

Appendix 5: Responses to Public Comments

A total of 227 written responses were received during the public comment period between November 6, 2002 and January 6, 2003. Two public open houses were held on November 22, 2002 and December 12, 2002. These comments collectively apply to four (4) Compatibility Determinations and a fishing pre-acquisition compatibility determination that were released concurrently for public review. The four Compatibility Determinations evaluate historic modes of public access to facilitate priority wildlife uses on the refuge and include pedestrian, bicycle, horseback, and vehicle travel. The fishing Pre-acquisition Compatibility Determination evaluates allowing fishing and fishing access on an interim basis between the time of acquisition (2002) and completion of the refuge Comprehensive Conservation Plan.

Public comments consisted of both letters and email. All comments submitted were reviewed and major issues raised were identified. Each general issue was also assigned a unique number that appears in the margins of each comment document. Each written response was assigned a unique number located at the top of the correspondence. Issues raised are in **bold** type, and the Service's response follows immediately in regular type.

Some comments were in opposition to the draft Compatibility Determinations. Other comments were general and related to multiple draft Compatibility Determinations. Additional letters and comments consisted of a variety of reasons or justifications for their position, or raised questions. In some cases, specific issues were grouped into more general issue statements.

These statements were then grouped into the following categories:

- A. Proposed trails do not meet user needs
- B. Research not evident (Supporting evidence is not provided for Compatibility Determination decisions)
- C. Safety and ADA (Safety and disabled access concerns)
- D. Increase public participation (Increase opportunities for public comment)
- E. Non-consumptive vs. consumptive (Hunting and fishing access discriminates against non-consumptive users)
- F. Economy
- G. Watershed, water quality, water recreation (Concerns about how access affects watershed, water quality, and water recreation)
- H. Other Pedestrian Issues.
- I. Other Bicycle Issues.
- J. Other Horseback riding Issues.
- K. Other Vehicle Issues.
- L. General comments related to all Compatibility Determinations (General statements of support or opposition)
- M. Comments received that do not relate to the Compatibility Determinations

Responses to Bicycle, Horseback, Pedestrian, and Bicycle Compatibility Determinations for the Canaan Valley National Wildlife Refuge.

A. PROPOSED TRAILS DO NOT MEET USER NEEDS

1. The trails are short, they don't loop.

In response to public interest, the Service has modified the trail system to lengthen designated trails, and provide loops. All designated trails meet the trail criteria guidelines listed in the trail checklist found in the Appendix of the Compatibility Determination. Before the refuge used the checklist to designate trails, scientists and managers familiar with land conservation, recreational use, and wildlife protection issues reviewed it. Please refer to the trail checklist for specific criteria used to evaluate existing trails. There are now 23 trail miles designated for bicycle use, of those miles only 8 are shared with vehicles. This leaves 15 trail miles available for bicycling without sharing the road with vehicles. Designated trails allow public use where they will not significantly impact refuge resources.

Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring of trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with refuge purposes.

2. An old railroad grade extends through much of Canaan Valley, which provides possible mountain bike, horseback riding and pedestrian access for many areas below A-frame Road in the future. Major routes must be kept open that allow people to access adjacent public lands via hiking and bicycling. Currently there is an old RR grade that would make this possible. Compatibility Determinations should include use of railgrades as a multi-use trail.

Trails were evaluated for their ability to provide access for Priority Public Uses. Most railgrades did not meet refuge criteria because they have been degraded through years of off-road vehicle use and flooding. Other sections of railgrade may only be accessible if trails leading to these grades were substantially improved to bridge wetland areas and reduce severe erosion (particularly at river and stream crossings). These options may be considered in the refuge Comprehensive Conservation Plan. Researchers are looking at the potential for these grades to impact surface and subsurface water flow. Vegetation monitoring will evaluate potential changes as a result of alterations in water flow. This information will be used to evaluate the effect of these railroad grades on the Refuge plant communities.

3. Expand the existing trail system for hiking, biking, and horseback riding.

In response to public interest, this final document does lengthen the designated trails by making minor trail modifications to avoid or stabilize problem areas. Trails are proposed to allow public use where it will not significantly impact refuge resources. Resource protection is the Refuge's first priority. Major modifications, where the Service recognizes a need for engineered plans and /or for consideration of resource management options along with public use options, must be evaluated during the Comprehensive Conservation Planning (Comprehensive Conservation Plan) process. Inventories will monitor impacts associated with public uses to ensure trails and modes of access remain compatible with refuge purposes.

4. We use loop trails that enable us to experience more of the land, but all loop trails are closed to use by this Compatibility Determination. Loop mileage should be incorporated in this current plan.

In response to public interest, the Service has modified the trail system to lengthen designated trails, and provide loops. The total loop mileage on the Refuge is 14.6 trail miles for pedestrians, and 7.7 trail miles for bicycles and horses. Resource protection is the first priority. Designated trails allow public use where they will not significantly impact refuge resources. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. During the Comprehensive Conservation Plan process the public will have the option of proposing additional routes to facilitate Priority Public Uses and are consistent with refuge purposes. Monitoring trail use will ensure trails and modes of access remain compatible with refuge purposes.

5. Proposed trail closures will fragment Tucker County's recreational trail system and eliminate access between communities, parks, and forests. Trails lack connectivity with each other.

The refuge has made efforts to link refuge trails with those of the State Park and National Forest. Three trails provide access to the National Forest on Cabin Mountain and cross-country ski trails connect the refuge to the Canaan Valley State Park. Additionally, visitors can utilize over 200 miles of trail within Tucker County that do not occur on the Refuge and are not impacted by the Refuge trail designations. The refuge has designated trails to allow visitors to enter portions of the valley and have designated trails for pedestrian, bicycle, horse and vehicle access. These trails are located on existing roads, logging roads, and railgrades. An important consideration for trail designation was the existing condition of roads and railgrades in the valley relative to their ability to handle different modes of access as well as how they affected refuge resources. Several railgrades that cross the valley are not compatible due to the damage to these grades through years of vehicle use and flooding. To allow certain railgrades to be used for public use would require visitors to cross sensitive wetlands that are in need of restoration. This is consistent with the Station Management Plan which states that the trails program would encourage the healing and restoring of trails and wetland areas damaged by off road vehicles.

6. All of the currently designated bike trails are dead ends. Only six miles are on real trails that cars can't travel on. This fragments a network that possesses more than 76 miles of trails and roads within the CVNWR.

In response to public interest, the Service has modified the trail system to lengthen designated trails, and provide

loops. The Refuge assessed 67 miles of trail and roads and found 41.5 miles of trail met the Refuge trail checklist guidelines. Main reasons for finding trails incompatible include: 1) trails existing entirely on or crossing over sensitive wetlands; 2) trails on unstable and highly erosive soils; and 3) trails causing hydrologic impacts (i.e., changes in water flow, draining wetlands, etc.) that require substantial restoration to protect plant communities. Out of an estimated 67 miles of trail assessed, a total of 9.5 miles existed entirely on wetlands. An additional 6.9 miles are incompatible because access required crossing wetland soils. These access trails are most often eroded and degraded. Providing access to these isolated sections would require filling wetlands or substantial infrastructure to ensure that public uses did not continue to degrade wetlands. These trails are incompatible with the one of the purposes of the refuge; wetland protection. A total of 10.5 miles of trail are incompatible in upland areas because of extensive erosion, draining wetlands, and fragmenting grassland and forest habitat. Some upland trails are also incompatible when trail conditions are worse and duplicated destinations of trails in better condition. One section of trail totaling 1.44 miles was found incompatible because it does not exist entirely on refuge property. Overall 25.5 miles of trail evaluated are incompatible for proposed public use and 41.5 miles of road and trail meet compatibility criteria.

7. Develop a trail system connecting the valley housing communities.

In response to public comments for increased access from private property, the Service is providing refuge access from the existing logging road at the north boundary of Timberline Homeowners Association (THA) property. This gated road connects to A Frame Road. It has a hard packed surface that meets refuge criteria for access without risking degradation of refuge resources. This newly designated trails is open for all uses. The Canaan Valley National Wildlife Refuge was established to preserve and protect wetland habitats and their associated wildlife species.

The trail system within the Refuge was designed to provide opportunities for the six Priority Public Uses (i.e., wildlife observation and photography, environmental education and interpretation, hunting, and fishing), not to connect housing communities. The Priority Public Uses and means to facilitate access can only be found compatible when they do not compromise the purpose for which the Refuge was established.

8. Greater access to habitats is needed for environmental education.

The Refuge provides opportunities for environmental education on designated trails. Modifications to the trail system have been made to lengthen designated trails, which will increase opportunities for environmental education. The trail system provides access to habitats or views of representative habitats within the Canaan Valley National Wildlife Refuge. The Refuge provides 31.5 miles for pedestrians (plus an additional 10 miles for seasonal cross-country ski and snow shoe use), 23 miles for bicycles, 22 miles for horseback riding, and 8 miles for vehicle use, that provides ample opportunities for visitors to participate in the Priority Public Uses.

9. The first time that I viewed a sundew was on a bicycle ride with some children. This learning experience was made possible by riding our bikes, then hiking.

Comment noted. Access to facilitate environmental education and wildlife (plant or animal) observation is provided in the compatibility determinations.

10. Restricting access to designated roads and trails limits habitat observations because the road bed itself is not representative of a natural habitat.

While the road bed itself may not be natural, the habitats directly adjacent to the designated roads and trails are natural. The designated trails provide access to representative habitats within the Canaan Valley National Wildlife Refuge.

11. Providing the periphery of the habitat is not a functional approach to raising awareness or educating a population who will support the ideals for which the refuge system was established. Current educational research supports place_based learning.

The Refuge does provide environmental education programs on request and conducts schedules programs throughout the year. The designated trails provide access to representative habitats and views of sensitive habitats on the Refuge. The objectives of environmental education and interpretation can be achieved on designated trails. Some closed sections of trails can only be accessed if trails leading to them are substantially improved to bridge wetland areas and reduce severe erosion (particularly at river and stream crossings). These options may be considered in the refuge Comprehensive Conservation Plan.

12. Open the refuge for more non_motorized use.

The Refuge is open to non-motorized use on 33.5 miles of designated trail. Modifications to the trail system have been made to lengthen designated trails and provide loops for pedestrians, bicycles, and horseback riding for the purpose of taking part in the six Priority Public Uses. Resource protection is the first priority. Designated trails allow public use where they will not significantly impact refuge resources. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring of trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with refuge purposes.

13. Time restrictions of 1 hour before sunrise and 1 hour after sunset_ especially with currently proposed access routes_ does not allow adequate time to drive to, then walk to many areas before sunrise to be in place for hunting, photography or wildlife observation. Why has this been shortened?

Refuge hours were changed to make them consistent for all Priority Public Uses. These hours reduce disturbance to wildlife. The Service believes these open hours provide reasonable time for all users to enjoy the refuge. Reducing refuge visitation during the evening hours facilitates public safety and law enforcement.

14. Black Bear Woods Resort owners are particularly concerned about the limitations proposed for hiking, biking and horseback riding trails.

In response to public interest, the Service has modified the trail system to lengthen designated trails, and provide loops. The owners are welcome to present any known viable routes in the meantime that meet Refuge trail criteria. These routes will be considered as a part of the Comprehensive Conservation Plan process.

15. Bicycle travel should be allowed as proposed. Additional routes should be added.

In response to public interest, the Service has modified the trail system to lengthen designated trails, and provide loops. There are 23 miles of trail designated for bicycle use. All designated trails have been found to meet the trail checklist criteria. This checklist was reviewed by scientists and managers familiar with land conservation issues, recreational use and wildlife protection prior to its use by the refuge to designate trails.

16. The areas that you propose for bicycle and horseback riding are suitable. I would also suggest that you enlarge the designated area to include the road from Timberline to Sand Run and from Sand Run to the Bowman_Carwell tract.

Comment noted. The Service has included a trail, which joins with Middle Ridge trail and goes up to the Timberline property boundary. This section met the trail requirements established in the trail checklist criteria. Additional trails proposed by the public may be considered during the Comprehensive Conservation Plan.

17. I cannot see that bicycle and horseback access to 13.66 miles of roads, in eight separate segments, will support other priority uses. Additional trails for bicycles may be developed in areas where adverse impacts to the environment would be minimal.

Bicycle and horseback access on the Refuge was designed to provide opportunities for wildlife observation, photography, hunting, and environmental education. Additional trails have been added to increase the opportunity for visitors to use the Refuge for those priority uses. A total of 23 trail miles are designated for bicycle and 22 miles designated for horseback use. This includes loop trails and connectivity to National Forest lands. All designated trails have been found to meet the trail checklist criteria guideline. This checklist was reviewed by scientists and managers familiar with land conservation issues, recreational use and wildlife protection prior to its use by the refuge to designate trails. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring of trail use impacts will ensure trails and modes of access remain compatible with refuge purposes.

18. Proposed actions may be unnecessarily restrictive to mountain bikers, hikers, equestrians.

Modifications to the trail system have been made to lengthen designated pedestrian, bicycle, and horseback riding trails. All designated trails have been found to meet the trail criteria guidelines. Modes of access on the Refuge were designed to provide opportunities for the six Priority Public Uses (wildlife observation and photography, environmental education and interpretation, hunting, and fishing). The modes of access provide ample opportunity for visitors to participate in the six Priority Public Uses.

