Conte National Wildlife Refuge (Alternative 2 of the Environmental Assessment).

Three reasons for my support are:

- 1) Publicly owned land would best protect the resources in this area. In particular, as a biodiversity "hot spot", this region deserves the protection that public ownership permits.
- 2) A national wildlife refuge would do more for the local economy than a state wildlife refuge. People travel to see a national wildlife refuge—the same is not true for a state wildlife refuge. Thus, a national wildlife refuge would be better for the local economy than a state refuge.
- 3) A combined state/federal presence (Vermont would acquire 22,000 acres just south of the federal land purchase) uses the resources and expertise of both bodies. That cooperation and interaction promises a better result than a single entity owning all of the land.

The only real opposition that I heard is from VAST. They are concerned that environmental groups may pressure the federal government to restrict or ban snowmobiling on the new National Wildlife Refuge.

I am on the Board of Directors of the largest and most influential environmental organization in Vermont. I would not request nor support the banning of snowmobiles in the wildlife refuge. I believe VAST's concerns are premature and unwarranted. In fact, I foresee the exact opposite: the creation of a National Wildlife Refuge will provide an opportunity for VAST, the refuge managers, and other interested parties to maintain snowmobile trails while protecting the biological resources of this area.

Sincerely,

Joseph Bahr

Joseph Bahr

Author: "Stephanie Gilchrist" <Gilchrist@nwf.org> at -internet
Date: 4/29/1999 9:55 AM
Priority: Normal
TO: Fran Plausky at 5HA-MAIN1
Subject: Nulhegan

To whom it may concern:

I support enthusiastically the purchase of 26,000 acres of Vermont's Northeast Kingdom by the U. S. Fish and Wildlife Service as part of what I believe you list as "Alternative 2" and what the newspapers describe as the Champion Land Deal. Thank you for the opportunity to comment on this purchase.

Stephanie Gilchrist
Stowe, VT
802-253-2893



April 26, 1999

Larry Bandolin, Refuge Manager
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue "A"
Turners Falls, Massachusetts 01376

Dear Larry,

At the meeting today of the Connecticut River Joint Commissions, we voted to convey our support for the Fish & Wildlife Service to purchase and manage 26,000 acres of land in the Nulhegan Basin of northern Vermont, as part of the Conte Refuge.

The free flowing Nulhegan River and its 150 square mile drainage are an outstanding natural resource of fish and wildlife habitat unparalleled in the Connecticut River watershed. The riverine shallows of the Nulhegan used by spawning trout are a mainstay of the acclaimed wild fishery of the upper Connecticut. The bogs and wetlands which comprise such a large percentage of the Nulhegan Basin provide natural flood storage vital to the watershed.

While we recognize that some people may question the suitability of the federal government in managing land in a remote corner of Vermont, we note that the U.S. Fish and Wildlife Service manages remote corners of every state in the Union, to the enduring benefit of us all. The Connecticut River Joint Commissions and our five local river subcommittees participated a few years ago in the numerous discussions that led to the eventual Environmental Impact Statement and official delineation of the Conte Refuge as an area characterized by public-private partnerships. You and your colleagues demonstrated then that the Conte Refuge is attuned to local voices and supportive of private conservation practices. As stated in our *Connecticut River Corridor Management Plan*, we believe that people in the Northeast Kingdom and throughout the watershed will find the Conte Refuge to be a good neighbor, and good steward of resources that are locally prized as well as nationally significant.

The dialogue that has been taking place between USFWS personnel and people of the Northeast Kingdom is commendable, and we hope that it will continue. You have our support for the course of action you have outlined for the Conte Refuge in the Nulhegan Basin.

Sincerely,

J. Cheston M. Newbold, Chair
NH Commission

Nathaniel Tripp, Chair
VT Commission

Author: <lpayne@together.net> at -INTERNET
Date: 4/29/1999 1:47 PM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Conte Refuge EA comments
To Conte Refuge Planners,

As a Vermont resident, Essex County landowner, and active conservationist, I would like to comment on the draft environmental assessment for the proposed Conte National Wildlife Refuge. I support public acquisition of the Nulhegan Basin (Alternative No. 2), PROVIDED that the resulting refuge is actively managed through careful timber harvests for a variety of wildlife, including species that require early successional forest habitat, notably American woodcock.

Yes, there are limited areas of spruce-fir forest surrounding the bogs and natural heritage sites on the proposed refuge that should not be disturbed. But these areas represent a minor percentage of the 26,000 acres under consideration, most of which is northern hardwood forest that is not ecologically unique. If the entire refuge is to be preserved for "old growth," as some have suggested, then I do not support public acquisition, and would instead support Alternative No. 3 (conservation easements).

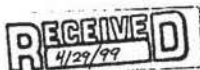
The US Fish and Wildlife Service is a management agency, and I believe you have a moral and legal responsibility to actively manage for woodcock on the proposed refuge. The "rare" bird species that zero-cut advocates champion, such as spruce grouse and gray jays, are locally rare only because they are at the fringe of their range, and in fact are thriving elsewhere. By contrast, woodcock are a USFWS "trust species" in serious decline, and the proposed Conte NWR is in the heart of the woodcock's range in the East. In the last 30 years, according to the USFWS, woodcock have declined by about 50 percent in the East, and most biologists, including those within the USFWS, believe the decline is caused by a steady decline in quality woodcock habitat.

Please note that I said quality habitat. The suggestion within the draft EA that the USFWS will not have to manage for early successional forest cover on the proposed refuge because of on-going timber harvests on adjoining private lands is unacceptable for two reasons. First, many nearby private lands will not be suitable for timber harvesting again for decades because of past over-cutting; and second, large-scale industrial forestry is not woodcock habitat management per se. Giant, ripped-up clear-cuts full of slash do not automatically equate to good woodcock habitat, and as a neighboring landowner (540 acres in Maidstone) I resent the implication that I, not the USFWS, should be responsible for promoting woodcock habitat. Instead, Conte should be the "Moosehorn," if you will, of interior New England: a demonstration site for intelligent forest practices that promote biological diversity through a healthy matrix of forest age classes, with minimum impacts on water quality. If the USFWS insists on abdicating to neighboring landowners its responsibility to manage for woodcock habitat, then I think it should also cede to the states its responsibility to set woodcock hunting seasons. As the latter clearly won't happen, then neither should the former.

Thank you for giving me the opportunity to comment on the draft EA.

Sincerely,

Stephenie Frawley Pyne
291 Cadreact Road
Milton, VT 05468
(802) 893-4506



April 26, 1999

Larry Bandolin, Refuge Manager
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue "A"
Turners Falls, Massachusetts 01376

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Sincerely,

J. Cheston M. Newbold, Chair
NH Commission

Nathaniel Tripp, Chair
VT Commission

Author: <lpvne@together.net> at -INTERNET

Date: 4/29/1999 1:47 PM

Priority: Normal

TO: Fran Plausky at 5HA-MAIN1

Subject: Conte Refuge EA comments

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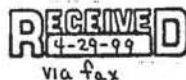
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Thank you for giving me the opportunity to comment on the draft EA.

Sincerely,

Stephanie Frawley Pyne
291 Cadreact Road
Milton, VT 05468
(802) 893-4506

April 29, 1999



Refuge Manager
US Fish & Wildlife Service
Silvio O. Conte National Fish & Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

Dear Refuge Manager:

I am writing to express my strong support for the purchase of the Nulhegan Basin Special Focus Area by the US Fish and Wildlife Service, as outlined in the "Proposed Action" in the Draft Environmental Assessment regarding your participation in the protection of "the Champion Lands."

There is no doubt that the Basin merits protection as a National Wildlife Refuge. The rich diversity of plant and animal species and communities, in many cases typical of locations much farther north, has been recognized for some time. The basin contains some sixteen sites that support rare or exemplary examples of seven natural communities, along with approximately 7,000 acres of vital wetlands.

Appropriate protection of such a variety of biological resources cannot be provided by state agencies or through conservation easements. The state is not equipped, financially or philosophically, to undertake the comprehensive and balanced management needed to conserve and restore the biological richness of the Basin. Easements simply do not make sense because they would have to be so strict in order to protect biodiversity that the land would be of little economic value to the private owner. The Fish & Wildlife Service, however, with its focus on protecting biodiversity first and foremost, is most capable of offering this management.

I do have concerns about a few parts of the proposed action. While I support renewing leases and permits of camp owners, I believe 50 years would be an excessive length of time that would delay the sound management and restoration of the area. It seems to me that "not to exceed 25 years" would be much more appropriate. Also, I do not object to continuing existing snowmobile trails that do not impact fish, wildlife or their habitats. However, the wording in the Draft EA suggests that the Service will be obligated to allow new trail construction if it determines that an existing trail has such a negative impact. I believe you should make clear that the Service has the option of simply closing a trail when impacts necessitate and no suitable alternative location is evident. Finally, I support continuation of fishing in Basin waters, but I believe the emphasis should be on maintaining and restoring native aquatic species and communities, with fishing allowed only to the degree that it is compatible with that objective. Stocking of non-native species should not be allowed.

I believe that in time the Nulhegan Basin, owned and managed by the US Fish & Wildlife Service, will contribute significantly to the local economy as it attracts a share of the

growing number of bird and nature enthusiasts.

I appreciate the opportunity to comment on the Draft Environmental Assessment and the alternatives for conserving the Nulhegan Basin.

Sincerely,

Wallace M. Elton

Author: "Eric Palola" <PALOLA@nwf.org> at -internet
Date: 4/29/1999 5:26 PM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Comments on Nulhegan

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Fish & Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

To whom it may concern:

Very briefly I want to add my personal encouragement for the purchase of 26,000 res of Vermont's Northeast Kingdom by the U. S. Fish and Wildlife Service. Specifically I urge you to adopt Alternative #2 in the DEIS for the fee acquisition and management of this special place. I am a resident of Vermont for over 25 years, and although I live in Huntington, I take my family camping and fishing in the Nulhegan basin and surrounding region of the CT River watershed. This area is equally important to recreation by Vermonters as it is to the conservation of nationally significant wildlife habitat. Most importantly, however, and unlike the false sense of security provided by the previous paper company owners, federal ownership would provide this recreation opportunity for future generations, while protecting an ecological jewel of extraordinary value. The federal government deserves more credit than it often gets in the area of land and wildlife management. I'm especially thankful we have the Conte Refuge in a position to contribute to the conservation of the former Champion Lands. I can't think of a better conservation legacy to leave our children than the permanent protection of the Nulhegan basin.

Thank you for your consideration.

Sincerely,

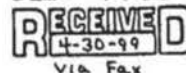
Eric Palola
4780 Main Rd.
Huntington, VT
05462

APR-30-99 FRI 6:29 18027234153

P. 01

P.O. Box 578
Lyndonville, VT 05851
April 30, 1999

U.S. Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376



Re: FWS/Region 5/RW

Dear Refuge Manager:

I am pleased the USF&WS is considering acquisition of Champion Lands within the Nulhegan Basin for inclusion in the National Wildlife Refuge System. I offer the following comments and concerns:

- 1) The draft environmental assessment (April 1999) mentions enhancing wildlife habitat. I could find little indication in the assessment as to how enhancement is defined. Specific biological criteria, particularly for nongame species, should be established upfront, with clear goals and standards which can be measured repeatedly over time in a sound scientific manner. What nongame species are proposed for use as a barometer of ecosystem health? These should include various invertebrates, large cavity dwellers such as great horned owls and a focus on species which originally occurred here, e.g. martens.
- 2) With respect to trapping, justification for trapping levels should include analysis of any available age distribution data, particularly for furbearer predators such as otters, which naturally occur in much lower numbers than prey furbearer species. For example, are otters, on average, currently surviving long enough to biologically justify trapping this species?
- 3) Due to past land uses, the current landscape throughout Vermont is 99 percent early successional habitat in terms of forest time. Due to past cutting practices, the 26,000 acres under consideration is consistent with the rest of the state. If there truly is a commitment to enhance habitat by restoring a natural system, which is also part of the mission statement of the Vermont Agency of Natural Resources, then cutting should be drastically curtailed on this parcel to allow woodlands to revert back to forest. A balanced, sensible approach would be to allow cutting on 50 percent of the acreage, and on the other 50 percent, no cutting whatsoever.
- 4) In order to protect water quality, there should be a stormwater management plan. Stormwater should be monitored, particularly runoff of soil sediments.

Thank you for the opportunity to provide input. If you have any questions regarding my comments, please feel free to call me at (802) 626-9003.