19. Reconsider limiting access to the valley for any non_motorized use which does not harm the ecology.

The Refuge has reconsidered the number of trails provided, and has lengthened trails for pedestrians, bicycles, and horses. Please refer to final trail maps for locations of designated trails.

20. While I am not in favor of motorized vehicle use in the CVNWR, I encourage you to provide access to pedestrians, bicyclists, and equestrians.

Access is provided for pedestrians, bicycles, and horseback riding on trails designated for their use as discussed in the compatibility determinations. The Refuge provides 31.5 miles for pedestrians (plus an additional 10 miles for seasonal cross-country ski and snow shoe use), 23 miles for bicycles, 22 miles for horseback riding, and 8 miles for vehicle use, that provide opportunities for visitors to participate in the Priority Public Uses.

21. CVNWR should remain open to mountain bikers, hikers, and equestrians.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible.

The Refuge is open to mountain bikers, hikers, and equestrians on trails designated for their use. The Refuge provides 31.5 miles for pedestrians (plus 10 miles for seasonal cross-country ski and snow shoe use), 23 miles for bicycles, 22 miles for horseback riding, and 8 miles for vehicle use, which provides opportunities for visitors to participate in the Priority Public Uses.

22. Minimal effort has been made to address the access of our public land in reference to the six identified compatible uses.

The Refuge assessed 67 miles of trail and roads and found 41.5 miles of trail met the Refuge trail checklist guidelines. Main reasons for finding trails incompatible include: 1) trails existing entirely on or crossing over sensitive wetlands; 2) trails on unstable and highly erosive soils; and, 3) trails causing hydrologic impacts (i.e., changes in water flow, draining wetlands, etc.) that require substantial restoration to protect plant communities.

Out of an estimated 67 miles of trail assessed, a total of 9.5 miles existed entirely on wetlands. An additional 6.9 miles are incompatible because access required crossing wetland soils. These access trails are most often eroded and degraded. Providing access to these isolated sections would require filling wetlands or substantial infrastructure to ensure that public uses did not continue to degrade wetlands. These trails are incompatible with one of the purposes of the refuge; wetland protection. A total of 10.5 miles of trail are incompatible in upland areas because of extensive erosion, draining wetlands, and fragmenting grassland and forest habitat. Some upland trails are also incompatible when trail conditions are worse and duplicated destinations of trails in better condition. One section of trail totaling 1.44 miles was found incompatible because it does not exist entirely on refuge property. Overall 25.5 miles of trail evaluated are incompatible for proposed public use and 41.5 miles of road and trail meet compatibility criteria.

The refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible. *See Federal Register/Vol 65, No. 202 for further information on Priority Public Uses of the Refuge System.* The Refuge provides 29 miles for pedestrians (plus an additional 10 miles for seasonal cross-country ski and snow shoe use), 23 miles for bicycles, 22 miles for horseback riding, and 8 miles for vehicle use, which provides opportunities for visitors to participate in the Priority Public Uses.

23. Need more trails for horseback, bike and hiking. Keep Refuge open for these uses until the Comprehensive Conservation Plan is completed.

According to the Code of Federal Regulations [50 CFR 25.21(a)], land acquired by a refuge is closed to public

access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without Compatibility Determinations the Refuge would remain closed to public use.

The Service has provided ample opportunities for wildlife viewing on designated roads and trails. Out of thirty-five dominant plant communities in Canaan Valley, thirty-two can be experienced from Refuge designated roads and trails. This provides visitors with opportunities to view wildlife and habitats representative of the refuge throughout the year. Habitats include wetlands near beaver ponds where inland fishing occurs. During the review process the public did not identify any refuge wildlife habitats or plant communities that could not be experienced from the routes designated.

The refuge may consider suggestions for additional trails that meet refuge compatibility criteria and meet the purposes of the refuge and the mission of the Service during the Comprehensive Conservation Plan.

24. We reject your plans to eliminate the Priority Public Uses, Wildlife observation, and nature photography, from lands that have historically supported this activity with no adverse consequences to wildlife.

Wildlife observation and nature photography are Priority Public Uses that can be accomplished on trails designated for pedestrians, bicycles, horses, and vehicles (total combined miles = 41.5). While observation and nature photography has been found compatible on the Refuge, it is recognized both of these uses can negatively impact wildlife. The Refuge anticipates current levels of disturbance to be insignificant based on current levels of use. The Refuge will be monitoring impacts of priority uses. If impacts are significant corrective actions will taken.

25. Established trails for biking, walking, hiking, horseback riding, snowshoeing, xc skiing through refuge are needed. Use the old railroad grade connecting Canaan Valley to the town of Davis.

All trails were evaluated for their ability to provide access for Priority Public Uses. Three designated trails (Delta 13, Brown Mountain, and Brown Mountain Overlook) can be accessed from Davis. Other trails in the valley did not meet refuge criteria for trails. Routes evaluated that crossed sensitive wetland habitats did not meet the Refuge criteria for compatible trails. Some trails have been degraded through years of off-road vehicle use and flooding and would require significant restoration effort. Other sections of railgrade may only be accessible if trails leading to these grades were substantially improved to bridge wetland areas and reduce severe erosion (particularly at river and stream crossings). Options for additional trails may be considered in the refuge Comprehensive Conservation Plan. Trails found compatible for public use were based on existing conditions of these routes.

26. Where else can you find, observe and enjoy "mother nature" in such a beautiful setting than Canaan Valley. I have hiked and biked here. I have left the area the same or better than when I entered.

Comment noted.

27. Biking the trails is important. Yet, it is my understanding that this has been mostly eliminated after CVNWR has taken the land over.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without Compatibility Determinations the Refuge would remain closed. The refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible.

Bicycling on the Refuge is allowed on designated trails for the purpose of facilitating the six Priority Public Uses (wildlife observation and photography, environmental education and interpretation, hunting, and fishing). Of the 67 miles of trails assessed by the Refuge, 23 miles of trail are open for bicycling. In response to public comment, modifications have been made to lengthen designated trails and provide loops for pedestrians, bicycles, and horseback riding. The refuge may consider proposals for opening additional trails for Priority Public Use where they are compatible with the refuge purpose and mission of the U.S. Fish and Wildlife Service during the Comprehensive Conservation Plan process. Resource protection is the first priority. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring of trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with refuge purposes.

Main reasons for finding trails incompatible include: 1) trails existing entirely on or crossing over sensitive wetlands; 2) trails on unstable and highly erosive soils; and, 3) trails causing hydrologic impacts (i.e., changes in water flow, draining wetlands, etc.) that require substantial restoration to protect plant communities. Out of an estimated 67 miles of trail assessed, a total of 9.5 miles existed entirely on wetlands. An additional 6.9 miles are incompatible because access required crossing wetland soils. These access trails are most often eroded and degraded. Providing access to these isolated sections would require filling wetlands or substantial infrastructure to ensure that public uses did not continue to degrade wetlands. These trails are incompatible with the one of the purposes of the refuge; wetland protection. A total of 10.5 miles of trail are incompatible in upland areas because of extensive erosion, draining wetlands, and fragmenting grassland and forest habitat. Some upland trails are also incompatible when trail conditions are worse and duplicated destinations of trails in better condition. One section of trail totaling 1.44 miles was found incompatible because it does not exist entirely on refuge property. Overall 28 miles of trail evaluated are incompatible for proposed public use and 41.5 miles are compatible, and of this 23 miles are compatible for bicycling.

28. Bicycling can be a mode of access for wildlife observation, environmental education, hunting, fishing, and photography.

The Refuge recognizes bicycling as a mode of access for the Priority Public Uses. It for this reason the Refuge is finding bicycle use compatible on the Refuge, on 23 miles of designated trails. The refuge has opened trails for Priority Public Use when and where they are compatible with the purpose of the Refuge and the mission of the U.S. Fish and Wildlife Service. Resource protection is the first priority. Designated trails allow public use where they will not significantly impact refuge resources. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring of trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with refuge purposes.

29. Plans exclude 93% of non_vehicle trails from horseback riding and biking. 51% of the mileage open to horseback riding and biking are motor vehicle roads.

The refuge evaluated 67 miles of existing road and trail for these compatibility determinations. A total of 67% (23 bike and horseback miles / 67 total trail miles) of the non-vehicle trails exclude biking and horseback riding and 32% of the trails are shared with motor vehicles (8 miles shared with vehicles / 23 bicycle horseback miles). The refuge has provided sufficient access to representative habitats and associated wildlife for bicycle and horseback riders to participate in the Priority Public Uses of the refuge system. The refuge will consider recommendations for additional trails that meet compatibility criteria during the Comprehensive Conservation Plan process.

Main reasons for finding trails incompatible include: 1) trails existing entirely on or crossing over sensitive wetlands; 2) trails on unstable and highly erosive soils; and, 3) trails causing hydrologic impacts (i.e., changes in water flow, draining wetlands, etc.) that require substantial restoration to protect plant communities. Out of an estimated 67 miles of trail assessed, a total of 9.5 miles existed entirely on wetlands. An additional 6.9 miles are incompatible because access required crossing wetland soils. These access trails are most often eroded and degraded. Providing access to these isolated sections would require filling wetlands or substantial infrastructure to ensure that public uses did not continue to degrade wetlands. These trails are incompatible with the one of the purposes of the refuge; wetland protection. A total of 10.5 miles of trail are incompatible in upland areas because of extensive erosion, draining wetlands, and fragmenting grassland and forest habitat. Some upland trails are also incompatible when trail conditions are worse and duplicated destinations of trails in better condition. One section of trail totaling 1.44 miles is incompatible because it does not exist entirely on refuge property. Overall 28 miles of trail evaluated are incompatible and 41.5 miles are determined to meet compatibility criteria.

30. Opposed to closing trails.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without the Compatibility Determinations the areas would remain closed. The refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible.

The Refuge has designated a total of 41.5 miles of trail for pedestrian, horse, bicycle, and vehicle use to facilitate the Priority Public Uses. In response to public comment, modifications to the trail system have been made to lengthen designated trails and provide loops for pedestrians, bicycles, and horseback riding for the purpose of taking part in the six Priority Public Uses. Resource protection is the first priority. Designated trails allow public use where they will not significantly impact refuge resources. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring of trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with refuge purposes.

31. I want mountain bike access to continue in Canaan Valley.

Bicycle access will continue on designated trails to provide opportunities for wildlife observation and photography, fishing, hunting, and environmental education and interpretation. In response to public comment additional trails have been added to increase the opportunity for visitors to use the Refuge for Priority Public Uses. Resource protection is the first priority. Designated trails allow public access where they will not significantly impact Refuge resources. Continuing trail inventories will be used to re-assess public use for the Comprehensive Conservation Plan. Monitoring the effect of trail use will ensure trails and modes of access remain compatible with Refuge purposes.

32. Allow entry from any private roads connecting to the roads approved for bicycling in the Refuge.

In response to public comments for increased access from private property, the Service will allow non-consumptive users Refuge access from the existing logging road at the north boundary of Timberline Homeowners Association (THA) property. This gated road connects to A Frame Road along designated trails. It has a hard packed surface that meets Refuge criteria for pedestrian, bicycle and horse access without risking degradation of Refuge resources. The Refuge is not aware of other developed routes that enter the Refuge from private land. Please refer to the trail map for locations of designated trails for bicycle access.

33. Allow Refuge access from Lakeview Road at Timberline properties.

In response to public comments for increased access from private property, the Service will allow non-consumptive users Refuge access from the existing logging road at the north boundary of Timberline Homeowners Association (THA) property. This gated road connects to A-Frame Road following designated trails. It has a hard packed surface that meets Refuge criteria for access without risking degradation of Refuge resources. This trail is open for pedestrian, horse and bicycle use. This section met the trail requirements set forth in the trail checklist.

34. We are not driving 5.5 hours every other Friday and Sunday to ride and hike on gravel or pavement.

Routes designated for pedestrian, bicycle, and horseback riding are not gravel or paved roads. With the exception of A-Frame Road and Forest Road 80, all designated trails consist of packed dirt or grass and include mainly old logging roads. Only 8 miles are open to vehicle access on the Refuge. There are 15 miles of trail open for bicycle access and 23.5 miles (plus 10 miles of seasonal cross-country ski and snow shoe trail) for pedestrian access on the Refuge where vehicles are prohibited. This compliments the many trails on adjacent State Park and National Forest lands.

35. It is disruptive to encounter hikers and bikers on the same trail.

At the current level of use, conflicts between users on shared trails are not anticipated. Public access is only allowed to provide the public the opportunity to enjoy the six Priority Public Uses. Since pedestrian and bicycle use on the Refuge are for these purposes, conflicts between users is not anticipated to become a problem. Should user conflicts occur, the Refuge will take corrective action.

36. Trails should be shared by users to support cooperation, communication between users & reduce the number of separate trails.

Most designated trails are shared by users, with the exception of 6.83 miles of pedestrian only trails (plus 10 miles of seasonal cross-country ski and snow shoe trail). Based on interviews with individuals and user groups (i.e., hikers, bikers, horseback riders), conflicts between groups are not anticipated to be significant in Canaan Valley. Should user conflicts occur, the Refuge will take corrective action.

37. You should designate some trails as hiking only and manage shared use trails to minimize conflicts between hikers and bikers.

Approximately 6.83 miles of trail are designated for pedestrian use only year-round. In addition, all pedestrian trails are designated for cross-country skiing and snowshoeing during the winter months. Based on interviews with individuals and user groups (i.e., hikers, bikers, horseback riders), conflicts between groups are not anticipated to be significant in Canaan Valley. Should conflicts become a problem, Refuge management will take measures to lessen conflicts between user groups.

38. Consider opening more trails seasonally (closed when wet) such as 3 mile trail.

Three mile trail is only open during winter for cross-country ski and snow shoe use to prevent impacts to known populations of cheat mountain salamanders. Disturbance to the vegetation from public use could fragment populations of this species. Additionally these logging roads provide important nesting and brood habitat for migratory and resident bird species. The Service has provided ample opportunities for wildlife viewing on designated roads and trails. Out of thirty-five dominant plant communities in Canaan Valley, thirty-two can be experienced from Refuge designated roads and trails. This provides visitors with opportunities to view wildlife and habitats representative of the Refuge throughout the year. Habitats include wetlands near beaver ponds where inland fishing occurs. Trails have been designated for public use on mountain slopes for multiple modes of access. Please refer to trail map for the location of designated trails.

The Refuge currently opens 10 miles of trail during the winter months for cross-country skiing and snowshoeing. Designated trails meet the trail suitability guidelines and other selection criteria. Resource protection is the first priority. Designated trails allow public use where they will not significantly impact Refuge resources. The Refuge may consider recommendations for additional trails that meet compatibility criteria during the Comprehensive Conservation Plan. Monitoring the impacts of existing trail use will ensure trails and modes of access remain compatible with Refuge purposes. If impacts from trail use are significant corrective actions will be taken.

41.5. Mountain biking on designated trails should be allowed, along with horses.

Comment noted. Mountain biking is allowed on 23 miles and horseback riding is allowed on 22 miles of designated roads and trails. Please refer to maps of designated trails for these uses.

40. To eliminate trail riding (bicycles) and fishing is restricting the use too much and would totally eliminate my family's use of the land.

Bicycling to facilitate Priority Public Uses is compatible on designated roads and trails. Fishing is permitted in accordance with the State Division of Natural Resources guidelines.

41. Management has declined to allow access from private property, believing that only the property owner would benefit. Timberline, Black Bear and other adjoining lands do not fit this model. There are many "property owners" in each entity, there are few permanent residents and many rentals. It is the visitors mainly who would benefit from direct access from these adjacent private lands.

In response to public comments for increased access from private property, the Service allows access from the existing logging road at the north boundary of Timberline Homeowners Association (THA) property. This gated road connects to A-Frame Road along designated trails. It has a hard packed surface that meets Refuge criteria for pedestrian, bicycle and horse access without risking degradation of Refuge resources. This is the only route the Refuge is aware of that meets Refuge compatibility criteria from private property.

42. Timberline needs more access from our properties and broader use for hiking, backpacking and photography.

In response to public comments for increased access from private property, the Service allows access from the existing logging road at the north boundary of Timberline Homeowners Association (THA) property. This gated road connects to A-Frame Road along designated trails. It has a hard packed surface that meets Refuge criteria for access without risking degradation of Refuge resources. This newly designated trail is open for all uses.

Compatible trails facilitate the six Priority Public Uses (wildlife observation and photography, environmental education and interpretation, hunting, and fishing). *See Federal Register/Vol 65, No. 202 for further information on Priority Public Uses of the Refuge System.* The Refuge provides 41.5 miles for pedestrians, 23 miles for bicycles and horseback riding, and 8 miles for vehicle use.

The designated trails provide access to most habitats and views of the most sensitive habitats. The six Priority Public Uses can be achieved on designated trails. Other sections of trails may only be accessible if trails leading to

them were substantially improved to bridge wetland areas and reduce severe erosion (particularly at river and stream crossings). These options will be evaluated in the Refuge Comprehensive Conservation Plan.

43. The areas that you propose are suitable, as are numerous other logging roads, travel roads, the intra_valley railroad grade, the road from Sand Run Road to the top of Cabin Mountain, and several logging roads in the newly acquired northernmost tract. I would be happy to walk these with you to assist in location if needed.

In response to public comment modifications to the trail system have been made to lengthen designated trails and provide loops for pedestrians, bicycles, and horseback riding to facilitate priority uses. This includes a trail that connects Sand Run to the top of Cabin Mountain. Designated trails allow public use where it will not significantly impact Refuge resources. Continuing inventories will assess the effects of public use on designated trails. Findings will be used to review compatibility during the Comprehensive Conservation Plan. Monitoring of trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with Refuge purposes.

Main reasons for finding trails incompatible include: 1). trails existing entirely on or crossing over sensitive wetlands, 2). trails on unstable and highly erosive soils and 3). trails causing hydrologic impacts (i.e., changes in water flow, draining wetlands, etc.) that require substantial restoration to protect plant communities. Out of an estimated 67 miles of trail assessed, a total of 9.5 miles existed entirely on wetlands. An additional 6.9 miles are incompatible because access required crossing wetland soils. These access trails are most often eroded and degraded. Providing access to these isolated sections would require filling wetlands or substantial infrastructure to ensure that public uses did not continue to degrade wetlands. These trails are incompatible with the one of the purposes of the Refuge; wetland protection. A total of 10.5 miles of upland trail are incompatible because of extensive erosion, draining wetlands, and fragmenting grassland and forest habitat. Some upland trails are also found incompatible when trail conditions are worse and duplicated destinations of trails in better condition. One section of trail totaling 1.44 miles is incompatible because it does not exist entirely on Refuge property. Overall 28 miles of trail evaluated are incompatible for proposed public use and 41.5 miles meet compatibility criteria.

44. I hope that some effort can be made to retain a hiking trail from one side of the valley to the other in order to enable long distance hiking and backpacking.

All trails were evaluated for their ability to provide access for Priority Public Uses. The trails in the valley either do not meet Refuge criteria for trails or are adjoined to trails that do not meet Refuge criteria. An acceptable route through the Valley that did not cross sensitive wetland habitats and did meet the Refuge criteria for trails was not found. Some trails have been degraded through years of off-road vehicle use and flooding. Other sections of railgrade may only be accessible if trails leading to these grades were substantially improved to bridge wetland areas and reduce severe erosion (particularly at river and stream crossings). These options may be considered in the Refuge Comprehensive Conservation Plan. Trails found compatible for public use were based on existing conditions of these routes.

45. Opposed to closing trails for hiking.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a Refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without Compatibility Determinations the Refuge would remain closed to public use. The Refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the Refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety.

The Refuge provides 29 miles for pedestrians (plus and additional 10 miles for seasonal cross-country ski and snow shoe use) on the Refuge, that provide opportunities for visitors to participate in the six Priority Public Uses.

Additionally, trails must meet the criteria set forth in the Refuge's trail checklist. This checklist was reviewed by scientists and managers familiar with land conservation issues, recreational use and wildlife protection prior to its use by the Refuge to designate trails.

46. Cross-country skiing and snowshoeing should be permitted off trail.

Cross-country skiing and snowshoeing are allowed on designated pedestrian trails only. All designated routes will be marked so they are visible in snow conditions. This will provide the public with opportunities to view wildlife and habitats throughout winter. Traveling cross-country in winter conditions creates a safety issue for visitors because of susceptibility to the cold, inability to discern environmental hazards, and difficulty for Refuge law enforcement and rescue personnel to conduct search and rescue operations.

Additionally, pedestrian (hiking, cross-country skiing, and snowshoeing) cross-country travel has been found to be disturbing to wildlife (animals and plants). Increased levels of disturbance to animals on routes other than those designated will likely cause one or more of the following: 1) shifts in habitat use, 2) abandonment of habitat, 3) an increase in energy demands for affected wildlife. Bird abundance has been found to increase as distance from a recreational trail increases (Miller et al. 1998).

Because the purpose of the Canaan Valley National Wildlife Refuge is to preserve and protect habitats and associated wildlife species, it cannot allow unregulated cross-country pedestrian travel. Pedestrian access is allowed to facilitate the six Priority Public Uses (wildlife observation and photography, environmental education and interpretation, hunting, and fishing) and 41.5 miles of trail are available to visitors for this purpose. Use of compatible trails is not likely to have any significant plant impacts because the trail surfaces are hardened and have been used for many years. While some negative impacts to wildlife will occur on designated trails, limiting travel to those trails will minimize the overall level of disturbance.

47. The inclusion of A-frame Road, Forest Road 80, and Idleman's Run Road as pedestrian trails is ludicrous. Excluding the mileage of these roads, which would be used mainly for access to the Refuge, leaves 7 miles designated for pedestrian travel, not 15.7 miles.

In response to public interest, modifications to the trail system have been made to lengthen the designated trails and create loop trails. Based on these modifications, the Refuge provides a total of 29 miles of trail for pedestrian access (plus an additional 10 miles for seasonal cross-country ski and snow shoe use). Of the 29 miles available, only 8 miles are shared with vehicles. There are a total of 33.5 miles of pedestrian trail not shared with vehicles. The trails shared with vehicles provide access to additional trails both on and off Refuge property.

48. Cross-country pedestrian travel should be permitted for all priority uses. The impact of humans on what is now Refuge property has been extensive. Compared to all of this, pedestrian travel cross-country is an extremely benign impact.

Pedestrian (hiking, cross-country skiing, and snowshoeing) cross-country travel has been found to be disturbing to wildlife (animals and plants). Increased levels of disturbance to animals on routes other than those designated will likely cause one or more of the following: 1) shifts in habitat use, 2) abandonment of habitat, 3) an increase in energy demands for affected wildlife, and 4) decrease in ability of affected wildlife to successfully breed and raise young. Bird abundance and nesting activities have been found to increase as distance from a recreational trail increases (Miller et al. 1998). Increased levels of disturbance to plants on routes other than those designated will likely cause one or more of the following: 1) shifts in plant communities, 2) directly trampling plants and exposing root systems, 3) losing or negatively impacting rare species, and 4) affecting plant growth and survival by altering the soil composition.

Because the purpose of the Canaan Valley National Wildlife Refuge is to preserve and protect habitats and associated wildlife species, it cannot allow unregulated cross-country pedestrian travel. Pedestrian access is allowed to facilitate the six Priority Public Uses (wildlife observation and photography, environmental education and interpretation, hunting, and fishing) and 29 miles of trail (plus an additional 10 miles for seasonal cross-country ski and snow shoe use) are available to visitors for this purpose. While some negative impacts to wildlife will occur on designated trails, limiting travel to those trails will minimize the overall level of disturbance.

49. Opposed to closing trails for horseback riding. This provides access to areas of Tucker County that some people, such as those who are disabled, might not otherwise be able to reach and enjoy.

There are 22 miles of horseback riding trails on the Refuge that provide opportunities for visitors to participate in the six Priority Public Uses (wildlife observation and photography, environmental education and interpretation, hunting, and fishing).

50. Open the timber-haul road to Cortland Road and install parking areas.

If the subject road is located on the north-side of Old Timberline Road, it is not within the Refuge boundary.

51. The Compatibility Determinations fail to supply research, evidence or logic supporting trail closures and ignore the conclusions of existing USFWS studies.

Compatibility determinations were developed using a wide range of research including peer reviewed published studies, a contract hydrologist, soil scientists, personal communications from knowledgeable managers and biologists, existing wetland and soils data and information collected by Refuge personnel. For sources and additional information, please refer to the citations section of each Compatibility Determination.

This information was collected to review problems associated with proposed public use activities and to identify where those uses could occur on the Refuge without impacting plants and plant communities, soils, and wildlife. The best available information was used to make these determinations. This information was compiled into a trail checklist to identify which existing trails are acceptable for the proposed uses. This checklist was reviewed and approved by non-Fish and Wildlife Service scientists and managers familiar with land conservation issues, recreational use and wildlife protection prior to its use by the Refuge to designate trails. Please refer to this checklist (in the Appendix of each Compatibility Determination) for specific criteria used to evaluate existing trails. We are unaware of specific studies concerning pedestrian, horseback and bicycle impacts in Canaan Valley.

Main reasons for finding trails incompatible include: 1). trails existing entirely on or crossing over sensitive wetlands, 2). trails on unstable and highly erosive soils and 3). trails causing hydrologic impacts (i.e., changes in water flow, draining wetlands, etc.) that require substantial restoration to protect plant communities. Out of an estimated 67 miles of trail assessed, a total of 9.5 miles exists entirely on wetlands. An additional 6.9 miles are incompatible because access required crossing wetland soils. Incompatible trails are most often eroded and degraded. Providing access to these isolated sections would require filling wetlands or creating substantial infrastructure to ensure that public uses did not continue to degrade wetlands. These incompatible trails were rejected for public access because they would contradict one of the purposes of the Refuge: wetland protection. A total of 10.5 miles of upland trail are incompatible because of extensive erosion problems, draining wetlands, and fragmenting grassland and forest habitat. Some upland trails are also incompatible when trail conditions are worse and duplicated destinations of trails in better condition. One section of trail, totaling 1.44 miles, was rejected because it partly occupies private property. Overall, 28 miles of trail evaluated are incompatible for proposed public use and 41.5 miles of road and trail meet trail selection checklist criteria for designated uses.