Sincerely,

Michael R. Miller
Michael R. Miller

Vermont Natural Resources Council



April 30, 1999

Larry Bandolin
 Refuge Manager
 US Fish and Wildlife Service
 Silvio O. Conte National Fish and Wildlife Refuge
 38 Avenue A
 Turners Falls, MA 03176

RE: FWS/ Region 5/ RW

BY FAX

Dear Larry,

The Vermont Natural Resources Council (VNRC) respectfully submits the following comments on the Draft Environmental Assessment dated March 30, 1999, regarding the *Options for Protecting the Nulhegan Basin Special Focus Area*. VNRC is Vermont's principal statewide environmental organization; our mission is to protect Vermont's natural resources through research, education, and advocacy. The first directors and members of VNRC were foresters and farmers who were concerned about protecting Vermont's natural resources. Today, with over 5,000 members, we maintain strong programs in forests, wildlife, water quality and land use.

VNRC applauds the US Fish and Wildlife Service for its cooperative work with the multiple parties in the Champion Lands conservation effort. VNRC strongly supports full fee acquisition by the Service of the Nulhegan River Basin (*Alternative II*) for the primary purpose of "safeguarding the important biological resources the Service recognized when it designated this area as a high priority Special Focus Area in the Refuge Draft and Final Environmental Impact Statements." (EA, p 2)

VNRC fully endorses Service management of Vermont's most ecologically significant watershed under the Conte Refuge Program. Alternative II will provide for the full array of native species, with special attention to the needs of rare and declining species, exemplary natural communities, and migratory birds in the Nulhegan Basin.

Coordination on the issue of historic uses of the land for public activities has and will continue to warrant significant attention. Noting the need to balance public expectations and protection of critical habitat, VNRC considers the purposes of the Silvio O. Conte National Fish and Wildlife Refuge Act (P.L. 102-212) and the statutory mission statement of the National Wildlife Improvement Act of 1997 (P.L. 105-57) to be the paramount guiding directives for Service operations in the Nulhegan Basin. VNRC anticipates that the Service will preface any balancing of uses by first considering the Congressional directives to manage for conservation, and protection and enhancement of the abundant and unique fish, wildlife and biodiversity of the Basin.

Considering that protection of rare species and communities is the primary Service goal for the Nulhegan Basin Special Focus Area, (EA, p 53) VNRC offers the following comments on the issues most likely to impact such protection efforts.

Road Access and Maintenance: Protecting the rare species, natural communities and water quality in the Nulhegan Basin takes precedence over the road network. When considering access, every effort should be made to reduce to the maximum extent possible "roads necessary for recreation." In light of Service management objectives, the 44 miles of roads in the Special Focus Area include duplicative and unnecessary sections which have limited utility, fragment habitat and arguably interfere with the mission of the Refuge System 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..." (16 U.S.C § 668dd (a)(2)).

Road removal is advantageous and in concert with the purposes of the Nulhegan Special Focus Area because removal curtails adverse ecological and hydrologic impacts, while saving money. Furthermore, the roads which remain open for camp access must be considered in light of the 50 year limitation on camp leases, and should be phased out concurrently with termination of the period for lessee occupation. If access to the Champion Lands north of the Special Focus Area can only be obtained through Service lands, the access should be limited to one main trunk road. Roads through bogs and wetland areas should be deconstructed and removed in an expeditious fashion.

Timber Harvesting: VNRC is uncertain what standard the Service will apply in determining whether "harvesting [may be] necessary to create habitat." (EA, p 46) As this issue must be addressed in the Comprehensive Conservation Plan (16 U.S.C. § 668dd(e)(1)(A)(i-iii)), with adequate opportunity for public comment, VNRC does not believe that any timber harvesting should take place prior to completion of the Plan.

With respect to the Deer Wintering Yard, the USFWS should consult with and develop its plan with the Vermont Fish and Wildlife Department, which has been working with Champion and monitoring the site for years. VNRC fully anticipates that harvest levels in the Special Focus Area will be *well below, if any at all*, compared to a timber company operation, rather than "somewhat below those of a timber company." (EA p 46)

Snowmobiling: In considering whether trails have negative impacts on fish and wildlife or their habitats, USFWS should not only consult with VAST concerning possible trail removal and/or relocation's, (EA, pp 20 & 52) but also consult with the public, conservation groups and scientific experts when making compatibility determinations on this issue.

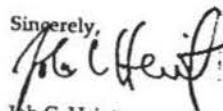
One of VNRC's chief concerns which we hope to have addressed by USFWS in the near future involves the interim compatibility determinations, specifically with regard to snowmobiling. The timeline required for the USFWS to complete the Comprehensive Conservation Plan is currently unknown to VNRC, and we have serious concerns that the Interim Compatibility Determinations do not become outstanding for a period of years. While the USFWS may permit the use of an area for any purpose under 16 U.S.C. § 668dd (d)(1)(A), VNRC does not agree that snowmobile use is necessarily compatible with the major purposes for which the Nulhegan refuge is being established. In our view, air pollution from 2-cycle engines and the potential impacts on water quality are two major impacts not listed in Appendix 9, and most certainly must be assessed.

VNRC respectfully requests that prior to a final compatibility determination of all VAST trails and all snowmobile use in the Special Focus Area, a comprehensive review of the applicable science and research pertaining to snowmobile impacts, including air pollution, noise and vehicular impacts on water quality commence, duly incorporating federal and state laws and regulations, including Vermont's antidegradation policy for water quality. The final compatibility determination should address the relation of each individual "trail" to the purposes for which the Conte Refuge was established. (eg. to conserve and protect native species of plants, fish and wildlife; conserve, protect and enhance the natural diversity and abundance of species and the ecosystem within the refuge upon which these species depend; to restore and maintain the chemical, physical and biological integrity of wetland and other waters within the refuge).

The Nulhegan Basin Special Focus Area will require a substantive analysis for compatibility of roads and snowmobiling which goes much further than the interim compatibility determination approved by the Refuge Manager for snowmobiling on 2/29/99. There was no such determination in the EA regarding roads. VNRC therefore requests that, pursuant to 16 U.S.C. § 668dd(3)(A)(i), the Secretary exercise his/her discretionary option of completing a Compatibility Determination for Snowmobiling and Roads "concurrently with development of a conservation plan under subsection (e) of this section." (*Id.*, emphasis added)

To conclude, VNRC congratulates the USFWS for its exemplary patience and efforts on the Nulhegan Basin Special Focus Area, and fully supports Alternative II. VNRC looks forward to Comprehensive Conservation Planning process, and working with the USFWS on the host of management issues related to the Special Focus Area. Most importantly, VNRC trusts that while responsive to public input on the whole range of issues, the USFWS will continue to hold the protection of the species, habitat and waters of the Nulhegan Basin in the highest regard.

Sincerely,



Bob C. Heintz
Forest Program Director

Morris, Thomas F

RECEIVED
4-30-99

VIA FAX

From: Morris, Thomas F
Sent: Friday, April 30, 1999 10:46 AM
To: 'U S Fish and Wildlife Service -Refuge Manager'
Cc: Botto, Thomas R; Everett, Brent; 'John Violette'; 'Jake Mayhew'; 'Tom F Cooney'
Subject: FWS/Region 5/RW Comments

Dear Refuge Manager

This is in response to your request for comments relative to the proposal of U S Fish and Wildlife services participation in a partnership to protect "The Champion Lands in Essex County Vermont". As one of six camp owners of Camp # 40 situated in the proposed Champion Land venture in Lewis VT I have a comment relative to the camp owners written conditions. We purchased Camp # 40 over five years ago and all six of us are considered camp owners on the Champion Deed. Therefore my proposal is that all six of us wish to be treated as camp owners and stay as such on any new lease agreement. This would result in a survivorship to the last living member of these original six owners. Also consideration of the lease passing on to the survivors, sons and daughters, of same owners for the terms and conditions of the 50 year lease. We are active in the outdoor recreation sports that is in the vision of your proposal- hunting, fishing and snowmobiling. For all the reasons stated in your proposal we the six camp owners would partner with U S Fish and Wildlife Services in working toward the goals stated in Protecting "the Champion Lands in Essex Vermont". Thank you for any considerations you give in evaluating my proposals and we are looking forward to a long term relationship with the U S Fish and Wildlife Service.

Regards

Thomas F Morris
7 Chagnon Lane
Pelham, NH 03076

12 Woodland Circle
Bow NH 03304
April 28, 1999

RECEIVED
4-30-99

Refuge Manager
U S Fish & Wildlife Service
Silvio O. Conte National Fish & Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

Dear Sir or Madam:

Re: FWS/REGION 5/RW

I am writing in regard to the proposed USFWS-ownership of the 26,000 acres of the "Champion Lands" in Vermont.

A group of six of us own a camp on the Lewis Pond road near Lewis Pond. It is camp number 40 on your map. Two of us attended the meeting in Lyndonville on April 19th and were told to write you regarding survivorship proposals for situations like ours, namely, multiple ownership of a single camp.

At the very least, what should be considered is that we should be able to keep that camp as long as one of us is still alive up to the fifty year maximum that was talked about. In our case each of our names appears on the lease with Campion. We bought the camp over five years ago and have owned it jointly from the beginning.

Some consideration should also be given to idea of passing on the ownership of the camp to our sons or daughters, again, to the fifty year max.

Another concern that I have is our ability to continue making improvements to the camp.

We use the camp for hunting, fishing and snowmobiling and would hope that these activities would be sustained as was discussed in the Draft E A.

Thank you very much for your consideration of these ideas.

Sincerely,

John R. Violette
John R. Violette

Author: <nelacres@together.net> at -internet

Date: 4/30/1999 1:49 PM

Priority: Normal

TO: Fran Plausky at SHA-MAIN1

CC: lpyne@together.net; at -INTERNET, mcrawdad@together.net; at -INTERNET, grousepoint@together.net at -INTERNET

Subject: Conte EA, comments

RECEIVED
4-30-99

U. S. Fish and Wildlife Service:

I would like to thank the Service for allowing the public the chance to comment on the Silvio Conte Refuge land acquisition.

I feel that it is pretinent that the land in the Nulhegan Basin is managed for a varity of wildlife species. Therefore I support alternative number 2. There is a great upland game component on this 26 thousand acres and I hope that the management of the refuge reflects this. It is truly a special place, that harbors grouse and woodcock in a forest setting and not reverting farmland.

I also realize that the previous owner has heavially harvested the timber on this land. It may be a few years before there is a need for cutting management and there prehaps is a desire for some old growth on the refuge. But, the Service should not rely upon neighboring land owners for the uneven age forest habitat. The Service should manage this land as to show land owners how to better manage there habitat.

Let me conclude, if the Service elects not to manage these lands, then I would like to see alternative 3 (protection through conservation easements). I have enjoyed hunting on these lands for many years and look forward to introducing my son to this honorable sport in the near future on these same lands.

Thank You, Respectfully Richard M. Nelson
E-Mail nelacres@together.net

Author: Trevor Ezzo <tezzo@cvps.com> at FWS

Date: 4/30/1999 10:35 AM

Priority: Normal

BCC: Fran Plausky at SHA-MAIN1

TO: RSRW_SOCNWR at FWS

Subject: Conte National Wildlife Refuge

RECEIVED
4-30-99

I am a Vermont Hunter and I favor alternative 2, but only if the refuge is actively managed for a variety of wildlife and recreational hunting opportunities.

Otherwise I favor Alternative 3 (protection through conservation easements).

Michael Trevor Ezzo

Author: "Mark Lorenzo" <LORENZO@nwf.org> at -internet
Date: 4/29/1999 6:24 PM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
CC: <lorenzo@together.net> at -INTERNET
Subject: Nulhegan Basin EA: we support "Alternative 2"

RECEIVED
4-30-99

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Fish & Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

To whom it may concern:

Thank you for the opportunity to comment on this opportunity of a lifetime for the people of Vermont and New England. We enthusiastically support the purchase of 26,000 acres in the Nulhegan Basin, north of RT 105 in Vermont's Northeast Kingdom by the U. S. Fish and Wildlife Service as described in "Alternative 2" of your draft Environmental Assessment.

The Nulhegan basin is a uniquely valuable resource for both people and wildlife. With the free flowing Nulhegan river, wild trout spawning grounds, substantial habitat for migratory birds, moose, bear and dozens of smaller mammals, a prize deer herd, more than a dozen undeveloped lakes and ponds, and a diversity of forest types and wetlands. If the Basin is incorporated into the Conte Refuge, as we hope that it will be, please thoroughly consider the regional and landscape context when developing your management plans and strategies.

Late successional forest and protected wildlife refugia are extremely rare in the region, the earliest settled and most densely populated region in the nation. We strongly believe that your agency's mission to "work with others to conserve, protect, enhance fish and wildlife and their habitats for the continuing benefit of the American people" requires of a Refuge established in this region an emphasis on protection and restoration of biological diversity. The focus for your management efforts in particular should be the biodiversity supporting elements that the over 1/3 of land in the region owned privately cannot be relied upon, nor expected to sustain.