52. Closing an area and eliminating an activity before doing any studies or completing a trail inventory is an irresponsible action.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a Refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without Compatibility Determinations the Refuge would remain closed to public use. These are prepared to allow Priority Public Uses to occur on Refuge lands in the interim period before a Comprehensive Conservation Plan is approved. The Refuge initiated trail inventories during 2002 to identify existing trails. Refuge personnel mapped 67 miles of roads and trails. These were evaluated for the proposed public use activities described in the Compatibility Determinations. The Refuge will continue to map and evaluate roads and trails and have worked with a volunteer trails group to aid in this effort. Roads and trails will be re-evaluated for compatible

uses during the Comprehensive Conservation Plan.

53. I am in favor of keeping the existing trails open for hikers, mountain bikers, and cross-country skiers as they have been in the past. Should be studied more extensively to see if non-motorized recreation can be maintained at its current level.

The Refuge may open trails for Priority Public Use where they are compatible with the purpose of the Refuge and the mission of the U.S. Fish and Wildlife Service. Resource protection is the Refuges' first priority. Trails are designated to allow public use where they will not significantly impact Refuge resources. Continuing trail inventories will provide baseline information about public use for the Comprehensive Conservation Plan. Monitoring trail use and impacts associated with these uses will ensure trails and modes of access remain compatible with Refuge purposes.

54. Clearly the Refuge manager is biased as we have seen no scientific evidence for trail closures and management has continually refused to communicate adequately with our community about their policies.

See answer to #51 for information used to develop the Compatibility Determinations. The Refuge conducted an extensive outreach effort to solicit public input on the draft and pre-acquisition compatibility determinations. The Service is required to provide at least 14 calendar days for public comment. The Refuge provided more than 60 days (November 1 through January 6) for public input. This period includes a 30 day extension in response to public interest. The Refuge also hosted 2 public open houses to answer public questions about Compatibility Determinations and the Compatibility Determination process. Less than 20 people attended these meetings and less than 15 people called or visited the office to request information or to ask questions about this issue. The Refuge has provided numerous news releases about the Compatibility Determinations and distributed public notices at county businesses, post offices, and the Tucker County Courthouse. Copies of the Compatibility Determinations have been provided to local libraries in and outside Tucker County. Notices of the Compatibility Determinations were sent to 130 interested persons on the Refuge mailing list. Additionally, the Compatibility Determinations were available on the Service's northeast region website for most of the public comment period. The Refuge Friends Group made copies of the Compatibility Determinations to distribute on floppy disc for those who did not download or read them from the internet. Such extensive efforts were taken to ensure that all Refuge stakeholders had abundant opportunities to comment on the proposed actions.

Mauch Chunk soils are derived from the Mauch Chunk rock group found in mid-elevations of Canaan Valley. The Mauch Chunk rock group is part of the Mississippian System and is between the Pottsville group (sandstones) and the Greenbrier group (limestone). It is a relatively soft rock formation made up reddish and greenish shales. The soils that result from this formation are easily identified along A-Frame road and other locations surrounding the valley floor, where vehicles have eroded the organic soil layer and exposed the reddish soil of the Mauch Chunk group.

56. Is there any hard evidence that biking and horseback riding are causing damage to local trails?

Trails were evaluated based on their current condition in relation to how they would be able to support public access to facilitate wildlife-dependant recreational uses. In most cases trails were extremely eroded and incised causing more sensitive trail conditions through trapping and channeling water flows. These conditions make trails highly erodible. Bicycle and horseback riding are considered to cause erosion under these conditions: bicycles through spinning and skidding wheels on slopes, and horse hooves causing mechanical erosion. Trails designated for bicycle and horse use were selected based on their ability to support these uses without significant impacts. Trails on the Refuge will be monitored for damage from all uses allowed, not just horse and bicycle activity.

57. Minimize vehicular, horseback, and bicycle use until you can get an environmental baseline to monitor their impact.

The Refuge will monitor impacts associated with recreational uses to develop a baseline to measure change. Trails proposed for wildlife-dependant recreational use were evaluated using the criteria in the trail checklist (see Appendix) and found compatible based on current levels of use. Information being collected by the Refuge will be used to evaluate the trail program for the Comprehensive Conservation Plan. All trails will be reviewed for compatibility during this process. If unacceptable impacts to Refuge resources occur as a result of these uses, the Refuge will take actions to protect those resources. This may include closing a trail or conducting trail maintenance

operations.

58. Do not limit human activities on the Refuge without significant biological monitoring that is peer reviewed and establishes a real reason to limit such activity.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a Refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without Compatibility Determinations the Refuge would remain closed to public use. The Refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the Refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible.

59. Why did Refuge bring in "unknown" scientists to assess trail system and not rely on Stout or Micheals who have experience in Valley?

The Refuge consulted with a hydrologist and two soil scientists to provide independent and accurate information about the existing roads and trails. This was done to ensure that the Compatibility Determinations were based on the best science available. These individuals have expertise in their fields and were selected based on their skills specific to hydrologic impacts of roads on wetland communities and the identification and limiting characteristics of soils.

60. Information used for decisions is subjective, it's impossible to establish a fair plan w/o base line data.

This document is not a management plan but a determination that will permit an activity to occur. This is based on the requirements of the Refuge System Administration Act of 1966. The Refuge manager is required to use sound professional judgement when making decisions for compatibility determinations. This judgement must be consistent with principles of sound fish and wildlife management and administration, available science and resources and adherence to applicable laws (Federal Register, volume 65 no. 202 section 2.6u). Information used to make compatibility decisions consists of the best information available and includes published literature, personal contacts with individuals experienced in land and wildlife management, biology, hydrology and soils, as well as experience from the Refuge staff. Information will continue to be collected including wildlife surveys, trail impact surveys, public use information and trail inventories so that the uses can be reviewed during the Refuge Comprehensive Conservation Plan.

61. Threatened and endangered species are not impacted by continued use of trails. If they were impacted by trail use, they wouldn't still be there. Cheat Mnt. Salamander has already been impacted by existing trails and roads, no new impacts will occur if no new trails and roads are to be allowed in the Refuge.

The U.S. Fish and Wildlife Service is responsible not only for the protection of threatened and endangered species on the Refuge but also for the protection and enhancement of the habitat they rely on. The Service is the principle agency responsible for enforcing the Endangered Species Act of 1973. As such, the standards of consideration for endangered and threatened species on Service land is more strict than on private land. The Service is dedicated to not only protect habitat these species rely on but also to enhance habitat where possible. Some existing trails fragment Cheat Mountain salamander habitat and require restoration to ensure the continued protection of this species on Refuge land. Trails are not compatible if they impact threatened or endangered species or their habitat. Information used to determine compatible trails include a variety of issues and is summarized in the trail checklist attached in the appendix of the Compatibility Determination.

62. Is there any hard evidence of threatened and endangered species on the Refuge?

The Refuge has found threatened Cheat Mountain salamanders on Cabin Mountain and Bald Knob. Habitat in high elevation areas of the Refuge are suitable for the West Virginia northern flying squirrel although no individuals have yet been documented. Some habitat on the Refuge is suitable and considered occupied based on standards developed in the Appalachian northern flying squirrel recovery plan as revised in 2001. Bald Eagles are observed on the Refuge during winter months.

63. Proposed biological monitoring could have as much, if not more, impact on the species to be monitored than the current levels of trail and road usage.

It is unlikely that monitoring activities conducted by trained Refuge personnel and contractors will cause greater impact than current recreational use of trails and roads. However, it is recognized that any human intervention, whether recreational or scientific, can have an effect on wildlife and plant communities. Biological monitoring of Refuge resources occurs with minimal staff over a relatively short portion of the year. The Refuge receives visits throughout the year on multiple modes of access. If monitoring shows public use causes significant impacts, then that activity will be modified. Without monitoring of biological resources, the effects of wildlife-dependant recreational use can not be ascertained, changes in wildlife populations, habitat, and success of overall Refuge management would be unknown. Most biological studies are unobtrusive, take place on or near designated trails, take place during short survey intervals, and are reliant on foot access only.

64. Current levels of trail and road use pre-date the establishment of the Refuge and the species of concern listed in the Refuge are not listed as threatened globally. There is no reason to assume that the level of compatibility currently experienced will not continue in the future.

According to the Code of Federal Regulations (50 CFR 25.21(b)) the Refuge manager may open a National Wildlife Refuge for public use “only after the Refuge Manager determines that it is a compatible use and not inconsistent with any applicable law.” Land acquired by a National Wildlife Refuge is closed to public access “until and unless we (the Service) open the area for a use...” (50 CFR 25.21 (a)).

The selection of designated trails were based on a variety of factors, not just potential impacts to State Species of Concern. Refer to the trail checklist for a description of conditions evaluated for trail compatibility. Current conditions in the valley resulted from years of unregulated recreational use and have degraded plant communities including Species of Concern. Refuge inventories found roads and trails causing significant impacts to wetland plant communities, including those with listed Species of Concern. The Refuge system is bound to “restore lost or severely degraded elements of integrity, diversity, environmental health at the Refuge scale and other appropriate landscape scales where it is feasible and supports achievement of Refuge purpose(s) and System mission” {Federal Register: January 16, 2001 (Volume 66, Number 10)}. These considerations are included in designated trails for wildlife-dependant recreational use.

The Refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the Refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible.

65. How many Indiana bats have been documented to exist within the Refuge? How close to Indiana bat habitat are the propose trails and roads?

No Indiana bats have been documented on Refuge property to date. The closest location where this species hibernates is between five and six miles from the Valley floor. Male Indiana bats are known to occur during the summer months in the vicinity of their hibernation site. Utilization of the area by Indiana bats during the summer is considered possible. Decisions for designating trails do not rely on possible Refuge use by Indiana bats. Please Refer to the trail checklist for criteria used to designate Refuge public use trails.

66. If bicycle users remain on trails, regardless of where those trails are located, there should be very little if any negative environmental impacts.

Trails in Canaan Valley were largely created by wheeled vehicles. No consideration was given for correctly locating and building those trails (old roads, ATV scars etc.) to avoid wetland soils, prevent erosion, protect wildlife habitat or prevent hydrologic impacts. The existence of many of such trails impacts Refuge resources and require substantial restoration activities. Additionally, public use also disturb wildlife which occur both on and off designated trails. Wildlife disturbance may occur by the simple presence of a trail regardless of the use. Please refer to the wildlife impacts section of the bicycle Compatibility Determination for specific references. Trails designated to facilitate wildlife dependent recreation were selected based on the compatible route selection criteria.

67. Authors of studies of the valley in the early 1990s verbally reported to the CV Task Force that there was no significant impact by mountain bikes in Canaan Valley. The valley was used more heavily by cyclists back then.

The Refuge is unaware of any verbal or written reports indicating that mountain bikes were not impacting the valley in the early 1990's. Assessments used to determine compatible trails to facilitate wildlife dependent recreational use were made by Refuge staff based on research including peer reviewed published studies, a contract hydrologist and soil scientists, personal communications from knowledgeable managers and biologists, existing wetland and soils data and information collected by Refuge personnel.

68. Your claim that bicycles had caused damage to trails in Canaan Valley is not addressed in the Compatibility Determination on bicycling. There is no record of trail damage, wildlife disturbance or user conflict by cyclists or hikers in Canaan Valley. Why then are these activities being effectively eliminated from this area?

The anticipated impacts section of the Compatibility Determination detail the Refuges' concern with bicycle access. The Compatibility Determination is written to open, not close, bicycle use for wildlife dependent recreation. A total of 23 miles of trail are designated for bicycle access to facilitate the Priority Public Uses of the Refuge system. A total of 8 miles are located on routes shared by vehicles and 15 miles are routes where only bicycle, horse and pedestrian access is permitted. Please refer to revised designated trail system maps for locations of compatible bicycle routes.

69. The use of bikes should have little impact to wildlife and should leave little or no trace on correct trail surfaces.

The Service agrees that on designated trail surfaces bicycles should leave little or no trace. This was one of the criteria for selecting bicycle routes in the Compatibility Determination. Other factors used to evaluate trail suitability are found in the trail checklist in the Compatibility Determination Appendix. Many trails in Canaan Valley are highly degraded and erodible and are not suitable for bicycle access. These routes are in need of restoration to prevent continued resource damage. Wildlife disturbance is a potential impact anytime humans enter wildlife habitat, regardless of the mode of access. Frequency of human visits, seasonal timing, group size, trail location, and multiple uses occurring at the same time are some factors that influence the significance of wildlife disturbance.

Trail erosion does impact wildlife and is a significant concern to the Refuge for wildlife protection, water quality protection and trail maintenance and management. Sedimentation in streams, rivers and vernal pools have well documented impacts to aquatic life. Excessive sediment loads can kill aquatic invertebrates and smother fish and amphibian eggs. Observations by Refuge staff noted sedimentation in vernal pools during spring 2002. This resulted in the failure of wood frog and spotted salamander egg masses in Canaan Valley. Similar effects have been observed by researchers in areas outside of Canaan Valley. Sedimentation has been documented to impact fish as a result of increased predation on eggs, increased physiological stress, reduced reproductive success, reduced foraging rates and more (Bruckhead and Jelks 2001). Trail and road erosion resulting in sedimentation was cited by researchers in Canaan Valley as a severe problem over ten years ago (Bartgis and Berdine 1991). Erosion of trails can lead to increased trail maintenance problems. Trails that become incised through excessive erosion are difficult or impossible to drain. This results in continued soil loss through erosion as water runs down slope. Trail erosion on level terrain captures water causing visitors to walk around the wet area. This results in trail widening and boot leg trail formation. Additionally, as incised trails capture water, they divert water from original drainages. In Canaan Valley, this has resulted in draining some bog and wetland communities. This can also result in increased erosion as water from a historic drainage is redirected into a new area. The integrity of the trails through soil stabilization and proper trail location will help prevent soil erosion and sedimentation and reduce maintenance activities.