The northern New England landscape is overwhelmingly dominated by young secondary forests that are highly fragmented and structurally simplified, thus growing mature, contiguous and complex forest cover in the Nulhegan Basin Unit would be a complementary approach supporting a greater diversity of fish and wildlife in the area. As the natural forest develops and expands, the surrounding and adjacent lands will benefit as well from this source of biological wealth.

We hope that the Nulhegan Basin Unit can become over time a natural refugia resting to both wildlife and people a place of peace and solace in an increasingly crowded world. Since human impacts including roads, buildings, and consumptive wildlife uses are permitted almost everywhere in the surrounding region, we hope and request that the Nulhegan Unit of the Silvio O. Conte National Fish and Wildlife Refuge can indeed be a different kind of refuge - one where well-managed and minimal impact wildlife viewing opportunities, non-motorized recreation, and conservation education can be the principle, if not exclusive uses.

Thank you for your consideration.

Sincerely,

Mark and Alicia Lorenzo
RR2 Box 1598
Duxbury, VT 05676

Author: "Matt Crawford" <mcrawdada@together.net> at -internet
Date: 4/29/1999 1:46 PM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Vermont Land purchase

RECEIVED
4-30-99

TO: U.S. Fish & Wildlife Service
FROM: Matt Crawford, Vermont resident
RE: Comment on Conte Refuge Nulhegan Land purchase/EA

U.S. Fish & Wildlife Service:

After looking at the EA for land purchase in Vermont's Nulhegan River basin as part of the Silvio Conte Refuge I would like to say that I favor Alternative 2 (federal acquisition), only if the refuge is actively managed for a variety of wildlife and recreational hunting opportunities.

The Service has a responsibility to manage for declining "trust species" like black ducks and woodcock. For me to support future drafts of the EA, there must be inclusive language that details anticipated habitat management efforts for woodcock. The draft EA misses the mark by dismissing anticipated woodlot management activities as being predicated on nearby private lands. The draft EA suggests that no active management for early successional cover may be required on refuge lands if there is on-going logging on nearby private lands. Since when does the U.S. Fish and Wildlife Service concede that commercially motivated industrial forestry is best for wildlife or hunters?

There is no discussion of fee access on the Refuge, despite wording from Patrick Leahy, James Jeffords and Bernie Sanders that indicate NO FEES will be charged for recreational activities like hunting. Future drafts of the EA must address the "no fee" issue.

If future EA drafts do not include more specific language regarding wildlife management and recreational hunting opportunities, I will favor Alternative 3 (protection through conservation easements).

Matt Crawford
190 Village Drive
Fairfax, Vt. 05454

RECEIVED
4-30-99

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

To whom it may concern:

Thank you for the opportunity to comment on a golden opportunity for the people of Vermont and the Northeast.

I support enthusiastically the purchase of 26,000 acres of Vermont's Northeast Kingdom by the U. S. Fish and Wildlife Service as part of what the newspapers describe as the "Champion Land Deal."

The Nulhegan basin is a treasured resource in so many respects: free flowing river, great spawning grounds, terrific wildlife habitat for moose and bear and dozens of smaller mammals, prize deer yard, more than a dozen undeveloped lakes and ponds, some old growth forest and its irreplaceable ecosystem, biodiversity galore...

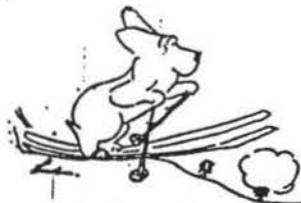
Please don't squander this chance to add this jewel to The Kingdom's tiara. Buy it and protect it as fully as you can.

Thank you for your consideration.

Sincerely,

Donald M Hooper

Donald M. Hooper
RD 1 Box 199
Brookfield, VT 05036



Refuge Manager
Silvio O Conte NWR

RICHARD D. BIRDSALL
P. O. BOX 81
PEACHAM, VT 05862

RECEIVED
5-3-99

Postmarked on 4-30-99



Dear sir,

In December 1979 I bought $\frac{1}{2}$ acre of land on a hillside in Peacham, VT and I built a house there. The clean air and rural village were a pleasure after being a teacher of History in a city New London, CT for 35 years.

I hope that the Champion Lands (the 26,000 acres of the Nulhegan Basin) will be bought by the U.S. Fish and Wildlife Service. If this occurs there would be no danger that the overdevelopment that surrounds Burlington and Montpelier would occur. Since I have spent time hiking in Nulhegan Basin I can say it is one of the least spoiled areas in northern New England. The overpopulation of the United States today makes any good citizen hope that there will be areas of Nature Conservancy and especially in states such as Vermont.

Sincerely

Richard Birdsall

Author: <Mdeluciav@aol.com> at -INTERNET
Date: 5/2/1999 10:57 AM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Nulhegan

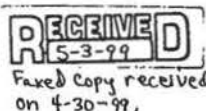


Hello,

I would like to voice my support for Alternative 2- full fee purchase. I would like to also voice my concern that the FWS has been pressured into allowing snowmobiling on this land. I don't feel that this is an appropriate activity on a NWR.

Thank you

Mari-Beth DeLucia
70 North Street
Burlington, VT 05401
802-651-1048



THE WILDERNESS SOCIETY

April 29, 1999

Larry Bandolin, Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

RE: Draft 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

Dear Mr. Bandolin:

Thank you for this opportunity to comment on the Draft Environmental Assessment (Draft EA) regarding the Nulhegan Basin Special Focus Area. The Wilderness Society, founded in 1935, is a 200,000-member non-profit conservation organization dedicated to preserving wilderness and wildlife, establishing a nationwide network of wildlands, and fostering an American land ethic. It is well known for its economic and ecological analysis and policy advocacy, particularly in issues involving national lands. The Wilderness Society has a long-standing commitment to the protection and sound management of the National Wildlife Refuge System.

We strongly support Alternative II, the Proposed Action, under which the US Fish and Wildlife Service would purchase 26,000 acres in the Nulhegan Basin and manage that portion of the "Champion lands." We further support the mix of proposed ownerships and uses for the entirety of the Champion lands. We believe that the Service's participation can and should protect critical values that otherwise would be missing from the mix on the Champion lands and from the broader landscape of the Connecticut River's headwaters in northern Vermont and New Hampshire.

That said, The Wilderness Society does have several serious concerns raised by the Draft EA that, if not addressed, would compromise the Service's ability to properly manage the Nulhegan Special Focus Area according to the objectives of the Silvio O. Conte National Fish and Wildlife Refuge. These concerns include:

1. The lack of a landscape perspective in proposed management for all public values or purposes of the Conte Refuge.

Bandolin
4/29/99
Page 2

2. The unrealistic and inappropriate promises made in parts of the draft concerning the extent of public use that will be allowed on the refuge. In fact, the draft appears to send conflicting signals as to whether public access would be "guaranteed" on the entire 26,000 acres proposed for addition to the Conte Refuge.
3. The lack of any meaningful information to support the interim compatibility determinations for various proposed uses. Neither the interim compatibility determinations themselves nor the underlying Draft Environmental Assessment contain any information on the volume, location, intensity, or duration of these activities.
4. The extremely superficial analysis of the compatibility of snowmobiling with the purposes of the Silvio O. Conte National Wildlife Refuge, with those activities identified as priority uses in the National Wildlife Refuge System Improvement Act of 1997, and with public health and safety.
5. The inappropriate "commitment to" allowing snowmobiling in the Special Focus Area prior to development of a management plan, without adequate consideration of its compatibility with the purposes of the refuge, with other uses or with public health and safety, and without public involvement in the consideration of the use. Indeed, the determination seems to have been made based on input only from representatives of the one narrow interest group seeking continued snowmobiling in the Nulhegan Basin Special Focus Area.
6. The EA's inadequate consideration of the broad economic benefits likely to accrue to the region. Direct, especially consumptive, uses of the Nulhegan Basin's land and resources have been considered to the near exclusion of other benefits likely to be as important to the region's economy.

Detailed comments in each of these areas follows.

1. Limited Application of Landscape Perspective

The Wilderness Society applauds the landscape perspective espoused by the Service in regard to timber management as it affects habitat types (Draft EA, p. 46). It is certainly appropriate to consider the representation and distribution of habitat types, forest stand age classes and forest community seral stages across the regional landscape when determining whether, to what degree, and by what silvicultural techniques to modify forest stands within the Nulhegan Basin Special Focus Area.

A note on timber

The Connecticut headwaters region, for example, has no lack of early successional forest, and we are encouraged that the Service seems inclined to balance that situation through management of the Nulhegan Basin Special Focus Area for "longer rotations to act as a complimentary, compensatory reserve and provide habitats that are in short supply (Draft EA, p. 46)." To the extent that this approach remains focused on providing ecological values otherwise in short supply in the landscape, we support the approach. We assume that with the use of the phrase "longer rotations," the Service does not intend to

lock itself into a commitment to harvest timber from the area to be acquired and that "longer rotations" could in fact mean little or no timber harvest on some or all of the area. This would be more clear if the words "in longer rotations" should be replaced with "to preserve and restore older aged forests" in this context.

We are concerned however, that the same notion in the Draft EA could be construed as a commitment on the part of the Service to provide timber for the forest products manufacturing industry. The passage continues: "If commercial harvesting slows or stops on surrounding lands over the very long term, Service land may then need to provide more early-successional habitats; more harvesting might be done (p. 46)." By linking the Service's possible emphasis on early-successional habitats to reductions in **commercial timber harvest** (as opposed to loss of early-successional habitat) on the surrounding landscape, we believe that the Service has opened the door to an expectation that it would pursue maintenance of early successional habitat as a means of compensating for the normal ups and downs of the region's pulpwood (as sawtimber does not, in this region, come from early successional habitat) supply.

We remind the Service that stabilizing regional wood flow is in no way a purpose of the Silvio O. Conte National Fish and Wildlife Refuge, even if pursued under the purpose of providing early successional habitats for popular game species. We suggest, therefore, that language, such as that cited above, that links Service management objectives to timber supply be modified or eliminated.

Other values

We recognize and support the landscape perspective that also undergirds discussion of "Protection of Biological Resources" "Endangered Species" and "Deer Wintering Habitat" (EA Draft, pp. 53 ff). That perspective appears to be missing, however, from discussion of "Public Use and Access / Traditional Uses" (pp. 50-53).

Like early-successional habitat, there is no apparent lack of land open to public access for hunting, fishing, trapping and motorized recreation in Vermont's Northeast Kingdom (Orleans, Caledonia and Essex Counties) and New Hampshire's North Country (Coos County). The Draft EA notes that the Proposed Alternative would increase to 48% of Essex County, the amount of land with guaranteed public access (p. 50).

The Service's portion of the Proposed Alternative - 26,000 acres - however, would represent only six percent of Essex County. Considering a larger landscape, the 26,000 acres represent just one percent of the Northeast Kingdom and North Country land base. Given this minority position, it is therefore appropriate that the Service consider how its management can complement the types of "opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access" already abundant on the landscape.

By devoting a significant portion of the 26,000 acres to non-motorized recreation, the service could provide the missing component. Opportunities for wildlife observation and photography, environmental education, and interpretation experiences in non-motorized, roadless areas are what is lacking from the region. In addition, conducting research on

interior forest habitat, teaching backcountry skills, and simply enjoying silence, physical challenge and spiritual renewal are all activities possible especially, if not uniquely, in areas without motorized access, extensive road networks and permanent installations of buildings and other structures.

What is lacking on this landscape is, in a word, wilderness. The Northeast Kingdom and North Country need some places that are, as The Wilderness Society's founders' put it, "free from mechanical sights and sounds and smells."

By managing the Nulhegan Basin Special Focus Area for wilderness values, the Service would make the most of its opportunity to make a significant and unique contribution to the ecology, quality of life, and economy of the region. That benefit is likely to be far greater than if the Service simply adds its one percent (of the four-county area) or six percent (of Essex county) to a land base already dominated by machines and other trappings of late 20th century life.

Provision of more wilderness on the Nulhegan Basin Special Focus Area is likely to receive broad-based public support. According to a 1996 survey of Vermont resident's values and attitudes toward management of the Green Mountain National Forest, the economic values are least important among the many values of forest resources, including ecological, aesthetic, educational, scientific and spiritual values (Manning, R., et al., 1996, *Social Values, Environmental Ethics, and National Forest Management: Study Completion Report to the North Central Forest Experiment Station, Burlington, VT: University of Vermont School of Natural Resources, June.*).

More than nine out of ten survey respondents rated aesthetic and ecological forest use values as "moderately" "very much" or "extremely" important." Economic forest use values, by contrast were given that level of importance by only 37 percent of respondents (Manning et al., p. 21). Similar results were found in similar, but more recent study covering a broader sample of New England residents and addressing attitudes about management of the White Mountain National Forest (Manning, R. et al., 1998. *Forest Values, Environmental Ethics, and Attitudes Toward National Forest Management: Study Completion Report to the North Central Forest Experiment Station and the Pacific Southwest Forest Experiment Station, Burlington, VT: University of Vermont School of Natural Resources, October.*).

In both studies, the majority of survey respondents agreed with the statement that "More wilderness areas should be established on the [Green or White] Mountain national Forest." (57.7% for the Green Mountain NF, 64% for the White Mountain NF). Wilderness protection of the Nulhegan Basin Special Focus Area would also help satisfy these preferences.

2. "Guaranteed" Public Access

When preparing an Environmental Assessment, Environmental Impact Statement, or other document to explain to the public the consequences of a proposed government action, it is important that the agency not raise expectations that can not or should not be met. In the past, many of the problems with incompatible activities in the National

Wildlife Refuge System and other public lands were the direct result of certain promises or perceived promises made during the creation of the public land unit.

It is therefore appropriate that the Draft Environmental Assessment indicates in one place that "[c]ertain plants and animals may require protection from all disturbance... this may be at odds with recreational demands" (Draft EA, page 16). Yet later, the document states that "public access would be guaranteed" on the entire 26,000 acre area proposed for addition to the Conte Refuge (p. 50).

Similarly, the draft appropriately makes it clear that hunting on the area to be added to the Conte Refuge may have to be more restrictive than it has been in the past depending on a variety of factors. We interpret the statement on page 51 that "hunting and fishing would be allowed on the Service's 26,000 acres" to mean that within this area, hunting would be permitted. However, we are concerned that some may interpret this statement to mean that these activities would be allowed on the entire 26,000 acres in perpetuity. We suggest that this statement be modified so as to read "allowed within the area to be acquired by the Fish and Wildlife Service."

3. Interim Compatibility Determinations Lack Any Meaningful Information

The Fish and Wildlife Service has come under great criticism over the years for failing to ensure that only compatible uses are allowed in the National Wildlife Refuge System. Reports by the General Accounting Office, special Interior Department task forces, conservation groups, and the U.S. Fish and Wildlife Service itself identified numerous problems in both the process used to assess compatibility of refuge activities and actions taken on these determinations to ensure that only compatible uses are allowed. These concerns led the National Audubon Society, The Wilderness Society, Defenders of Wildlife to sue the Department of the Interior in 1992 and Interior Secretary Bruce Babbitt to settle the lawsuit in 1993.

Concerns about compatibility also piqued the interest of the United States Congress and ultimately led to passage of the National Wildlife Refuge System Improvement Act of 1997. Among other things, that Act required the Fish and Wildlife Service to revamp the process it uses to assess whether existing or proposed uses of refuges are compatible with the purpose of refuges and the mission of the National Wildlife Refuge System. The clear intent was to improve the quality and quantity of information upon which such decisions are made, the rigor of the analysis, and the opportunities for the public to review and comment on the decisions.

We are very concerned that the interim compatibility determinations contained in the Draft EA lack virtually any meaningful information necessary to analyze the various proposed uses. Neither the interim compatibility determinations themselves nor the underlying Draft Environmental Assessment contain any information on the volume, location, intensity, or duration of these activities. Compatibility determinations are supposed to be based on specific proposed or existing activities, not the generic uses themselves. For example, without an understanding of how many people will be undertaking an activity, in which particular locations, at what specific times of the day and

year, at what duration, it is impossible to determine whether the use is compatible or not. How many individuals of what species will be taken by hunters and fishermen? Where will birdwatchers go and in what numbers? These and are other questions are not addressed.

The interim compatibility determination for wildlife observation, photography, environmental education, and interpretation indicates that "visitors on foot and in vehicles may cause disturbance to some wildlife (Draft EA, Appendix 7)." Specifically, it mentions that "nesting loons are sensitive to disturbance" and that "visitors engaged in these activities can also damage plants and disturb soil, which may then cause siltation in water bodies." Peculiarly, the interim determination for hunting and fishing states merely that "there are no known adverse impacts" from these activities (Draft EA, Appendix 8).

On both of the above referenced compatibility determinations, the Service indicates that "Under the provisions of the National Wildlife Refuge System Improvement Act, [these activities] should continue uninterrupted until planning is completed." In fact, the Service has a duty to modify any use, even if the use has been previously determined to be compatible, if necessary to protect fish and wildlife or their habitats.

We have specific concerns about the evaluation of snowmobiling which are outlined below.

4. Snowmobiling: Interim Determination of Compatibility is Seriously Flawed

The Wilderness Society disagrees with the "Interim Compatibility Determination: Snowmobiling in the Nulhegan Basin - Essex County, Vermont (Draft EA, Appendix 9)." We believe that inadequate consideration is given to the impact on wildlife, other public users' experiences, and public health and safety.

As we stated above, we are very concerned that the interim compatibility determinations contained in the Draft EA lack virtually any meaningful information necessary to analyze the various proposed uses. In particular, neither the interim compatibility determination for snowmobiling nor the underlying Draft Environmental Assessment contain any information on the extent and location of the snowmobile trails, or the volume, intensity, velocity, or duration of this use.

While the Service indicates that migratory bird species are somewhat insulated from the negative impacts of snowmobiling, many, if not most species found in the Nulhegan Basin are not migratory. In addition, while "resident animals are less active and deer seek sheltered areas" during winter, they are not immune to snowmobiling's impacts. Our personal experience from skiing and winter tracking on and near established snowmobiling trails is that many native species, including deer, moose, wild turkey, fisher, coyote, snowshoe hare and others cross and travel on snowmobile trails. It is also my experience that when snowmobiles themselves are present, wildlife is not.

That raises the issue of compatibility with other uses. We affirm the Service's suggestion that "the noise [of snowmobiles] may detract from other public users experiences (Draft EA, Appendix 9)." This is particularly true of those priority public uses (wildlife observation, nature photography, hunting, fishing, environmental education, and

interpretation), that the Service is directed to favor under the National Wildlife Refuge System Improvement Act. That Act directs the Secretary of the Interior to "ensure that priority general public uses of the System receive enhanced consideration over other general public uses in planning and management within the [Refuge] System" (16 U.S.C. 668dd(a)(4)(J)). Snowmobiling often frightens away the very wildlife upon which these priority uses depend.

Furthermore, the smell and negative impact on breathing due to snowmobile exhaust, detracts from other public users, and is particularly detrimental to those engaged in strenuous physical activities, such as snowshoeing or skiing. This activity also contaminates streams, ponds and lakes with snowmelt laden with oil and the unburned gasoline inherent in snowmobile engines. Such contamination would negatively affect the opportunity for, and value of, fishing, canoeing and kayaking experiences in the Nulhegan Basin well beyond the winter snowmobiling season.

There are also likely direct public health and safety impacts from snowmobiling that receive absolutely no consideration in the Draft EA. The same air and water pollution that reduce users' experiences could also have longer-term impacts on user's health. Such pollution would also contribute to the cumulative impact on human health of vehicle exhaust in the immediate Nulhegan Basin region as well as throughout the Conte Refuge region. Moreover, snowmobiling does present the risk of collision between fast-moving, heavy vehicles and slow-moving, light skiers, snowshoers and other users. This risk is even greater on trails that have been widened and groomed for snowmobile use, where snowmobile speeds can easily exceed those allowed for cars on interstate highways.

Finally, while "winter snow and frozen earth (Draft EA, Appendix 9)" can minimize the impacts of snowmobiles on plants and soils, snowmobiling early and late in the season, as well as during the "January thaw," does disturb soils and obliterate vegetation. This is a particular problem at the edge of lakes, ponds and streams, where snowmobile tracks slip against the steeper grade. ("Gunning" the engine to overcome slippage and get up these slopes would also deposit extra hydrocarbons directly in the areas where they could do the most damage.)

In short, the Interim Determination of snowmobiling's compatibility has not adequately addressed impacts on the purposes of the Conte refuge, on wildlife-dependent recreational uses, or on public health and safety. Because Congress has mandated that wildlife-dependent recreation is identified as the priority public use of National Wildlife Refuges, the Service must analyze the potential impacts of snowmobiles on these activities in far more detail and with far greater rigor. Instead, snowmobiling has been deemed compatible with only a cursory nod to the Conte Refuge's purposes, priority uses, and without any evident consideration of public health and safety.

It should be noted that in passing the Refuge Improvement Act, Congress directed the Fish and Wildlife Service to prepare interim compatibility determinations on priority public uses in existence at the time that lands are added to the refuge system. Interim determinations of non-priority activities like snowmobiling was never contemplated.

5. "Commitment to" Allowing Snowmobiling in the Nulhegan Basin

Given the concerns detailed in sections 3 and 4, above, it is wholly inappropriate that "the Service has committed to allow snowmobiling on existing designated trails maintained by the Vermont Association of Snow Travelers, as long as specific trails do not have a negative impacts on fish and wildlife, or their habitats (Draft EA, p. 20)."

In effect, this "commitment" in the Draft EA turns the burden of proof for refuge uses on its head. The Draft EA declares (again, based on scant evidence and little public input) that snowmobiling is compatible, leaving it up to, presumably, the Service or other user groups to prove that specific trails have negative impacts on fish and wildlife.

What is required, in our opinion, is the exact opposite. Namely, recreation can only be permitted after an affirmative showing of compatibility in a process that includes full public involvement.

Moreover, the Service suggests that only the negative impact of "specific trails" would be considered, rather than the negative impacts of snowmobiling in the Nulhegan Basin in general. It is as if the Service has made a final determination that snowmobiling is, in general, compatible, and that the only remaining questions surround the placement of particular trails.

We are also troubled that the Service would consult only with snowmobile groups regarding the relocation of trails exhibiting negative impacts. All affected members of the public, including other user groups, not to mention experts in relevant scientific disciplines should be consulted regarding trail relocation.

By the evidence presented in the Draft EA, the Service has arrived at its Interim Determination of Compatibility after consultation only with one group, one with a narrow, vested (through past trail maintenance) interest in unrestricted snowmobile access to the Nulhegan Basin Special Focus Area. Other interested user groups and the general public were not, to our knowledge, consulted regarding the interim compatibility determination.

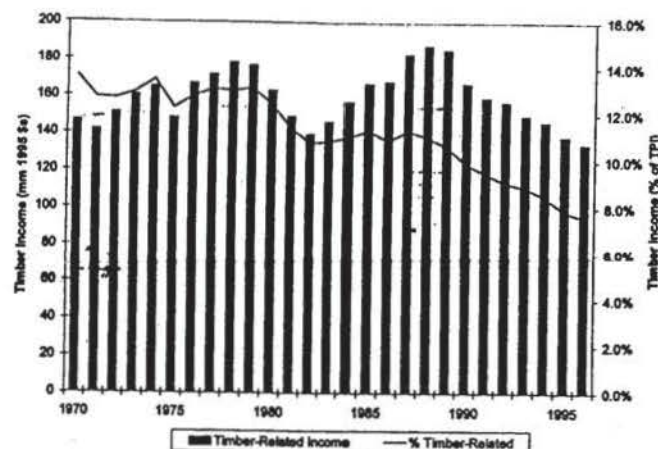
The Wilderness Society believes that this lack of public input into the compatibility determination violates the Final Settlement Agreement in National Audubon Society, The Wilderness Society, et al. v. Babbitt (C92-1641) to the effect that such determinations themselves must comply with the National Environmental Policy Act and Council on Environmental Quality regulations.

6. Consideration of Economic Impacts Is Too Narrow

The Wilderness Society appreciates and supports the scope of economic analysis presented in Adams, et al. and cited in the Draft EA.¹ We especially appreciate Service

¹ Adams, et al. 1996. An Economic Analysis for the Proposed Silvio O. Conte National Fish and Wildlife Refuge in the Connecticut River Watershed: Final Report to the U.S. Fish and Wildlife Service. November 6. As one general comment on that analysis, we would prefer to see more attention paid to longer-term trends in the regional economy, including changes in the contribution of natural-resource-based industries, such as forest products manufacturing, relative to other industries based more on non-consumptive uses of forest resources and the simple amenity provided by publicly protected land.

Figure 1: Trends in Timber-Related Income (Forestry, Lumber & Paper Manufacturing): Nulhegan & Victory Basins Region, 1970 - 1996



Such so-called "amenity driven growth" is likely to be enhanced by new publicly protected land units, perhaps especially those including wilderness areas. (See, for example: Rasker, R., 1994, "A New Look at Old Vistas: The Economic Role of Environmental Quality in Western Public Lands," *University of Colorado Law Review* 65:369-99; and Rudzitis, G., and Johansen, H.E., 1989, "Migration into Western Wilderness Counties: Causes and Consequences," *Western Wildlands* 15:19-23.)