71. Limiting trail access and usage on behalf of deer and turkey is ludicrous.

The protection of wildlife and wildlife habitat is the primary concern and responsibility of National Wildlife Refuges. Trails that cause significant disturbance to wildlife or wildlife habitat are not compatible with the purposes of the Refuge system. All wildlife species using the Refuge are considered when making decisions on locating wildlife dependent recreational use. Other factors were used in designating trails and are listed in the trail checklist in the Appendix of the Compatibility Determination.

72. If there were problems with damage, noise, or other issues related to use of CVNWR trails by large groups, then these regulations might be warranted.

Group size limitations are encouraged on trails in part to ensure that the public will have a quality experience while visiting the Refuge. Anticipated impacts to wildlife and plant communities from large groups are greater than that

for small groups. Large groups are often noisier than smaller groups and can distract other visitors as well create more disturbance to wildlife visitors wish to observe. Larger groups also tend to walk (or ride) side by side and can cause trail widening. Conflicts with other trail users may also increase with larger group sizes. Group size will be encouraged by the Refuge to be under ten on trails closed to vehicle access. No group size will be enforced on roads open to vehicles. Groups larger than ten will require a Special Use Permit from the Refuge Manager.

73. How do bicycle impacts compare to hiking impacts? Why is bicycle restricted while entire Refuge is open to pedestrian travel?

Bicycle and horseback uses were considered to be more damaging on fragile organic soils than pedestrian travel. Wetland soils are a major limiting factor in the location of wildlife dependent recreational trails. Repeated travel over wetland soils with a bicycle will create rutting and erosion. Please refer to the final designated trail map for additional locations for bicycle access.

Pedestrian travel is only permitted off designated trails for fishing and hunting. Cross-country travel by foot is a traditional method and the only practical means for hunters to pursue game. Limiting hunting to designated routes would effectively deny this compatible use because game is not confined to roads and trails. Most Refuge hunting occurs during the deer season after migratory bird breeding and plant growing seasons. Cross-country travel for hunting at this time of year has little anticipated impact on these biological resources.

Similarly, cross-country travel by foot is the only practical means for anglers to access inland Refuge fishing sites. Cross-country access for fishing is allowed to continue during the interim period because it is compatible at current low levels of use. With use anticipated to be less than 10 anglers per month, impacts to wetland vegetation and wildlife from cross-country travel are negligible. Furthermore, anglers usually take the most direct route to their fishing area thereby minimizing the surface area disturbed.

74. It is arbitrary and capricious to allow hiking while banning bicycling for the purpose of protecting wildlife.

The Refuge is not banning bicycle riding to facilitate wildlife dependent recreation. The Compatibility Determination opens a total of 23 miles of trail for such use. Of this total, 15 miles (68%) are open in areas that are closed to vehicles. Trail selection is based on criteria listed in the trail checklist. This checklist was reviewed by researchers, land managers and biologists familiar with recreational use activities and impacts to plants, soils and wildlife. Protecting wildlife is an important consideration when reviewing trail access limitations, however other factors were also considered. For example, locations where only foot access is permitted includes areas where soils are too fragile (from exposed soils, wetland crossings etc.) to permit wheeled vehicle or horse crossing.

The Refuge initiated trail inventories during 2002 to identify existing trails. Refuge personnel mapped 67 miles of roads and trails which were evaluated for the proposed public use activities described in the Compatibility Determinations. The Refuge will continue to map and evaluate roads and trails and have worked with a local volunteer trails group to aid in this effort. Roads and trails will be re-evaluated for compatible Priority Public Uses during the Comprehensive Conservation Plan.

76. The anticipated impacts of cross country foot travel are not defined.

Impacts of cross country foot travel are discussed in the Pedestrian Compatibility Determination through the evaluation of pedestrian impacts on plants, soils and wildlife. Trampling of plants and compaction of soils and disturbance to wildlife are potential impacts that occur through pedestrian use on or off a designated trail. Refer to specific reports cited in the Compatibility Determination for more information concerning off-trail impacts of pedestrian use.

77. No analysis for historic/traditional access of cross-country pedestrian travel for non-consumptive uses.

Pedestrian travel is noted in the Compatibility Determination as “a historic and relatively unobtrusive means to view plants and wildlife in representative natural landscapes...” The Refuge acknowledges that all pedestrian use of the land prior to Refuge acquisition occurred on and off trail (cross-country) which included uses other than hunting and fishing.

C. SAFETY AND ADA

78. The proposed access restrictions greatly limit use by older persons.

Comment noted. The Service recognizes that older people may not be able to hike or bike on all proposed trails. However, these individuals may still enjoy the 8 miles of vehicle routes available. Additionally 4 miles of walking trail that are easily accessible and less demanding than other pedestrian routes are located on the south portion of the Refuge. At Freeland Road a short, accessible boardwalk will be completed this year. Wildlife viewing opportunities close to the parking area on A-Frame road are also available. Please refer to trail maps for locations of walking trails with easy road access.

79. Motorized vehicles should be extremely limited in their access to CVNWR and national forest lands and should never take precedence over non-motorized travel such as mountain biking and hiking.

The Refuge allows vehicle access only on designated roads historically used for this purpose that were built and designed to support vehicle use and meet compatibility criteria. These roads are necessary routes to access remote Refuge locations and to provide connectivity with Forest Service land. There are 8 miles of vehicle access roads on the Refuge compared to 33.5 miles open for pedestrian travel where vehicles are not allowed. Vehicles will yield to all other users on A-frame road. On Forest Road 80, other users will yield to vehicles due to the narrow road that prevents vehicles from yielding the right of way.

80. Vehicles should not have the right-of-way.

Vehicles will yield to all other users on A-frame road. On Forest Road 80, other users will be required to yield to vehicles due to the narrow road that prevents a vehicle from yielding the right of way. All public users of the Refuge are expected to be courteous to other trail users and yield the right of way when appropriate.

81. Allowing multiple modes of access on roads designated for motor vehicles is unsafe.

The Refuge allows vehicle access only on roads historically used for this purpose that were built and designed to support vehicle use and meet compatibility criteria. These roads are necessary routes to access remote Refuge locations and provide connectivity with Forest Service land. These routes have historically accommodated multiple modes of access with no known injuries or significant conflicts. This is partly due to the low volume of use that occurs on these routes. Safety on Refuge roads and trails is a primary concern and therefore vehicles will be required to yield to all other users on A-frame road. On Forest Road 80, other users will be required to yield to vehicles due to the narrow road that prevents a vehicle from yielding the right of way.

82. Safety issue: where most serious biking accidents occur on hard packed roads where bikers gain speed so the impact with the ground is more injurious.

Bicycle routes are designated on the Refuge where they would have the least impact to soils and plants as well as other considerations. These routes are typically packed surfaces of existing trails, roads and abandoned logging roads. Bicycles are allowed on 15 miles of trails that are not open to vehicles. By riding slow on these trails bicyclists will be able to observe wildlife and the plant communities or travel safely to a location on the Refuge where they can walk to participate in one of these priority uses.

83. Close bike trails during the hunting season.

As proposed in the draft Compatibility Determination, recreational bicycling will not be allowed during any gun deer season. However, hunters may use a bicycle on designated trails to facilitate this use. Bicycle access for recreation is available at many other locations in the surrounding area during this time of the year, including the Canaan Valley State Park.

84. Upgrade a few trails for handicap accessible wildlife observation, photography, interpretation and fishing.

Comment noted. The Refuge recognizes its responsibility to provide opportunities for handicapped individuals to access wildlife dependent recreational uses. The Refuge will be installing a boardwalk this summer to provide handicap access along one trail section. The Refuge will also provide accessible blinds for hunting and wildlife photography in the near future. Suggestions for providing handicap access opportunities on the Refuge will be considered.

85. A bus should be used to provide recreational enjoyment for those unable to walk or bike on the Refuge.
Comment noted.

86. Support for handicapped accessible trails.
Comment noted. See answers to questions #84 and #87.

87. We would like to see trail boardwalks wide enough for wheelchair use.
Comment noted. The Refuge recognizes its responsibility to provide opportunities for handicapped individuals to access wildlife dependent recreational uses. The Refuge will be installing a boardwalk this summer to provide handicap access along one trail section. Suggestions for providing handicap access opportunities on the Refuge will be considered

88. Based on the latest 30-year period, the mean annual snowfall in Canaan Valley is 137 inches (not 120 inches). This emphasizes the potential difficulties and risks of foot travel on the Refuge in the winter without adequate protection against the winter weather.
Comment noted.

89. Please consider the disabled and allow some limited accessibility to the Refuge's interior. Could a limited DISABLED ONLY use of ATVs be considered? An access road, old logging road or one of the tentative horse/bike trails could be designed and used by disabled individuals on ATVs concurrently with horse/bike riders. I have included a copy of the rules and regulations of ATVs on Pennsylvania State Game Lands as an example of what is possible.
Comment noted. The Refuge is considering access for disabled persons during the deer hunting season starting in 2003. Additional routes accessible for those with disabilities will be considered during the Comprehensive Conservation Plan process.

90. The Compatibility Determinations ignore the surrounding communities, volunteer groups and individuals who have expressed interest in developing a creative and realistic trail plan.
The Refuge worked with a volunteer trail group in 2002 to help map and evaluate existing roads and trails. Community members were contacted to help evaluate historical trails used by bicycles and horses in the area. The community will have additional opportunities to work with the Service during the Comprehensive Conservation Plan which will outline the management of the Refuge.

According to the Code of Federal Regulations (50 CFR 25.21(b)) the Refuge manager may open a National Wildlife Refuge for public use “only after the Refuge Manager determines that it is a compatible use and not inconsistent with any applicable law.” Land acquired by a National Wildlife Refuge is closed to public access “until and unless we (the Service) open the area for a use...” (50 CFR 25.21 (a)). Compatibility Determinations are written to open the Refuge to a use during the interim period before a Comprehensive Conservation Plan is developed.

91. Tucker County trails is a willing partner and eager to help USFWS.
Comment noted. The Refuge worked with TCT during the 2002 field season by their request, we will continue to consider this volunteer group when volunteer labor and trail maintenance is needed.

92. Volunteer groups in the area are very willing to make trails better and safer for the environment and users.
Comment noted. The Refuge has worked with volunteer groups and will continue to consider volunteer labor in the future.

93. Cost estimates in the Compatibility Determinations are inflated because volunteers will do trail work, and because numbers for the same work are included in vehicle, bicycle and horseback riding Compatibility Determinations.

Cost estimates are based on the best information available to the Refuge and should be viewed as estimates. They are based on projections using staff as required by policy listed in the Federal Register, Vol. 65, No. 202, section 2.11(2): The Refuge manager must also consider the extent to which available resources (funding, personnel, and facilities) are adequate to develop, manage, and maintain the proposed use so as to ensure compatibility.” These costs include administration and management, equipment, maintenance, biological monitoring and others. The increase in trail miles added in response to public comment has increased the estimated cost for Refuge operations.

94. Continue to deny the wisdom of local experts and knowledgeable residents when gathering historical understanding of the Valley for determining for public use, restrictions, and access to Refuge lands.

The Refuge reviewed historic uses and access routes to the valley prior to developing the list of trails for the Refuge. A meeting with local residents familiar with the valley was held to discuss and identify historic bicycle use for wildlife dependant recreational activities. Outreach was also conducted to identify past horseback use through contacts with local residents. The community will have opportunities to provide input to the Service during the Comprehensive Conservation Plan.

95. If trails need to be moved to protect fragile environments we will happily provide hands and sweat to help move them.

Comment noted.

96. The IMBA AND WVBMA can provide a vast amount of experience with regards to development and maintenance of trail systems that minimize environmental impact while allowing continued access to outdoor enthusiasts.

Comment noted.

97. USFWS has made embarrassingly feeble efforts to solicit public comment for the creation and review of these Compatibility Determinations. The Public comment period should be further extended and there should be more public involvement before final decisions are made. I do not (nor do many Tucker County residents) have internet access at my home. Because this limitation, limitations of office and library hours, and the fact that copies are not available to take home and review, it is very difficult to review the information and present comments within the 30 day period.

The Service does not believe that additional extensions of time or public meetings would provide any new information to facilitate informed decision making. The Refuge conducted an extensive outreach effort to solicit public input for the draft and pre-acquisition compatibility determinations. The Service is required to provide at least 14 calendar days for public comment. The Refuge provided more than 60 days (November 1 through January 6) for public comment. This period included a 30 day extension in response to public interest. The Refuge also hosted two public open houses to answer public questions about Compatibility Determinations and the Compatibility Determination process. Less than 20 people attended these meetings and less than 15 people called or visited the office to request or provide information or to ask questions about this issue. The Refuge provided numerous news releases about the Compatibility Determinations and distributed public notices at county businesses, post offices, and the Tucker County Courthouse. Copies of the Compatibility Determinations were provided to local libraries in and outside Tucker County. Notices of the Compatibility Determinations were sent to 130 interested persons on the Refuge mailing list. Additionally, the Compatibility Determinations were available on the Service’s northeast region website for most of the public comment period. The Refuge Friends Group made copies of the Compatibility Determinations to distribute on floppy disc for those who could not download or read them from the internet. Extensive efforts were taken to ensure that all Refuge stakeholders had abundant opportunities to comment on the proposed actions.

98. We advocate further public involvement prior to release of the final decision. The Refuge should summarize the comments filed. The Friends and others can arrange for a meeting where management can review the findings with the public and invite further input prior to decision.

The Service does not believe that additional extensions of time or public meetings would provide any new information to facilitate informed decision making. The Refuge conducted an extensive outreach effort to solicit public input for the draft and pre-acquisition Compatibility Determinations. News releases will be issued to further

explain the final Compatibility Determinations and these final documents will be available to the public to review.

99. There should have been handouts and summary sheets to inform the public.

Comment noted.

E. NON-CONSUMPTIVE VS. CONSUMPTIVE (Hunting and Fishing Access discriminates against non-consumptive priority users)

100. The Compatibility Determinations give priority to hunting and fishing over other priority uses. Access restrictions should apply equally to all users.

The U.S. Fish and Wildlife Service (Service) follows the National Wildlife Refuge System Improvement Act (1997) that designates six Priority Public Uses for National Wildlife Refuges. These uses are hunting, fishing, wildlife observation and photography, and environmental education and interpretation. The Service views all six priority uses as equal and does not give preferential access for hunting and fishing. Cross-country travel by foot is a traditional method and the only practical means for hunters to pursue game. Limiting hunting to designated routes would effectively deny this compatible use because game is not confined to roads and trails. Most Refuge hunting occurs during the deer season after migratory bird breeding and plant growing seasons. Cross-country travel for hunting at this time of year has little impact on these biological resources.

Similarly, cross-country travel by foot is the only practical means for anglers to access inland Refuge fishing sites. Cross-country access for fishing is allowed to continue during the interim period because it is compatible at current low levels of use. With use anticipated to be less than 10 anglers per month, impacts to wetland vegetation and wildlife from cross-country travel are negligible. Furthermore, anglers usually take the most direct route to their fishing area thereby minimizing the disturbance area.

The Service does not feel it necessary to provide cross-country access for non-consumptive uses where ample opportunities for wildlife viewing exist on designated roads and trails. Out of thirty-five dominant plant communities in Canaan Valley, thirty-two can be experienced from Refuge designated roads and trails. This provides visitors with opportunities to view wildlife and habitats representative of the Refuge throughout the year. Habitats observed from Refuge trails include wetlands near beaver ponds where inland fishing occurs.

101. The Compatibility Determinations give extremely high priority to hunters, fishermen, and motorized vehicles.

Comment noted. Please see #100 for an explanation of why access is different for consumptive and non-consumptive users. Motorized vehicle access is limited to existing hardened surfaces where this use has historically occurred and causes no significant impact to Refuge resources. Motorized vehicles only have a right of way on FR 80 where there is no opportunity for vehicles to move off road to avoid other users.

102. Fishing will cause greater impact to wetlands from trampling than dispersed pedestrian travel for other uses of equal priority.

The Service acknowledges the potential impacts to wetlands from pedestrian trampling. It is for this reason that access for non-consumptive wildlife dependent uses is limited to designated trails that provide ample opportunities to participate in wildlife viewing. Unlike non-consumptive users, cross-country travel by foot is the only practical means for anglers to access inland Refuge fishing sites and for hunters to pursue game. Cross-country foot access for fishing is allowed to continue during the interim period. Trampling impacts are unlikely to occur at estimated current use levels of less than 10 anglers per month. Cross-country foot access for hunters occurs primarily during the deer season in Fall. By this time, most plant growth has ceased and little impact from trampling is likely to occur. Refuge staff will monitor popular fishing locations (beaver ponds, stream access routes etc.) to ensure that traveling off trail for fishing does not significantly impact plants and wetland soils. If resources are impacted, the Refuge will take corrective actions.

103. The Compatibility Determinations provide unequal access to the Refuge from private property for consumptive and non-consumptive users. This can make trails hard to access for non-consumptive users. Allow access to the Refuge through private property with written landowner permission for all Priority

Public Users.

The Service does not feel it necessary to provide additional Refuge access from private lands where existing roads and parking lots provide adequate access throughout the Refuge. The Refuge provides five parking areas that allow access to Refuge trails for all users. In response to public comments for increased access from private property, the Service will allow non-consumptive users Refuge access from the existing logging road at the north boundary of Timberline Homeowners Association (THA) property. This gated road connects to A-Frame Road following designated trails. It has a hard packed surface that meets Refuge criteria for access without risking degradation of Refuge resources. We are not aware of additional compatible routes that access the Refuge from private land. Routes designated for public use on the Refuge must meet compatibility criteria detailed in the trails checklist. This checklist is listed in the Appendix of the Compatibility Determination.

104. The Compatibility Determinations fail to mitigate for loss of trail mileage and for damage to the local economy.

The purpose of a Compatibility Determination is to determine whether or not a use of a National Wildlife Refuge is a compatible use. Compatibility Determinations do not consider mitigation issues nor related impacts to local economies. The Service is concerned about Refuge economic contributions. It conducted a study in 1995 to assess the income and employment effects that recreational visitors to Refuges have on the economies of local regions. Findings show that recreational visits to National Wildlife Refuges generate substantial economic activity including sales in regional economies, employment, and employment income (Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation 1997).

Although Refuge visitation is important, it is a subordinate issue when compared to wildlife and wildlife habitat and habitat protection on National Wildlife Refuges. The National Wildlife Refuge System Improvement Act (1997) mandates that the first priority of a unit of the National Wildlife Refuge system is to protect and perpetuate the biological resources for which the Refuge was designated. These assets comprise major components of the scenery that attract visitors to the area. By allowing public travel on designated routes, the Refuge ensures that these fragile resources remain a positive influence on the local economy.

G. WATERSHED, WATER QUALITY, AND WATER RECREATION ISSUES

105. Concentrate on repair of existing sources of erosion and silting of streams and wetlands. The Refuge should protect and preserve water quality of wetlands and related streams.

The Service concurs that maintenance of roads and trails is a management priority. Of highest concern is controlling erosion on designated access trails. The Refuge will continue an inventory to map and assess erosion potential of all roads and trails for review during the Comprehensive Conservation Plan process. Maintenance priorities related to Refuge roads and trails will be reviewed annually.

106. Access restrictions to streambanks should apply equally to all users .

The Refuge is concerned about stream bank erosion and will ensure that no public use degrades resources significantly. Monitoring activities will be conducted in sensitive areas where public use may be concentrated such as the designated trail crossings on Glade Run. Access to streambanks for fishing is compatible based on the anticipated low volume of anglers. Refuge staff will monitor popular fishing locations (beaver ponds, stream access routes etc.) to ensure that traveling off trail for fishing does not significantly impact plants and wetland soils. If resources are impacted, the Refuge will take corrective actions.

107. The proposed uses will continue to degrade a watershed already needing restoration.

Uses found compatible are subject to stipulations detailed in the Compatibility Determination. These include permitting multiple modes of access only on trails that meet the criteria established to ensure the protection of the

Refuge. Restoration activities are a Refuge priority to prevent continued degradation and alteration of wetlands through erosion, siltation, and changes in hydrology resulting from years of unregulated vehicle use. Monitoring will ensure that public uses continue to meet compatibility criteria. If Refuge resources are found to be significantly damaged by these recreational uses, actions will be taken to protect these resources.

108. It is important that Refuge protect and preserve water quality of wetlands and related streams.

The Service concurs. It is not anticipated that the designated uses will impact water quality of wetlands or streams. If at any time Refuge resources are found to be significantly damaged by these recreational uses, actions will be taken to protect these resources.

109. Management should incorporate the goals of the clean water act and West Virginia's water quality standards.

Comment Noted.

110. Users should be encouraged to experience Refuge from the streams and highlands. Riparian zones should be protected.

Designated trails are located where riparian and wetland degradation is not anticipated to be significant. Trails do cross riparian habitat along Glade Run and Sand Run but do so at right angles to minimize disturbance to riparian habitat. The Idleman's Run trail does follow the stream for a short distance but is located on an established trail which meets the trail criteria checklist. Non-motorized boat access is permitted allowing visitors to experience the Refuge from the water. No significant impacts to the plant communities or wildlife species are anticipated.

111. I would like to see a proactive and science based approach given to water on the Refuge, both for its current quality and future improvement. It must look at valley as a whole. Water from outside the Refuge, moving through it, will have a great impact on habitat protection and restoration.

Comment noted. Studies on water quality have been conducted on the Blackwater River in the past. Currently water quality monitoring is being conducted by the United States Geological Survey and West Virginia Department of Environmental Protection. Protection of water quality through the protection of wetlands, reduction of sedimentation through erosion and restoration of degraded areas will be a priority of the Refuge. The Refuge has no authority to regulate water issues outside of Refuge boundaries.

112. Direct public to specific spots on the river that are capable of handling traffic, for fishing or boating access, rather than waiting to deal with stream bank stability issues along the Blackwater.

Comment noted. The current level of boat use on the Refuge is expected to be low and seasonal due to reduced flows during summer and fall months. The Refuge recognizes the sensitivity of stream banks and riparian vegetation and will consider designating locations for accessing the Refuge from boat along the Blackwater River.

113. Negative impact stemming from run-off and siltation should be attributed to lack of trail maintenance not user types.

Trails in Canaan Valley were not constructed for sustained use and have not been maintained to control continuing erosion. Erosion has caused significant trail damage, alteration of hydrologic flows, and stream and vernal pool sedimentation. Trails have eroded to bare soil, particularly those existing on slopes underlain by Mauch Chuck derived soils, and are sensitive to mechanical erosion (lug sole boots, bicycle tires, horse hooves). Trails were evaluated based on existing conditions and potential for supporting different access modes without degrading resources. Trail maintenance is essential to ensure that trail use will not cause environmental degradation.

114. Control foot traffic with site-specific signage. In the event of any sensitive area deterioration due to excess foot traffic, I would recommend controlling this by site-specific signage declaring the site in question off-limits to all. Prepare maps and install parking and signing to identify trails that are open and closed.

Routes open for public access will be appropriately signed identifying the uses permitted. Routes that are closed for restoration will also be signed. Designated trails are compatible due to low anticipated impacts to Refuge

resources as a result of those uses. If damage to sensitive areas occurs as a result of public use the Refuge will take actions to protect those areas. These actions may include site specific signage, trail maintenance or trail closure for restoration. Kiosks with Refuge maps and brochures will be installed at key access points to the Refuge.

115. I support cross-country skiing on the Refuge. Ski trails have minimal impact. They don't harm vegetation or compact soils because of the snow cover. Skiing in a non-intrusive, human powered way to enjoy nature. Cross country skiers are typically environmentally aware citizens who don't litter. Agree that visitors on cross-country skis and snowshoes should be allowed on designated trails or to travel cross-country.

Comment noted. Cross-country skiing is permitted on the Refuge as a means to facilitate one or more of the Refuge systems Priority Public Uses during winter months. There are 41.5 miles of pedestrian trail open for cross-country skiing and snowshoeing.

116. Allow special use permits for backpacking.

Comment noted. This use will be considered during the development of the Refuge Comprehensive Conservation Plan.

117. Can support the Refuge's efforts to provide access for various uses of the Refuge and enable those interested in the environment to walk there and experience "the uniqueness of Canaan Valley." The proposed trails for pedestrian travel are suitable for me. The Main Tract trails, especially with vista views will provide an excellent walking challenge for our group.

Comment noted.

118. A few ruts are not a big price to pay for such relatively nondestructive use.

Bicycle ruts are damaging depending on the extent and location of ruts. Ruts can capture and channel water thereby increasing erosion. Trails are often widened or become braided as users avoid damaged portions of trails. This can increase maintenance needs and cause sedimentation in streams and vernal pools. Designated trails are most likely to withstand the pressure of bicycle tires and rutting.

119. Horses and bicycles tear up the terrain and ruin it.

Horse and bicycle travel is only being permitted on designated trails found suitable for these uses. Designated trails have packed soils or soils not likely to erode significantly based on current levels of use. These are typically historic logging roads. Other conditions for trail compatibility are found in the trail criteria checklist in the Appendix of the Compatibility Determination. Trail monitoring and maintenance will be important to ensure uses do not impact the Refuge.

120. Compatibility Determination states biking will be allowed ".....only on roads open for vehicular traffic or gravel surfaced." This mean bikes cannot be taken anywhere a car cannot be taken.

Bicycles share routes with vehicles on A-Frame road, Forest Road 80, Idleman's Run road and a short section of Delta 13 road (Camp 70). Bicycle travel is permitted on a total of 15 miles of trail that are not open to vehicle access.

121. What difference does it make if we are riding in our family group of four, followed 15 minutes later by another group of four of our friends, or if we ride with our friends in a group of eight? Promote small group sizes through education but not require it.