The lesson from elsewhere around the country is that protected wildlands attract people, including entrepreneurs, who then create new employment opportunity in the region. Given the proximity of the Nulhegan Basin Special Focus Area to major population centers, ease of access to interstate highways, growth in telecommuting and other factors, it is likely that the trends cited above will only continue as more people move to areas with high degrees of natural resource protection and the scenic amenities and opportunities for backcountry recreation such protection provides.

While such indirect effects of land protection are mentioned in the studies cited in the Draft EA, they are not mentioned in the Draft EA itself. We recommend that the final EA pay more attention to broad economic trends and potential impacts beyond the small portion of the economy that makes direct use of natural resources.

staff's providing a copy of that analysis on our request. Unfortunately, too little of that analysis is reflected in the Draft EA (pages 14-15, 46-49). To the extent that most members of the public are likely to stop with reading the EA itself, the EA should do more to overcome the mistaken, but popular, impression that the relevant impacts on the region's economy are defined by impacts on forest products manufacturing, tourism, and local property taxes.

For example, the statement included in the discussion of the forest products industry (p. 14) that "the local economy is based on a limited number of sectors and so is vulnerable to the effects of fluctuations [in timber supply]" is simply false.

In fact, the economy of the four-county region surrounding the Nulhegan Basin Special Focus Area² is quite diverse, and has become more so since 1970. (Please see attached table showing income by industry and other information included in the "Regional Economic Profile: Nulhegan & Victory Basins Wildland Area" sent separately.)

Forest products manufacturing – comprised of lumber & wood products (SIC 24), and paper & allied products (SIC 26) – represented 7.6 percent of total personal income in the region in 1996, down from 13.2 percent in 1970. Labor income from paper and allied products manufacturing fell by 17 percent. That decrease was offset somewhat by 35 percent increase in income from lumber and wood products manufacturing, yielding an overall decline in forest products mfg. income of 6 percent. Overall timber-related income – forest products manufacturing plus forestry – exhibits a similar decline in absolute and relative contribution to regional personal income (see Figure 1, below).³

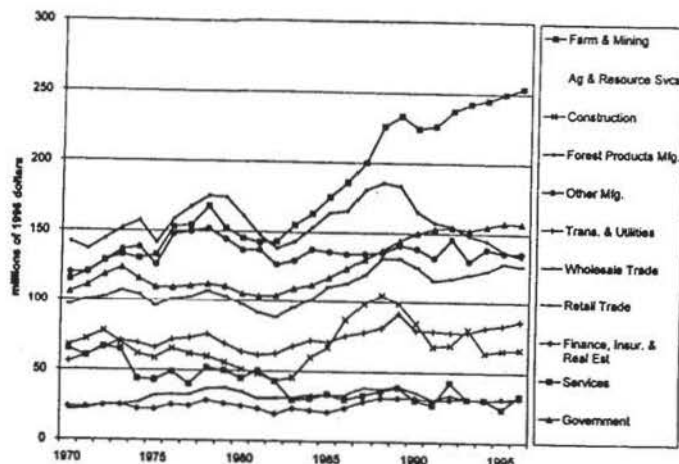
Other sources of income and other industrial sectors, meanwhile, have generally outstripped forest products manufacturing and now comprise the vast majority of personal income and employment in the region. (See Figure 2, below and Attached Table.)

According to the Bureau of Economic Analysis, the fastest growing sources of income in the region are Dividends, Interest and Rent (up 134% from 1970- 1996), Transfer Payments, such as Social Security, (up 183%) and an "Adjustment for Residence" (up 507%) that indicates the degree to which residents earn their income outside their county of residence. This last figure, while something of an overestimate of commuting to places of work outside the four-count region (some of the adjustment would be due to commuting from one to another of the four counties), is perhaps most telling. It indicates both a preference of the region's residents to commute rather than to move, as well as the attractiveness of the region as a place to live, even if one's place of work is elsewhere.

² This region comprises Essex, Orleans and Caledonia Counties, VT, and Coos County, NH.

³ All figures adjusted for inflation and based on Bureau of Economic Analysis, 1998, Regional Economic Information System 1969-1996 (CD-ROM), Washington, DC, U.S. Department of Commerce.

Figure 2 Trends in Labor Income, by Industry, Nulhegan & Victory Basins Region, 1970 - 1996



Amenity driven growth, of course, can be a two-edged sword. More people and businesses could burden local public service capacity and drive demand for infrastructure development beyond what is compatible with the purposes of the Conte Refuge itself and could compromise the overall quality of the regional environment. We urge the Service, therefore, to be prepared to offer assistance to local communities in understanding the changing nature of the regional economy⁴ and in planning for and managing growth generated by the new Refuge unit.

Conclusion

Again, The Wilderness Society thanks the US Fish and Wildlife Service for this opportunity to comment on the Draft EA. We firmly believe that the Service's participation with the other parties in the disposition of the "Champion lands" in Northeast Vermont will enhance the overall package, and we support the Service's acquisition of the 26,000 acre portion in the Nulhegan Basin Special Focus Area.

We do expect that the Service will take steps, including appropriate revision of the Draft EA, to ensure that the full range of natural resource values intended for protection by

⁴ A Wilderness Society program offers Community Economic Assessment Workshops that can help in this regard. Please contact Spencer Phillips at (802) 586-9910 for more information.

the Silvio O. Conte National Wildlife Refuge are ultimately protected through the Service's participation. In particular, we recommend that the Service withhold permission for non-wildlife-dependent recreational uses, including snowmobiling, unless and until those uses are shown to be compatible with the purposes of the Refuge in an adequate analysis that provides for appropriate public input.

We further hope that the Conte Refuge will take this opportunity to highlight the many diverse economic opportunities represented by public land protection and that it will work to channel those opportunities to the benefit of the region's residents and visitors alike.

The Wilderness Society looks forward to the completion of the acquisition and the EA process as well as to working with the Service to assist its consideration and management of change likely to be wrought by the acquisition.

Sincerely,

Spencer Phillips

Spencer Phillips
Resource Economist

James R. Waltman (SRP)

James R. Waltman
Director, Refuges and Wildlife

Attachment 1: Income Table

Population, Personal Income, and Earnings, 1970 - 1996

Nulhegan & Victory Basins

All values in millions of 1996 dollars, unless noted	1970	Pct of TPI 1970	1996	Pct of TPI 1996	Change 1970-1996	% Change 1970-1996
Total Personal Income and Population						
Total Personal Income (TPI)	1,073	100%	1,769	100%	695	65%
Nonfarm Personal Income	1,020	95%	1,736	98%	716	70%
Farm Income ¹	54	5%	33	2%	-21	-39%
Population (persons)	82,788	-	93,677	-	10,889	13%
Per Capita Personal Income (\$)	12,965	-	18,862	-	5,917	46%
Derivation of Personal Income:²						
Earnings by Place of Work ³	815	76%	1,065	60%	249	31%
- Pers. Contributions for Social Insur. ⁴	(33)	3%	(75)	4%	(41)	124%
+/- Adjustment for Residence ⁵	7	1%	44	2%	37	507%
= Net Earnings by Place of Residence ⁶	789	74%	1,034	58%	245	31%
+ Dividends, Interest & Rent ⁷	140	13%	327	18%	187	134%
+ Transfer Payments ⁸	144	13%	408	23%	264	183%
= Total Personal Income (TPI)	1,073	100%	1,769	100%	695	65%
Components of Earnings⁹						
Wage and Salary Disbursements	626.4	58.4%	780.8	43.0%	154.5	21.5%
Other Labor Income ⁹	37.2	3.5%	94.6	5.3%	57.4	154.1%
Proprietors' Income ¹⁰	151.6	14.1%	209.1	11.8%	57.5	37.9%
Farm Proprietors' Income	41.9	3.9%	24.1	1.4%	(17.8)	-42.4%
Non-Farm Proprietors' Income	109.7	10.2%	185.0	10.5%	75.3	68.6%
Earnings by Industry:¹¹						
Farm ¹	54	5.0%	33	1.8%	(21)	-39%
Non-Farm	762	70.9%	1,032	58.3%	270	36%
Private	656	61.1%	874	49.4%	219	33%
Ag. Serv., For., Fish., & Other ¹²	8	0.7%	6	0.4%	(2)	-22%
Forestry	5	0.4%	1	0.0%	(4)	-89%
Mining	11	1.0%	1	0.1%	(10)	-90%
Construction	67	6.3%	67	3.8%	(1)	-1%
Manufacturing	262	24.4%	270	15.2%	8	3%
Total Lumber and Paper Mfg.	142	13.2%	134	7.6%	(8)	-6%
Lumber and Wood Products	31	2.9%	42	2.4%	11	35%
Paper and Allied Products	111	10.3%	91	5.2%	(19)	-17%
Transportation and Public Utilities	56	5.2%	87	4.9%	31	55%
Wholesale Trade	21	2.0%	31	1.8%	10	46%
Retail Trade	96	9.0%	127	7.2%	31	32%
Finance, Insurance & Real Estate	24	2.2%	32	1.8%	9	36%
Services	115	10.7%	254	14.4%	139	121%
Government	106	9.9%	157	8.9%	51	49%
Federal and civilian	21	2.0%	21	1.2%	(0)	-2%
Military	3	0.3%	5	0.3%	2	52%
State and Local	82	7.6%	132	7.5%	50	61%

Source: Bureau of Economic Analysis. 1997. *Regional Economic Information System CD-ROM*. Washington, DC: U.S. Department of Commerce.

Note: This table covers Coos County, New Hampshire, plus Essex, Orleans and Caledonia Counties, Vermont.

Attachment 1: Income Table

Notes:

1. **Farm Income** comprises: proprietors' net farm income; the cash wages, pay-in-kind and other labor income of hired farm workers; and the salaries of officers of corporate farms.
2. **Total Personal Income** differs from **Earnings by Place of Work** and **Earnings by Industry** in two respects. First, it includes non-labor income and excludes personal contributions for social insurance. These adjustments make TPI a more complete picture of the money available to the region's residents. Second, it measures the income of the region's residents, rather than the earnings of employees and owners of firms located in the region. That is, it accounts for earnings of commuters to and from other regions.
3. **Earnings by Place of Work** consists of wages, salaries, other labor income and personal contributions for social insurance earned or paid at firms located in the area. It can be broken down into "Components of Earnings" or into "Earnings by Industry".
4. **Personal Contributions for Social Insurance** are payments by workers and the self-employed into Social Security, Medicare, Unemployment Insurance, and other programs. This adjustment is made for the purpose of calculating Total Personal Income, but is not made to Components of Earnings or Earnings by Industry.
5. **Adjustment for Residence** is the net inflow of earnings of interarea commuters. A negative adjustment means that the earnings of workers commuting into the region are greater than the earnings of residents who commute to jobs outside the region. This adjustment is made for the purpose of calculating Total Personal Income, but is not made to Components of Earnings or Earnings by Industry.
6. **Net Earnings by Place of Residence** is the labor income of residents of the region.
7. **Dividends, Interest and Rent** consists of current earnings from past investments and includes a capital consumption adjustment for rental income of persons.
8. **Transfer Payments** are payments to persons for which no current services have been performed. They comprise payments to individuals and to nonprofit institutions by Federal, State, and local governments, and by businesses.
9. **Other Labor Income** consists of the payments by employers to privately administered benefit plans for their employees, the fees paid to corporate directors, and miscellaneous fees. Payments to private benefit plans account for more than 98 percent of other labor income.
10. **Proprietors' Income** is the current-production income (including income in kind) of sole proprietorships, partnerships, and tax-exempt cooperatives. It includes inventory valuation and capital consumption adjustments.
11. **Industry classification:** 1969-1974 based on the 1967 Standard Industrial Classification (SIC); 1975-87 based on 1972 SIC; and 1988-1994 based on 1987 SIC.
12. **Other** consists of wages and salaries of U.S. residents employed by international organizations and by foreign embassies and consulates in the U.S.



THE WILDLIFE SOCIETY
New England Chapter

April 29, 1999

Refuge Manager
U. S. Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turner Falls, Massachusetts 01376

Dear Mr. Sir/Madam:

I am writing regarding the Draft Environmental Assessment "U.S. Fish and Wildlife Service Participation in Partnership to Protect the Champion Lands" in Essex County Vermont". The following comments are provided by the *New England Chapter of the Wildlife Society*. The Chapter is a nonprofit organization comprised of professionals serving the natural resource management fields, especially wildlife ecology and management. Our membership are wildlife professionals in Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island (most of the region the Silvio O. Conte National Fish and Wildlife Refuge - Connecticut Watershed encompasses). The Chapter submits the following comments regarding the Draft Environmental Assessment. These comments are based on review of the EA and the original FEIS for the Conte National Fish and Wildlife Refuge (October 1995).