Large groups on bicycles can pose a safety concern with other trail users and may detract from other trail users experience on the Refuge. Larger group size typically creates more noise and disturbance for both other trail users and the wildlife trail users are trying to observe. Group size limitations are encouraged on trails in part to ensure that the visiting public will have a quality experience while visiting the Refuge. Anticipated impacts to wildlife and plant communities from large groups are greater than that for small groups. Large groups are often noisier than smaller groups and can distract other visitors as well create more disturbance to the wildlife visitors wish to observe. No group size limitations will be enforced on roads shared with vehicles. Groups of eleven or more will require a Special Use Permit from the Refuge Manager.

122. Mountain biking causes low impacts and is compatible with other trail users.

The Service agrees that bicycle travel on designated routes will not cause significant impacts. We can not find bicycle trails compatible on wetland soils or upland soils that are easily erodible. Trail maintenance and design are important to prevent impacts from occurring. At the current levels of use, the Refuge concurs that bicycle access is compatible with other trail users. The Refuge requires bicycle users yield to other trail users to prevent conflicts.

ATV use is prohibited on the Refuge due to the impacts these vehicles cause to wildlife, soil and plant communities. Access to the Refuge is possible by foot, horseback, or bicycle travel to conduct Priority Public Uses. Bicycles are permitted on designated trails. Please refer to trail map in the bicycle Compatibility Determination for locations of designated trails.

124. Opposed to all motorized vehicles and bicycles on Refuge. Protect the area from wheeled vehicles of any kind.

Bicycles and vehicles are permitted on designated roads and trails in order to facilitate Priority Public Uses. Vehicle access is compatible on these roads: A-frame, Delta 13, Forest Road 80, Idleman's Run road. They are necessary routes to access remote Refuge locations and to provide connectivity with Forest Service property. Vehicles are prohibited on any road not designated for their use. Bicycles have been determined to be a compatible means of access to facilitate priority uses on designated trails. Bicycles are permitted on a total of 23 miles of Refuge road and trail. These routes are compatible for bicycle use based on criteria established in the trail checklist. If wheeled vehicles are found to be damaging the Refuge, actions will be taken to protect Refuge resources. These actions may include trail maintenance, road maintenance or closure for restoration purposes. All terrain vehicles (ATV's) are prohibited on refuge property.

125. Support proposed bike trails.

Comment noted.

126. Do not support bicycles off roads that are open to vehicles (for future wilderness designation potential).

Bicycles have been determined to be a legitimate means of facilitating wildlife dependant Priority Public Uses of the Refuge. They are only compatible on the designated trails listed in the Compatibility Determination and at current levels of use. Trails found compatible for bicycle use had to meet the criteria established for trail designation and listed in the trail check list in the Appendix of the Compatibility Determination. The Refuge will monitor trail use to ensure that bicycle access remains compatible with the purposes of the Refuge.

127. I do not feel that horseback and bicycle travel should be allowed cross-country, but only on designated routes, and that pedestrians on foot should have the right-of-way.

Horseback and bicycle travel is permitted only on trails designated for those uses. Please refer to the designated trail maps for each use. On the Refuge, bicycles will yield to all users, pedestrians will yield to horses and on Forest Road 80, all users will yield to vehicles.

J. OTHER HORSEBACK RIDING ISSUES

128. Horseback travel should be allowed as proposed. Additional routes should be added.

Comment noted. Two additional trails were added to create a loop for shared trail users, including horseback. See final trail map for locations of trails designated for horse access.

129. Horses, llamas, mules and donkeys are OK on designated trails, but if allowed, should not be limited to hunters.

Horseback access is only permitted on designated trails and is not limited to hunters. Horseback travel is currently prohibited during the deer (bucks only) rifle season for public safety.

130. Horseback riding should be strictly curtailed and monitored or not permitted at all on Refuge.

Trails found compatible for horseback access met trail checklist criteria to ensure that this use would not significantly impact Refuge resources. These trails will be monitored by the Refuge to ensure they continue to meet compatibility standards. Trail monitoring protocol is described in the Appendix of the Compatibility Determination. If horse use is found to be damaging, actions will be taken to protect Refuge resources. These actions could include trail maintenance operations or closing trails or trail segments to prevent damage.

K. OTHER VEHICLE ISSUES

131. Motorized vehicles should be extremely limited in their access to CVNWR and national forest lands and should never take precedence over non-motorized travel such as mountain biking and hiking.

The Refuge allows vehicle access only on roads historically used for this purpose that were built and designed to support vehicle use and meet compatibility criteria. These roads (A-frame, Delta 13, Forest Road 80, Idleman's Run road) are compatible for vehicle access and are necessary routes to access remote Refuge locations and to provide connectivity with Forest Service property. There are 8 miles of vehicle access roads on the Refuge compared to 23.5 miles open for pedestrian travel (plus an additional 10 miles of seasonal cross-country ski and snowshoe trail) where vehicles are not allowed.

132. Cost estimates for road repair seem inadequate.

Comment noted. These are projected estimates for maintenance of problem areas on designated roads utilizing Refuge staff and equipment. Major road rehabilitation and repair would be conducted by a contractor or refuge staff when funding is available. Funding for road repair has been requested through Refuge funding sources.

133. Giving motor vehicles the right of way over cyclists and hikers invites injury accidents. How can an area that is supposed to be dedicated to preserving a natural environment give motorized vehicles the right-of-way over people traveling without motors? Giving vehicles the right-of-way sounds inconsistent with what I know of other mixed mode sharing of transportation facilities.

Vehicles will yield to all other users on A-frame road. On Forest Road 80, other users will be required to yield to vehicles due to the narrow road that prevents vehicles from yielding the right of way. On trails not open to vehicles, bicycles will yield to all other users. Pedestrians will yield to horseback riders. All public users of the Refuge are expected to be courteous to other trail users and yield the right of way when appropriate.

134. Vehicle use in the Refuge should not be given as high a priority, specifically Forest Road 80. Money should not be spent to improve this road for vehicle travel, the road should be gated at the valley floor.

Forest Road 80 is a historic vehicle access route to the Forest Service Dolly Sods Wilderness area from the Canaan Valley. Additionally the road provides vehicle access to portions of the Refuge during the hunting season. There are 8 miles of vehicle access roads on the Refuge compared to 23.5 miles open for pedestrian travel (plus an additional 10 miles of seasonal cross-country ski and snowshoe trail) where vehicles are not allowed.

135. Upgrade FR 80 and develop campground and controlled parking.

Forest Road 80 is scheduled for maintenance and repair in 2003 to make it safe for vehicle travel. No developed facilities exist and littering, sanitation and escaped campfires are a management concern. Camping is available nearby at two State Parks and within the National Forest. Camping may be considered during the Comprehensive Conservation Plan process to provide additional access to the Dolly Sods wilderness.

136. Allow night-time road use and overnight parking for backpackers' access the Monongahela National Forest and adjacent private lands from the point where FR 80 reaches the forest boundary, or the A-frame Road at the high point where it intersects Dobbins Grade and the road down to Stony River.

Use of Refuge roads and trails is limited to the Refuge hours of 1 hour before sunrise to 1 hour after sunset. No night time road use or overnight parking is permitted but may be considered during the Comprehensive Conservation Plan.

137. Agree that the routes listed should remain open to vehicular travel.

Comment noted.

138. Does FR80 belong to the Refuge? USDOT will perform maintenance, and it is an access route to US

Forest Service lands.

The Refuge shares ownership of Forest Road 80 with a private landowner. Consent has been granted for DOT to repair this road to make it safe for vehicle travel. Funding will be supplied by TEA21 funds through the Federal Highways Administration. This funding aids federal agencies to improve roads for public access.

141.5. I fully support your identification of the four roads which you have initially designated as appropriate for public use (vehicle) and your proposed management.

Comment noted.

140. I recommend improvements, modifications, and new roadway construction via Old Timberline Road to permit vehicular access to the Main Tract from the south.

Old Timberline Road is a county road and does not belong to the Refuge. New roads on the Refuge can be considered in the development of the Comprehensive Conservation Plan. This plan will review access issues and consider suggestions for new roads and trails.

141. Expanding deer population is severe threat to vegetative communities. In order to encourage adequate deer kill, it is requested that alternative vehicle access be permitted to increase hunter access to the internal portions of the property.

Vehicles have caused extensive damage to the wetland and upland areas in the valley and have been prohibited to prevent continued degradation of Refuge resources. Over 2,100 hunting permits were issued by the Refuge during the 2002-2003 hunting season during which vehicles were prohibited on internal Refuge roads and trails. The Refuge agrees that deer browse is negatively impacting plant communities in Canaan Valley. Reducing deer numbers in Canaan Valley is a priority for Refuge management and we are currently working with the Division of Natural Resources and other Canaan Valley landowners to consider management objectives.

142. More access for hunters - allow vehicles on Middle Ridge, Freeland run road and Forest Road 80.

Vehicles are currently permitted on Freeland road and Forest Road 80. Vehicle access to the Refuge also includes A-frame road, Camp 70 road and Old Timberline road. No vehicles are permitted on Middle Ridge because crossing Glade Run would be required. There are no suitable areas for vehicle crossings where Glade Run would not be impacted. Vehicles have caused the greatest damage to wetland and upland soils and plant communities in Canaan Valley. Without substantial infrastructure, unregulated vehicle crossing of Glade Run would continue to degrade the watershed. This contradicts one of the purposes of the Canaan Valley NWR, the protection and conservation of wetlands.

Comment acknowledged. With the exception of Forest Road 80, no roads entering the Refuge are owned by the Service and the Service has no authority to plow them. Although the Service shares ownership of Forest Road 80, it will not be considered for plowing until it has been restored to safe driving condition by Federal Highways Administration.

The Refuge allows vehicle access only on roads historically used for this purpose that were built and designed to support vehicle use and meet compatibility criteria. These roads provide visitors access to some of the most remote parts of the Refuge with minimal impact.

145. Request A-Frame road be closed at Refuge boundary and Forest road 80.

Forest Road 80 is a historic vehicle access route to the Forest Service Dolly Sods Wilderness area from the Canaan Valley. Additionally the road provides vehicle access to portions of the Refuge during the hunting season. A-frame road is also a historic and well used vehicle route that provides access to remote areas of the Refuge. Both roads help facilitate visitors access to the Refuge for participating in Priority Public Uses without degrading Refuge resources.

L. GENERAL COMMENTS RELATED TO COMPATIBILITY DETERMINATIONS

146. Expand opportunities for public use on the Refuge.

The purpose of the Compatibility Determinations are to expand opportunities for public use by opening areas of the Refuge to multiple modes of access. The Refuge permits all the wildlife dependant recreational public uses identified in the National Wildlife Refuge System Improvement Act (1997). These uses are “hunting, fishing, wildlife observation and photography, and environmental education and interpretation.” Modes of public access that support or facilitate these “Priority Public Uses” may be allowed if determined to be compatible. The Compatibility Determinations were written to review four modes of access (pedestrian, horse, bicycle and vehicle) to participate in the Priority Public Uses. These uses are compatible on designated trails that can support these activities. Additionally a pre-acquisition Compatibility Determination was written to allow fishing to continue. It addresses the impacts associated with this activity until the preparation of a Refuge Comprehensive Conservation Plan.

147. Please keep this area open for people to learn about this beautiful valley.

The Refuge is open for wildlife dependant recreational uses. A total of 29 miles of trail are open for foot access (plus an additional 10 miles of seasonal cross-country ski and snow shoe trail), 23 miles of trail open to bicycle, 22 miles of trail open to horse access, and 8 miles of road open for vehicle access. The refuge does provide environmental education opportunities for the public through guided nature walks and programs.

148. I want my voice to be counted that walking, cross-country skiing, bicycle, horseback and limited vehicle travel are priority uses of the defined area. I personally do not want to see these privileges and opportunities denied.

The Refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). In this law, priority uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the Refuge system. Uses may only occur when they do not conflict with the purpose for which the Refuge was established, they do not cause significant impacts to Refuge resources and they are consistent with public safety. A use must be proven compatible with the purpose of the Refuge before it can be permitted. Cross-country skiing, bicycle and horseback riding are not Priority Public Uses of the National Wildlife Refuge System. They are permitted only when found compatible to facilitate one of the Priority Public Uses. It is required that the Refuge manager prove the uses are compatible before being permitted. The Refuge provides 29 miles for pedestrians (plus an additional 10 miles of seasonal cross-country ski and snow shoe trail), 23 miles for bicycle, 22 miles for horseback riding, and 8 miles for vehicle use.

149. The Refuge isn't following the Station Management Plan and the Environmental Assessment of 1994. Access is incongruent with the Environmental Assessment.

The Refuge is following the Station Management Plan (Station Management Plan) and Environmental Assessment (EA). In regards to trails, the Station Management Plan states that “a system of trails would be developed to allow visitors... to enter portions of the valley with a minimum of disturbance to wildlife habitats and populations” and that “a trail system would be set up on existing roads, logging roads and old railroad grades. Marked trails would be designated for the various uses: cross-country skiing, hiking, biking, etc.” The Refuge has designated trails to allow visitors to enter portions of the valley for pedestrian (including cross-country skiing and snow shoeing), bicycle, horse and vehicle access. These trails are located on existing roads, logging roads, and railgrades.