The *New England Chapter of The Wildlife Society* given the alternatives listed, supports "Alternative III" as offered within the EA. We believe avenues related to Alternative IV should be evaluated. We believe that most, if not all, of the Champion Lands in Vermont can be protected through restrictive forest easements. Statements that the Nulhegan Basin would not be attractive to a future buyers are not completely accurate given recently established easements on similar forested areas in the same area.

Our assessment is that the level of protection for fish, wildlife and habitat resources within the Nulhegan Basin under existing Vermont state laws and management programs is substantial compared to laws protecting resources in other states within the Connecticut River Watershed. These laws include Vermont's Act 250 dealing with land use and development, Vermont's Endangered Species Act (10 V.S.A. Chap. 123). Protection of "Necessary Wildlife Habitat which includes protection of deer yards, rare, threatened or endangered species, as well as significant natural communities also under Vermont's Act 250, Vermont's wetlands and water quality laws under the Department of Environmental Conservation and Act 250 Board, adverse logging laws under (10 V.S.A. 6001 Sec 3), 6081, and wildlife protection and harvest regulations under (10 V.S.A. Chap. 101,103,105,113,115,117 and 119). These laws do afford resources in Vermont generally higher protection than laws in other states within the operation of the Conte FEIS.

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Page 2
Conte Refuge Comments

The *New England Chapter of the Wildlife Society* believes because (a) there are no federally listed endangered or threatened species found within the area, (b) and the degree of protection afforded natural resources currently existing in the area described for proposed federal acquisition under Vermont Law, compared to the situations in other Conte Focus Area states, and (c) the findings of the original FEIS (October 1995) concluded in choosing "Alternative D" "that this alternative would provide a high level of protection to federally listed species, rare species, migratory birds, area sensitive species and wetland habitats. More than 60% of the watershed's unprotected Special Focus Areas would receive some degree of protection under this alternative. A greater percentage than Alternative A (7%), B (7%), or C (15%)", and (d) the original premise of "Alternative D" is that easements are the most functional and cost-effective manner to conserve the region's important natural resources.

Our position is that selection of the proposed Preferred "Alternative II" would:

- defeat the operational premise and overall effectiveness in the future of "Alternative D" of the original EIS, by establishing a large "traditional" National Wildlife Refuge.

- would result in Federal acquisition of over 19,000 acres of land that is not wetland nor "significant natural communities". Spending of such significant Conte Refuge monies given the size of the parcel (26,000 acres) while only including 6,770 acres of wetlands, (which includes 850 acres of significant natural communities), indicates a large percentage of habitat outside of wetlands are being acquired. The description that "the Services 26,000 acres is the "core wetland" area" (page 12) is widely inaccurate. The Service's own FEIS, in discussing wetlands and wetland trends in Vermont (page 3-41), states "Wetlands continue to be lost at a rate of 100-200 acres annually (State of Vermont 1993). In Vermont, road construction, residential and commercial development, as well as draining of wetlands for agricultural production account for the majority of the loss". By the Services own description the wetlands in the proposed acquisition are not of the type most at risk in Vermont. We question the need for the Service to acquire by fee title 26,000 acres with over 19,230 acres of lands that are neither wetland nor "significant natural communities". The intention of the original FEIS and the justification within the EA do not support the establishment of such a large refuge, and is not an honest assessment of acreage that is somehow unique related to resources at true risk or in need of increased in the Connecticut River Watershed.

- may detract from critical resource protection that might be achieved elsewhere in the Connecticut River Watershed through the Conte Refuge. Aside from the initial costs (\$5.2 - \$7.8 million), your information indicated operational costs and tax projections for running the proposed refuge (without adjusting for inflation), are \$3,265,630 - \$6,265,630 million over the next ten years.

Page 3
Conte Refuge Comments

Because, the State of Vermont has indicated it will buy the land if the Service does not, the need for resource protection in other areas defined within the Conte National Fish and Wildlife Refuge area far outweighs the need for this acquisition. This point is particularly critical in light of the level of human development pressures in southern New England. The current EA does not provide significant impact assessment to warrant the establishment and operation of a large traditional fish and wildlife refuge in Northern Vermont as meeting the overall goals of the Refuge. This is highlighted by the justification of the original preferred choice which describe "protecting 60% of resources in the entire Connecticut River Watershed as outlined in "Alternative D" of the 1995 EIS." The proposed Alternative II would in fact significantly weaken the ability to protect greater numbers of watershed resources that are truly at risk.

Service actions within the EA appear to be driven by the goals of The Conservation Fund, and thus are not a viable justification to deviate from the original course of action outlined in Alternative D of the FEIS. The Refuge serves a broader, more important purpose than being a source of money to buy large tracts of land. *The New England Chapter of the Wildlife Society* recognizes the importance of protecting large land areas, and in principle supports the efforts of The Conservation Fund. However the resource area in which the Silvio O. Conte Refuge operates, especially in the southern region of the Connecticut River Watershed, includes resources more at risk than those in the area of the EA. The EA does not demonstrate that the 26,000 acres are highly sensitive, ecologically significant wetlands or natural communities that could not be or are not adequately protected under existing laws, in concert with conservation easements and private ownership.

Similarly, the EA does not make a case that the expenditure of such a substantial amount of money and it's subsequent operational expenditures is paramount to resource protection for this area. Expenditures of U. S. Fish and Wildlife Service monies here needs to be assessed in light of the overall biological and resource protection need, and not simply as acquiring large tracts of land to fit a seller's need.

We respectfully advise if Silvio O. Conte Refuge monies are eventually needed to consummate this land transaction, the Silvio O. Conte Refuge would better fulfill it's goal as a "partner" in the protection of Champion lands by using Alternative III. We would point out that Chapter 4 does not discuss any of the issues surrounding Alternative IV (Page 21). This is disturbing because the proposed action will greatly effect the protection of fish, plants, wildlife (including some that are federally endangered), habitats, and natural communities, throughout the rest of the Connecticut River Watershed. The last statement of Alternative IV appears to be very shortsighted regarding resources at risk and need of protection elsewhere. The alternative does not discuss moving away from federal ownership in this area of Vermont completely and re-allocating limited monies elsewhere within the Connecticut River Watershed. This is the issue that needs to be addressed given the proposed deviation from the original FEIS.

Page 4
Conte Refuge Comments

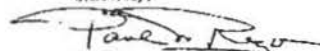
Lastly, if the Service chooses to continue to move forward toward fee acquisition, we believe further study is required. Due to the size of the acquisition at hand, and the lack of supporting documentation that the entire 26,000 acres warrants fee title ownership, coupled with the social distrust this acquisition is creating in Northern Vermont, we believe a more thorough EIS is in order. The new EIS should more methodically review cost/benefit assessments of acreage being acquired, including risks to resources elsewhere in the Connecticut River Watershed. The new EIS should include a more comprehensive review of the level of actual resource protection currently existing in the 40 square miles proposed for acquisition, along with further examination of easement options that would provide resource protection without fee acquisition.

If fee acquisition does occur. We propose, regarding the purpose of the acquisition of this land, that the Service include an additional written purpose for which this parcel is being acquired, (which is similar to and consistent with language in acquisition of Refuge lands elsewhere in the United States). We suggest the following language:

to ensure public access to and utilization of renewable natural resources recognizing the traditional and customary uses of fish and wildlife in Vermont, and their importance to the people and communities in Vermont.

We think these comments are germane and hope they are given full consideration in this major federal action in the Connecticut River Watershed. Please note we are available to discuss these matters further in any processes that follow.

Sincerely,



Paul Rego
President
New England Chapter of the Wildlife Society



27 State Street
Montpelier, Vermont 05602
Tel (802) 229-4425
Fax (802) 229-1347

International Headquarters
1815 North Lynn Street
Arlington, Virginia 22209
Tel (703) 841-5300

April 30, 1999



Larry Bandolin, Refuge Manager
Silvio O. Conte Refuge
U.S. Fish and Wildlife Service
38 Avenue A
Turners Falls, MA 01376

Dear Mr. Bandolin:

The Nature Conservancy strongly supports the fee acquisition of 26,000 acres in the Nulhegan Basin by the United States Fish & Wildlife Service (USFWS) as part of the Conte Refuge (Alternative 2). We feel this ownership gives both the strongest ecological protection to the biodiversity found in this unique region, as well as providing an opportunity to diversify the economics of the region.

We would also encourage the Refuge to incorporate the findings of the Champion Lands Review Team's (CLRT) report into the Final Environmental Assessment, as well as into the management planning for this refuge addition. While the team's work received no more than a mention in the Draft Environmental Assessment (EA), this group of ecologists and biologists probably has done more thinking about the complete range of ecological resources found on the Champion lands than any other cross-discipline and cross-agency group to date.

The CLRT team concluded that the region's biodiversity, when viewed from the perspective of an entire landscape, could be well served by a mix of public and private management. Large areas of the Champion land will remain in timber production and, thus, will most likely continue to provide the early successional habitat needed by some species. The team felt the public ownership should be focused on the Nulhegan Basin with a management emphasis toward native biodiversity and the ecological processes that supports those species. However, the team did not ignore the importance of game species, particularly the deer wintering area, and made provision for management aimed at those resources as long as that management regime was done on a scale that did not drive the management for the entire ecosystem, or would be detrimental for other biodiversity. It should also be clearly stated that the CLRT team discussions felt it was very important that the public ownership include sizable examples of mature natural communities since these were unlikely on the privately owned portion of the Champion lands.

The Conservancy also wants to stress that it is vitally important that the USFWS not limit the range of management options that can be discussed and debated in the public process for the refuge management planning. The EA process is not designed to be the

management planning process, and yet the current political atmosphere surrounding the Champion land often lends itself to making promises about management without full knowledge of the area's ecological history and processes. This is not to say that supporting traditional use of an area is not important; it is vitally important for local support. An example of how mixed these issues become is exemplified in the EA's finding that snowmobile use is compatible with the refuge, even though it is outside the normal uses considered automatically compatible. Snowmobile use by local residents has clearly been long-standing (though it is a use so recent it is hard to consider it traditional) and important to wide sections of the public. However, the current high level of non-resident snowmobiling is a recent, commercially driven use that might cloud the ability to make good management decisions if it is just automatically accepted in its present locations and intensity.

In conclusion, the Conservancy is strongly supportive of the USFWS's ecosystem management for the Nulhegan Basin's native biodiversity. We are not opposed to some habitat management for game species, but feel that the population levels of these species should not be managed to artificially high numbers for recreational purposes. Management goals should also clearly include large areas of mature natural communities, particularly including sizable tracts of the common forest communities. The Conservancy's ecosystem planning work has made it clear how critical the Champion lands, and the Nulhegan Basin in particular, are to representing the region's biodiversity resources. However, it is also an area that is critical to a variety of recreational interests. The management difficulty will be to find the balanced, landscape-wide approach that creates a long-term ecological vibrancy, as well as an economic and social vibrancy. The Conservancy feels the USFWS is a critical part of reaching that balanced mix.

Sincerely yours,

John H. Roe
Director of Conservation Programs

National Audubon Society



April 28, 1999

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Wildlife Refuge 38 Avenue A
Turner's Falls MA 01376

Dear Sir:

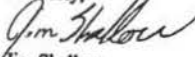
The National Audubon Society's Vermont State Office with 5,000 members in Vermont, strongly favors acquisition of the 26,000-acre Nulhegan Basin Unit by the U.S. Fish and Wildlife Service (USFWS) for addition to the Silvio O. Conte National Wildlife Refuge. Therefore we support Alternative 2, the "preferred alternative", in the draft Environmental Assessment (EA).

The National Audubon Society supports the comments provided by the Vermont Audubon Council. In addition, we would like to take this opportunity to offer our help in the future to assist your agency in the management this valuable area. Audubon has established friends groups for refuges across the country. Our Audubon Refuge Keepers (ARK) program has organized numerous volunteers to help individual Refuges meet their management objectives. We look forward to this opportunity to help the Nulhegan Unit of the Conte Refuge become a valuable asset to the people and communities of the Northeast Kingdom.

At the hearing in Lyndonville, I suggested the new Nulhegan Unit be named after the former U.S. Fish and Wildlife Service Director Mollie Beattie. As a Vermonter who dedicated her life to the conservation of our state's and nation's natural resources, naming the Refuge after Mollie Beattie would be a fitting tribute to her life's accomplishments.

Thank you for the opportunity to comment on the draft EA for management of the Nulhegan Basin Special Focus Area. Clearly, the public support voiced at the hearing in Lyndonville demonstrates that a majority of Vermonters support your intentions to purchase the Nulhegan Basin and manage it for its unique biodiversity.

Sincerely,


Jim Shallow
Executive Director

VERMONT STATE OFFICE
65 Millet Street
Richmond, VT 05477-9612
Tel: (802) 434-4300
Fax: (802) 434-4891

RECEIVED
5-3-99

Postmarked: 4-29-99

THE CONSERVATION FUND

1800 NORTH KENT STREET, SUITE 1120
ARLINGTON, VIRGINIA 22209-2156
(703) 525-6300
FAX (703) 525-4610

April 29, 1999

Mr. Ron Lambertson
Regional Director
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035-9589

RECEIVED
5-3-99

Postmarked 4-29-99

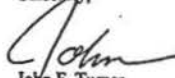
Dear Ron:

The Conservation Fund is pleased to submit this letter in support of the U.S. Fish and Wildlife's proposed 26,000 acre fee-interest acquisition (Alternative 2) in the Nulhegan Basin, Essex County, Vermont. As you are aware, The Conservation Fund has entered into a contract with Champion International Corporation to purchase approximately 133,000 acres of land in Vermont, including the proposed federal acquisition, as part of a \$76.2 million transaction involving 300,000 acres in New York, New Hampshire, and Vermont. We undertook this project because of the high resource value of these lands and the unique opportunity for successful, landscape-level, public-private partnership initiatives to conserve the Northern Forest.

As we contemplated the overall acquisition we viewed the potential role of the U.S. Fish & Wildlife Service in Vermont as critical. The Service's long-standing interest in the protection of the Nulhegan watershed and the area's designation as a High Priority Special Focus Area of Conte NFWR convinced us of the necessity to take action. We compliment you on the thoroughness and diligence with which the Environmental Assessment has been undertaken. Congratulations to you and your fine staff for designing and proposing this fine conservation legacy for the outstanding landscape and wildlife habitat of the Nulhegan Basin.

Please contact me if we can be of any further assistance. Thank you for this opportunity to comment on the Draft Environmental Assessment.

Sincerely,


John F. Turner
President & CEO

cc: Larry Bandolin, Silvio O. Conte NFWR, USFWS
Nancy Bell, Vermont Representative, The Conservation Fund

ISLANDS AND HIGHLANDS, ENVIRONMENTAL CONSULTANCY

Lawrence S. Hamilton and Linda S. Hamilton

April 30, 1999



Refuge Manager
Silvio O. Conte National Fish and Wildlife Refuge
38 Avenue A
Turners Falls, MA 01376

Subject: Nulhegan Basin

Dear Mr. Bandolin:

Unfortunately I was out of country when the information meeting was held in Lyndonville. I have received, however, the draft Environmental Assessment, and gone over it. I am not a stranger to EAs or EIAs, in my career as Forest Conservation Professor at Cornell for 30 years, and a researcher/teacher in the Asia/Pacific region for 13 years. I am a professional forester and believe that we need a productive, sustainable, small-scale, local wood economy, producing from both private and public lands in Vermont. Nonetheless, I come down squarely for maximum protection of key watershed/wildlife/biodiversity lands.

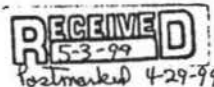
I therefore support strongly the acquisition of the 26,000 acre Nulhegan Basin in fee, by the US Fish and Wildlife Service and managing it according to the standards and mandate of the Silvio O. Conte Refuge (Alternative 11). This mix of ownerships and easement holders is a sound one for the Champion lands.

Sincerely,


Lawrence S. Hamilton

VERMONT INSTITUTE OF NATURAL SCIENCE

RR2, Box 532, Woodstock, VT 05091-9720, Tel: (802) 457-2779, Fax: Extension 216



4/29/99

Dear Conte NWR

I am writing a late letter in support of the acquisition of Champion forest land to preserve the integrity of the Nulhegan watershed.

I am the Vermont Loon Biologist and work for the Vermont Institute of Natural Science. I want to encourage the USFWS to recognize and promote the conservation of shorelines of all waterbodies in the Champion land sale. Existing camps do NOT have to be removed, but newly available lands should NOT be developed for commercial and development purposes. The Common Loon (*Gavia immer*) is listed as a Vermont state endangered species. Loss of nesting habitat is a major contribution to the bird's decline. Loons require undisturbed and undeveloped shoreline or island for successful breeding. These areas can sometimes be very small and the loons can still breed successfully (e.g., on Maidstone Lake, which is highly developed, the loon pair nests on a "Champion-owned island" 100 feet from several camps). However, loss of this limited habitat would mean the loss of breeding loons further contributing to the decline of the species.

Sincerely,

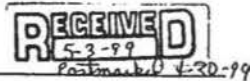


Eric Hanson

PO Box 101
Craftsbury Common, VT 05827
(802) 586-8012
vtloons@hotmail.com



STATE OF VERMONT



AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT

VIA FAX

2 PAGES

April 27, 1999

Larry Bandolin, Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte National Fish and Wildlife Refuge
38 Ave. A
Turners Falls, MA. 01376

RE: Comments on the Draft Environmental Assessment for Proposed Champion Lands Partnership, Essex County, VT

Dear Mr. Bandolin:

The Division for Historic Preservation, serving as the Vermont State Historic Preservation Office (VTSHPO), appreciates the opportunity to comment on the above document.

1) The VTSHPO supports the Service's proposed fee-simple acquisition of approximately 26,000 acres in the Nulhegan Basin to best preserve and manage the land's natural, historic, and cultural resource values.

2) Page 39, "F. Historical and Cultural Resources": Contrary to what is stated in this section, both the 7.5' USGS topographic map for the parcel and past historic research (on file in this office) suggest the existence of historic resources associated with the area's logging and railroad history. Historic logging and railroad camps, dams, railroad beds, and related archeological sites and structures exist within or adjacent to these lands. It is unfortunate that development of the Draft EIS did not include background research into the land's history and preliminary identification of extent or potential historic and archeological resources. The Draft EIS should also have included a preliminary assessment of potential prehistoric and historic Native American use of the lands. Such an assessment would have involved application of an environmental predictive model, oral histories, and documentary research.

3) The VTSHPO recommends that, if the land is purchased by the Service, the Service more actively incorporate the identification, protection, management of and education about historic and cultural resources into its mission for the Champion lands to enhance protection of these resources. Because of future activities on these conserved lands, such as continued logging, recreation, and others, the VT SHPO recommends that a historic and cultural resources management plan be developed for the Champion lands as early as possible after purchase. The historic and cultural sites and structures on these lands reflect

April 27, 1999

Page 2

a continuity of use and appreciation of the land's rich natural resources certainly for much of the 19th century and, probably, for 1000's of years.

The VTSHPO looks forward to working closely with you if this project successfully moves forward.

Sincerely,

Emily Wadhams
State Historic Preservation Officer

Giovanna Peebles
State Archeologist

cc: Bob Paquin

DEPARTMENT
OF HOUSING &
COMMUNITY
AFFAIRS

Divisions for:

- * Community Development
- * Historic Preservation
- * Housing
- * Planning

National Life
Building
Drawer 20
Montpelier, VT
05620-0501

Telephone:
802-228-3211
800-622-4553
Fax:
802-228-2928

Historic
Preservation Fax:
802-228-3206

VERMONT AUDUBON COUNCIL

Refuge Manager
U.S. Fish and Wildlife Service
Silvio O. Conte National Wildlife Refuge
38 Avenue A
Tuner's Falls MA 01376

Ascutney Mountain
Audubon Society
P.O. Box 191
Springfield, VT 05156

Central Vermont
Audubon Society
P.O. Box 1122
Montpelier, VT 05602

Green Mountain
Audubon Society
255 Sherman Hollow Road
Huntington, VT 05462

Northeast Kingdom
Audubon Society
c/o Fairbanks Museum
St. Johnsbury, VT 05819

Otter Creek
Audubon Society
P.O. Box 938
Middlebury, VT 05753

Rutland County
Audubon Society
P.O. Box 31
Pittsford, VT 05763

Southeastern Vermont
Audubon Society
P.O. Box 2150
Brattleboro, VT 05303

Taconic Tri-State
Audubon Society
P.O. Box 926
Bennington, VT 05201

Scientific Advisor
Vermont Institute
of Natural Science
Woodstock, VT 05091

National Audubon Society
Vermont State Office
65 Miller Street
Richmond, VT 05477

RECEIVED
5-3-99
Postmarked 4-30-99

30 April 1999

Dear Sir:

The Vermont Audubon Council is comprised of delegates of the eight Audubon chapters distributed throughout Vermont. In all, about 5000 Audubon members reside in Vermont.

We strongly favor acquisition of the 26,000-acre Nulhegan Basin Unit by the U.S. Fish and Wildlife Service (USFWS) for addition to the Silvio O. Conte National Wildlife Refuge. We support Alternative 2, the "preferred alternative", in the draft Environmental Assessment (EA), and have the following comments.

We have confidence in the management of the proposed refuge by the USFWS. From our perspective the most important value of the Nulhegan Basin is its biological resources, specifically the outstanding examples of the six rare natural communities identified on page 22 of the draft EA. The USFWS will do a better job of balanced management of the entire range of biodiversity present, and will be more resistant to local political pressure toward management to benefit one or a few species, than would the Vermont Agency of Natural Resources (VT ANR).

We recognize the importance to hunters of the Nulhegan Basin as the state's largest deer wintering area. We endorse the cooperative agreement between the USFWS and the VT ANR for joint management of the deer wintering area as the best way to reassure hunters that their interests will be taken into account without sacrificing or reducing the broader range of ecological and wildlife values present. It is important to bear in mind that most of the rest of the State of Vermont is actually or inadvertently managed for deer production. Some, but by no means all, other wildlife species may benefit from such management. An important value of a national wildlife refuge in this area will be the ability to manage for deep-woods, disturbance-prone, and area-sensitive species. These are species whose requirements are seldom

accommodated or even acknowledged by private landowners. Included in this group of species are a number of neotropical migratory birds. Managing for these species is a role for which the USFWS is uniquely qualified.

Among the wildlife species of importance to us are the populations of several boreal bird species. They not only contribute to the state's overall biodiversity, they offer a significant birdwatching opportunity, and they are also important as outlier populations of species more widely distributed in Canada, and, as such, represent genetic material that adapts these populations to a different set of conditions than populations of these species north of the border.

We view as important the eventual termination of leases on camps in the area. The USFWS is generous in its willingness to let the leases run 50 years. We'd be happier with leases that terminate after 25 years or the life of the principal lessee, whichever comes first. The presence of the camps may negatively affect some wildlife in some locations, and may inhibit USFWS' ability to carry out appropriate management.

We are pleased that the draft EA states that the USFWS will develop its own plan for managing trapping of furbearers within a year. It is clearly not in the best interests of all wildlife populations to have artificially reduced populations of large carnivores. We look forward to commenting on a draft management plan for furbearer trapping.

We stress the economic importance of the presence of a national wildlife refuge to the Northeast Kingdom. The presence of birdwatchers, wildlife viewers and hikers in the summer will complement existing tourist benefits to area businesses from hunters in the fall and snowmobiles in winter.

We acknowledge the economic importance to the area of snowmobiles, and agree to continued use of the existing VAST major corridor network, unless research shows adverse effect on wildlife populations from existing trail locations or existing or future levels of use.

In the final EA we urge you to include a list of fish, amphibian and reptile species known to occur in the Nulhegan Basin and environs equivalent to the list of neotropical migratory birds in Appendix 6. The treatment of these groups on page 29 of the draft EA is inadequate and reduces confidence in the level of USFWS' concern about managing for all groups of species.

Thank you for the opportunity to comment on the draft EA for management of the Nulhegan Basin Special Focus Area.

Sincerely yours,

Warren B. King
Warren B. King
President

Tuesday, May 4, 1999 11:24:23 AM

Refuge Manager
US Fish and Wildlife Service
Silvio O. Conte Refuge
38 Avenue A
Turners Falls, MA 01376

via fax 413-863-3070

Folks,

Per discussion with Beth Goettel today, May 4th, I am forwarding comments on the Nulhegan Basin draft environmental assessment. I have expressed interest in this process by calling and requesting copies of the original FEIS for Silvio Conte and the Draft EA which I appreciate receiving. I was not able to assess these documents and file comments prior to the date by which "they would be appreciated", but I have been assured that the time frame is such that my comments may be considered and that their physical disposition as a portion of the record will be determined as a matter of policy applied to all comments received in this time frame.

I have two main concerns, one procedural and one substantive regarding the adequacy of the EA, both of which point to this undertaking as little more than bureaucratic GERRYMANDERING (emphasis added).

The EA purports to be tiered on the October 1995 FEIS. Neither your citation of 40 CFR 1502.20 nor that of 40 CFR 1508.28 support this undertaking in the least. Tiering is encouraged for "an action INCLUDED within the entire program or policy", 40 CFR 1502.20 (emphasis added). Tiering is appropriate when the sequence is "from a program, plan, or policy environmental impact statement to a program, plan, or policy statement or analysis of LESSER SCOPE or to a site-specific statement or analysis", 40 CFR 1508.28 (emphasis added).

Neither of these conditions is met and it is a gross and arbitrary abuse of administrative process to propose to base this action on an FEIS which considered nothing whatsoever of the scope proposed. It is gratuitous and disingenuous to cite the appendix of the FEIS relative to other strategies for the Nulhegan basin in the event of change in land ownership. If those strategies fall outside the scope of the EIS one cannot purport to have studied the effects of them. Further, the note to the appendix entry belies any reliance on the appendix as somehow demonstrating that the proposed action in the EA is within the scope of the original EIS. It specifically speaks of acquisition only in the event that "key property is at risk of development". There is no analysis which indicates there is any risk of development whatsoever of "key property".

Even the most aggressive acquisition scenario analyzed but not selected under the FEIS called for Fee acquisition of 12,255 acres in the Northern VT/NH portion of the "refuge". The preferred alternative calls for acquisition of 910 acres. To propose acquiring 26,000 acres simply 'because it is there' smacks of the same arbitrary quality as asking why man climbs a mountain, rather than of deliberative public process. I am all for rugged individualism, but such a society is not fostered by governmental babysitting of all its resources.

In any event, no participant in the public process which produced the FEIS for Silvio Conte could possibly be on notice that anything remotely similar to the proposed undertaking was essentially authorized at the discretionary whim of USFWS managers.

I do not feel that the EA is a proper document on which to base a decision because of this procedural misconduct; however, it has significant substantive failings as well and these are related to its findings regarding the socio-economic impact of an acquisition oriented strategy synthesized with the simultaneous retirement of 90,000 acres of adjacent land from industrial timber management. It is a virtual sham to declare this as a security for timber dependent employment in this Northern VT/NH region implying that without these actions, the Champion lands were under some imminent threat to be removed from the timber base. This is preposterous.

No significant development pressure relating to any portion of the Champion land has been identified and even were portions of it developed there is no basis for the assumption that timber supply would be significantly affected. Certainly there is far more risk of an impact on timber availability and

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Tuesday, May 4, 1999 11:24:23 AM

state agencies over public land management decisions. He says in particular that "a child in New York City's Harlem neighborhood is as much an owner of the national forests as a millhand who lives and works in the woods". This type of statement is the public relations presage of the vocal campaign to end commercial harvesting on the national forests. Considering that the organic purpose of a national forest is sustainable timber harvest, one can only suppose how Mr. Turner and his ilk would feel about timber harvest in a wildlife refuge.

To purport that this type of nationalization will maintain a "working landscape" flies in the face of all objective evidence regarding the impacts of federal (and to a significant extent state) ownership of land. Thus in failing to analyze the likelihood that timber harvest will be significantly curtailed or ultimately eliminated from these lands the EA reaches the specious conclusion that "any small reduction of harvest related jobs and products reduction on this land would be offset by the industry stability and permanence added by dedicating this 19.8% of the county to forest production." (draft EA pg. 47).

Further this must be viewed in the cumulative context of NGO and state acquisition of vast quantities of adjacent timberland. This is a change in ownership patterns as potentially meaningful in cumulative impact as the residential development of a significant proportion of the subject lands. The management regimen will inevitably change from a presumption for harvest to a presumption for no harvest. This belies the long expressed views regarding maintaining current ownership and USE patterns as expressed by Senators Leahy and Rudman in their charge for the Northern Forest Lands process (emphasis added).

While it is recognized that Champion, in logical attempts to secure the most value from its investment, cut the land before selling it, this commentator feels that this kind of management is precipitated by the covetous NGO and government market for land. It is not significant development pressure which currently drives large land and easement transfers, but rather the bizarre non-profit and bureaucratic market. The flexibility of communities to manage their economic and developmental affairs is undercut by this pattern.

It is notable that the foundation facilitators of this particular vast land socialization were not so cheeky as to pretext their grant upon federal participation (as they did to the state), but it is clear that non federal parties are being allowed to drive federal actions completely outside the EIS process. The negotiations for this land purchase were not conducted in open meetings or subject to comment but are presented as a fait accompli. Well, the Conservation Fund has made its bed and should lie in it. If they find they must sell some portion of the land for more aggressive timber harvest or for development, so be it.

If the Fish and Wildlife Service feels that this 180 degree change in direction from an integrated refuge of small critical parcels and cooperatively managed forestscape to fee ownership for a vast signature refuge which represents but one of nine identified focus areas in this region then let it justify this change through proper analysis not through pretense.

As a practical matter, having adopted a particular course of action under the FEIS the burden rests with USFWS to refute their own ostensibly expert work on the original EIS. The burden is always on an outside party to demonstrate clearly arbitrary workings in order to challenge the content of an EIS. No lesser burden should attach to USFWS simply because they were the agency that made the original decision. If the decision is entitled to a presumption of validity then it is also entitled to that same presumption under future administration of that decision by the agency which made it.

Please insure that I receive a copy of any decision related to your environmental assessment and any final draft of what purports to serve as an analysis.

Very Curmudgeonly Yours,

Brian Bishop, SAT
Rhode Island Wiseuse
199 Austin Farm Road
Exeter, RI 02822

401-392-0212
fax 401-397-5507

HOWARD DEAN, M.D.
Governor



State of Vermont
OFFICE OF THE GOVERNOR
Montpelier 05609

Tel.: (802) 828-3333
Fax: (802) 828-3339
TDD: (802) 828-3345

April 29, 1999

RECEIVED
MAY 07 1999
REFUGES

Anthony Leger
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, Massachusetts 01035-9589

Dear Mr. Leger,

I read with interest the draft Environmental Assessment report on Options for Protecting the Nulhegan Basin Focus Area. I also read with interest Secretary Kassel's letter of April 15 commenting on the draft EA.

Vermont has long considered the conservation and good management of these lands essential because of the numerous natural resource and wildlife values associated with the Basin. I compliment both the USF&WS and the Conservation Fund for working so hard to help conserve this land. The partnership forged between the State, private land owners and, potentially, the USF&WS to conserve working forests, public access and core natural resource values on the so-called Champion lands could serve as a model for positive natural resource stewardship in the United States. I appreciate the time the Service is spending in the Northeast Kingdom, applaud the Service, Vermont's Departments of Fish and Wildlife and Forests, Parks and Recreation for creating a formal working relationship, and hope that the Service will work closely with all Vermonters as it reviews comments on the EA and becomes a neighbor in the Northeast Kingdom.

Vermont treasures its land and its independent spirit. The Conservation Fund, in purchasing the Champion lands and forging a broad partnership of public, private, and non-profit entities to conserve them for generations of Vermonters to come has done the State a great service. I appreciate the Silvio O. Conte National Fish and Wildlife Refuge's interest and participation in this land deal and look forward to a strong working partnership to manage these lands.

Sincerely,

Howard Dean, M.D.
Governor

Author: <Mdeluciav@aol.com> at -INTERNET
Date: 5/2/1999 10:57 AM
Priority: Normal
TO: Fran Plausky at SHA-MAIN1
Subject: Nulhegan

Hello,

I would like to voice my support for Alternative 2- full fee purchase. I would like to also voice my concern that the FWS has been pressured into allowing snowmobiling on this land. I don't feel that this is an appropriate activity on a NWR.

Thank you
Mari-Beth DeLucia
70 North Street
Burlington, VT 05401
802-651-1048

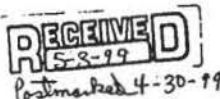


HD/dmf



ASSOCIATED INDUSTRIES of VERMONT

PRESIDENT
SANDRA DRAGON



April 29, 1999

Refuge Manager
Silvio O. Conte NFWR
38 Avenue A
Turners Falls, MA 01376

RE: Draft Environmental Assessment of the Proposed Nulhegan Basin Land Purchase

Dear Refuge Manager:

Associated Industries of Vermont (AIV) offers the following comments on the U.S. Fish and Wildlife Service's (Service) Draft Environmental Assessment (EA) of the Proposed Nulhegan Basin Land Purchase of 26,000 acres. AIV is the trade association for Vermont's manufacturers. Since 1919, AIV has advocated on behalf of the industrial community for policies that protect and enhance Vermont's private enterprise economy. A critical sector of that economy and of AIV's membership is the forest products industry. AIV represents lumber and veneer production of over 120 million board feet a year, timberland ownership of over 200 thousand acres in Vermont, virtually all of the paper and pulp manufactured from forests in the state and over half of all furniture manufactured in Vermont.

AIV opposes the Service's proposal to acquire 26,000 acres. Such an action will have a significant detrimental impact, in our opinion, on the forest products industry, on the property tax payers in the affected towns, and on those who have had access to these lands for hunting, fishing, trapping, snowmobiling and other traditional uses. At a minimum, the Service should prepare an Environmental Impact Statement (EIS) to understand the environmental and economic consequences of its proposed action. This is especially warranted given the huge discrepancy between the 600 acres the Service represented it would acquire in Vermont through fee simple ownership and the 26,000 it now proposes to acquire. Because notwithstanding the Service's contemptible attempts at post facto justification for this massive acquisition, the Service has no real idea of the true impacts of this action on those that live, work, and recreate in this area. And resorting to referencing various appendices of the voluminous October 1995 FEIS, as the Draft EA does, to find evidence that contradicts the very clear statement that the Service would acquire 600 acres fails to meet any reasonable standard of accountability.

Vermont's Department of Fish and Wildlife appears to agree with AIV on this key point that the proposed action was not considered and assessed in the previous EIS. In a March 24, 1999 letter to Ms. Beth Goettel of the Silvio O. Conte NFWR, Commissioner Ronald Regan states, "The current proposal to acquire 26,000 acres falls way beyond the scope of what was

originally anticipated and gets to the heart of why this Environmental Assessment is being prepared." The difference on this point we have with Mr. Regan is that the proposal is so far beyond the scope that it demands a full EIS.

That same letter correctly points out that the Draft EA: fails to acknowledge that other entities are working to "conserve the entire property"; disingenuously references the work of the Northern Forest Lands Council since the proposed action is directly at odds with the Council's conclusions; and fundamentally "violate[s] the premises and conclusions" of the previous EIS with its unabashed criticism of the very same easements that had undergirded the stated reasoning of the Service in selecting Alternative D to implementing the Act.

AIV opposes the proposed action because we believe it is unnecessary as there are other more accountable parties and levels of government who are involved with management of the lands. We oppose the proposed action because it will needlessly harm the forest products industry by unnecessarily reducing timber production levels lower than virtually any other party that might acquire the land would allow. We oppose the proposed action because its very existence constitutes a tremendous breach of faith by the Service with Vermonters, especially those of us who specifically asked how much land the Service would acquire in fee simple ownership and were told 600 acres. What is the Service's response to how many additional acres it will seek to acquire in fee simple ownership, regardless of what happens with this proposed action? Given that the management plan for the Refuge begins anew in 2010 and that the Refuge has no clear boundary, what is the total acreage the Service believes has the potential to be acquired? What does the Service consider to be the maximum number of acres that this Refuge should acquire in fee simple ownership? More importantly, what assurances do we have that the Service will abide by the verbal representations made by officials on its behalf and by its own written plan?

In our July 31, 1995 comments to the then Project leader for the Silvio O. Conte NFWR Larry Bandolin in opposition to "Alternative D", we wrote, in part, "...[N]othing will truly act as a check to more and more acquisitions by the Fish and Wildlife Service." Unfortunately, we had no idea how quickly those words would turn out to be sadly prophetic. In our view, the proposed action should be rejected. But if the Service has no compunction about pursuing this course of action, however dishonest it may be, then at a minimum it should prepare a full EIS to restore at least a modicum of integrity to its planning process.

Sincerely,

Kerrick L. Johnson
Vice President

4-29-99

RECEIVED

RW

MAY 03 1999

Regional Director's Office

Dear Mr. Tambuto,

We received a copy of the packet you sent out addressed Dear Review on the Partnership to Protect "the Champion Lands" in Essex County, VT.

I would be very interested in receiving a copy of this information for my own personal use as I do not have time to read it at work. If you could help me with obtaining this information it would be appreciated.

Sincerely,

Alydia Payette
P.O. Box 230
Lambtonville, VT.