The EA states that public access to the refuge for “wildlife-oriented public uses” would be “preserved *where compatible with wildlife management goals*”. Additionally the EA states “Preservation of lands will also contribute towards maintenance of existing water quality in the Valley and wetland ecosystem”. In the Station Management Plan, the objectives of the refuge system were detailed on page 5 and Appendix B. Specifically the Station Management Plan states that the refuge will “provide an understanding and appreciation of fish and wildlife ecology...provide refuge visitors with high quality, safe, wholesome, and enjoyable recreational experiences

oriented toward wildlife *to the extent these activities are compatible with the purposes for which the refuge was established*". The Compatibility Determinations were written to support these statements. Public uses must be evaluated to ensure they are compatible with the purpose of the refuge and wildlife management goals. Wildlife-oriented public uses were evaluated and are being permitted on designated trails through the Compatibility Determination process. Neither the EA or the Station Management Plan state or imply that all trails existing in the Valley would be open for public use under refuge management.

An important consideration to trail designation was the existing condition of roads and railgrades in the valley relative to their ability to handle different modes of access, as well as how they affected Refuge resources. Several railgrades that cross the valley are not compatible due to the damage to these grades through years of vehicle use and flooding. To allow certain railgrades to be used for public use would require visitors to cross sensitive wetlands that are in need of restoration. This is consistent with the Station Management Plan which states that the "trails program would encourage the 'healing' and restoring of trails and wetland areas damaged by off road vehicles." The Refuge has made efforts to link Refuge trails with those of the State Park and National Forest. Three trails provide access to the National Forest on Cabin Mountain and cross-country ski trails connect the Refuge to the Canaan Valley State Park. Additionally the refuge roads and trails connect to property owned by Canaan Valley Institute, Western Pocohontas Land Corporation, and Allegheny Energy.

In regards to bicycle use of the Refuge, the Station Management Plan states that "the use of mountain bikes on designated trails for access into Refuge lands can be viewed as wildlife-oriented if it provides or enhances the opportunity for people to learn about and enjoy wildlife and wildlife habitats." The Refuge has designated a total of 23 miles of trail on the Refuge which will be open for bicycle use to access the Refuge and participate in Priority Public Uses. The Refuge has considered access for this use on designated existing trails, which is consistent with the Station Management Plan.

In regards to horseback riding the Station Management Plan states that this use "may be appropriate on well-drained, upland sites on existing, designated trails and roads, where use of horses would not conflict with people on foot." The Refuge has designated a total of 22 miles of trail open for horseback riding to facilitate Priority Public Uses. These trails are located on upland sites and will support this use without significant erosion or degradation of the Refuge resources. This use was considered compatible partly due to the current low volume of use on the Refuge.

150. The development of these determinations should be halted, trail closures should be recalled, and a viable trail plan should be developed consistent with the 1994 Station Management Plan and Environmental Assessment. Founding document of the CVNWR, the Station Management Plan, clearly suggests that these uses (while not priority uses) be considered.

The Compatibility Determinations were written to keep refuge land open. Without Compatibility Determinations, the refuge would remain closed to public access. This is in accordance with the National Wildlife Refuge System Improvement Act (1997). Trails were designated for uses consistent with the Station Management Plan and Environmental Assessment (see answer above). These Compatibility Determinations were written to allow these uses to occur, particularly on newly acquired land until the Refuge completes the Comprehensive Conservation Plan. The Comprehensive Conservation Plan will re-evaluate uses of the Refuge to ensure they are still meeting compatibility requirements and also evaluate opportunities for additional wildlife dependant public uses.

151. USFWS is directed by its regulations to establish public uses that are "consistent with Refuge goals and objectives in an approved management plan." Latitude is provided to USFWS to comply with the language of the establishing documents. USFWS chooses to ignore the established goals and objectives by attempting to minimize access.

According to the Station Management Plan (page 20) "visitor use activities must be consistent with the purpose(s) for which a refuge is developed and the refuge objectives". This document states that the objectives of the Canaan Valley NWR in regard to visitor use programs are to:

- Benefit the preservation and enhancement of the Valley's plant and animal associations;
- Protect and enhance the status of endangered and threatened species;
- Provide opportunity for scientific research; and

Provide education, interpretation, and recreation benefits consistent with the first three.

By writing Compatibility Determinations, the refuge is following the stated objectives and federal laws regulating public use on National Wildlife Refuges.

The Refuge is complying with the establishing legislation for the creation of this Refuge. One of the purposes of creating this Refuge was the conservation of wetlands. In order to find the subject uses compatible with Refuge purposes, roads and trails can not contribute to wetland degradation. The National Wildlife Refuge Improvement Act requires that recreational uses on a NWR will not materially interfere with or detract from the fulfillment of the purpose of the Refuge or the mission of the Service. As stated in the Compatibility Determinations we will open the Refuge to multiple forms of public access where compatible for the purposes of facilitating wildlife dependent recreational uses. The designated routes listed in the Compatibility Determinations provide this opportunity.

152. Failure to recognize historical modes of access critical to the trail infrastructure of Tucker County represents a marked departure from the intent of the original management plan.

The Service is opening the Refuge to historical modes of access such as bicycle, horse and pedestrian. Vehicle access, although used extensively prior to Refuge acquisition, is being limited to legally licensed vehicles on 8 miles to prevent further degradation of Refuge habitats. The Refuge has made efforts to link Refuge trails with those of the State Park and National Forest. Three trails provide access to the National Forest on Cabin Mountain and cross-country ski trails connect the Refuge to the Canaan Valley State Park. Additionally the refuge roads and trails connect to property owned by Canaan Valley Institute, Western Pocohontas Land Corporation, and Allegheny Energy.

153. Does Refuge improvement act supercede founding authorization for Refuge in regards to public use; why doesn't the Refuge follow the original Station Management Plan and EA.

The National Wildlife Refuge System Improvement Act (1997) *does not* supercede the laws establishing the Refuge (Emergency Wetlands Resources Act -1986 and Fish and Wildlife Act 1956). The refuge is following the Station Management Plan and EA. See answers to #149, 150, 151.

154. USFWS promised in writing that all existing roads and trails and railgrades would be open to mountain biking.

The Refuge is unaware of any written document that states that all existing roads trails and railgrades would be open to mountain biking.

155. Compatibility Determinations should include all uses agreed upon in Station Management Plan (Station Management Plan).

The Compatibility Determinations do include consideration of the uses discussed in the Station Management Plan. The Station Management Plan states that trails would be developed and marked for cross-country skiing, hiking, biking etc. The Station Management Plan also states that horseback riding will be considered on well drained upland sites. A total of 22 miles of trail are designated for horseback access. The Station Management Plan states that "access for mountain bikes will be considered on designated existing trails". The Refuge has considered this use and is designating 23 miles of trail for biking. The Refuge has also designated 29 miles of trail for pedestrian use (plus an additional 10 miles of cross-country ski and snow shoe trail).

156. Refuge was intended to be part of resort community that surrounds it & plan should include activities associated with the resort community and be an additional source of revenue of the area.

The Refuge does provide activities that are consistent with the surrounding resort communities such as environmental education opportunities for the public through guided nature walks and programs. The Refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). Priority uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the Refuge system. Uses may *only* occur when they do not conflict with the purpose for which the Refuge was established, do not cause significant impacts to Refuge resources, and are consistent with public safety. Uses must be proven compatible with the purpose of the Refuge before it can be permitted.

1. The conservation of its wetlands in order to maintain the public benefits they provide and to help fulfill international obligations contained in various migratory bird treaties and conventions (Emergency Wetlands Resources Act of 1986).
2. The development, advancement, management, conservation, and protection of fish and wildlife resources (Fish and Wildlife Act of 1956).

The Service is concerned about Refuge economic contributions. It conducted a study in 1995 to assess the income and employment effects that recreational visitors to Refuges have on the economies of local regions. Findings show that recreational visits to NWRs generate substantial economic activity including sales in regional economies, employment, and employment income (Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation 1997).

Although Refuge visitation is important, it is a subordinate issue when compared to wildlife and wildlife habitat and habitat protection on NWR's. The National Wildlife Refuge System Improvement Act (1997) mandates that the first priority of a unit of the National Wildlife Refuge system is to protect and perpetuate the biological resources for which the Refuge was designated. These assets comprise major components of the scenery that attract visitors to the area. By allowing public travel on designated routes, the Refuge ensures that these fragile resources remain a positive influence on the local economy.

157. As a mountain biker, I support the management of the CVNWR as prescribed by the 1994 Final Environmental Assessment (EA.), which calls for expanded opportunities for Priority Public Uses.

The EA does not mention expanding but does state uses would be preserved where compatible. The Refuge provides 23 miles of trail are being designated for bicycle access. The modes of access and considerations for acceptable trails designated by the Compatibility Determinations are consistent with the EA and Station Management Plan as well as with the purposes for which the Refuge was established. See also answer to # 149.

158. The original Station Management Plan allowed hiking, biking, cross-country and downhill skiing, some horseback riding, fishing, hunting, etc.

The Station Management Plan did not specify downhill skiing as an allowed use. Pedestrian (including cross-country skiing and snow shoeing), bicycle, vehicle, and horseback access to facilitate Priority Public Uses on the Refuge is permitted. Fishing and hunting are also permitted on the Refuge.

159. Refuge management has continuously violated the 1997 Refuge Improvement Act and the National Environmental Policy Act.

The Refuge is consistent with these policies.

160. Recent trail closures imposed by the USFWS illustrate the disregard for adequate public access for "observation in a primitive setting," as per the Refuge Improvement Act of 1997.

According to the Code of Federal Regulations (50 CFR 25.21(a)), land acquired by a Refuge is closed to public access unless it is opened in accordance with the National Wildlife Refuge System Administration Act of 1966 and the National Wildlife Refuge System Improvement Act (1997). The Compatibility Determinations were written to keep areas open. Without Compatibility Determinations the Refuge would remain closed to public use. The Refuge system allows wildlife-dependant recreational uses as defined in the National Wildlife Refuge System Improvement Act (1997). These uses are defined as hunting, fishing, wildlife observation and photography, and environmental education and interpretation and are considered the Priority Public Uses of the Refuge system. These uses may *only* occur if they have been proven to be compatible and the use is consistent with public safety. Monitoring will be conducted to ensure that approved uses remain compatible. The Refuge has designated trails that provide opportunities to view representative plant communities and associated wildlife of the valley as well as provide for access for "observation in a primitive setting". Through restoration of habitat in areas that have been highly degraded by improperly maintained or poorly placed trails, the Refuge protects wetlands and ensures that visitors are allowed to view a more natural and "primitive" environment.

161. A public use plan needs to be developed now. Waiting until the Comprehensive Conservation Plan and using this piece meal approach will only make the problems with the public worse.

The Refuge is following standard procedures for implementing public use activities on existing and recently acquired Refuge property. A public use plan will be a component of the Comprehensive Conservation Plan. The Compatibility Determinations help bridge the gap between Refuge land acquisition and the development of the Comprehensive Conservation Plan to permit Priority Public Uses. The Refuge is currently collecting information so that it will be available during the Comprehensive Conservation Plan process to help the public make informed management recommendations. Without this process the Refuge would be closed to the public until the completion of the Comprehensive Conservation Plan.

162. Promises of 'possible future use' for the 'public' don't hold much water with such an official policy. I do not trust to the future an expansion of public access and uses in the final Comprehensive Compatibility Determination. It is of utmost importance that you clarify in detail, within this draft, your intentions to open more of the Valley's existing trail system and for what use.

Comment noted. Priority Public Uses of the Refuge will be reviewed during the development of the Comprehensive Conservation Plan. Additional public use on the Refuge may be considered at that time. In response to public interest, the Service has modified the trail system to lengthen designated trails, and provide loops. All designated trails meet the trail criteria guidelines listed in the trail checklist found in the Appendix of the Compatibility Determination. During the Comprehensive Conservation Plan the Refuge will consider additional public access. This can only be accomplished when a full inventory of roads and trails has been documented and sufficient baseline biological data has been gathered to fully evaluate the impacts of conducting various recreational uses on these roads and trails. The public will be able to provide suggestions for trails that meet Refuge compatibility criteria during the Comprehensive Conservation Plan process. Information is currently being gathered on the impacts of existing railgrades on bog and wetland plant communities. Inventories for unique plant communities, species of special concern and wildlife surveys are being conducted. Without this information, no decisions can be made to consider public access because the Refuge will not be able to fully evaluate how that access will affect Refuge resources. From preliminary surveys, many miles of the existing "trail system" cross or exist entirely on wetland soils and plant communities.

163. You should address trail deterioration by fixing the trails not by prohibiting user groups who support the purposes of the Refuge.

Trails in Canaan Valley were not constructed for sustained use and have not been maintained to prevent continued erosion. Erosion has caused significant trail damage, alteration of water flows, and stream and vernal pool sedimentation. Trails that have been eroded to bare soil, particularly those existing on slopes underlain by Mauch Chunk derived soils, are sensitive to mechanical erosion (lug sole boots, bicycle tires, horse hooves). Trails were evaluated based on their existing condition and potential for supporting the different user types without degrading resources. Many trails exist on sensitive habitats that will not support sustained use. For example, many trails were created through wetlands that are not capable of supporting continued use and require restoration to heal damage that occurred prior to Refuge acquisition. Trail maintenance on designated routes is essential to ensure they remain compatible.

164. Follow Al Rizzo's recommendation that main grades going through the Valley could easily be repaired and managed for impact and stream runoff.

The Refuge is utilizing one raised railgrade between Middle Ridge and Glade Run. Railgrades in other areas of the Valley are severely degraded. Unfortunately, Mr. Rizzo was not able to provide an assessment for all railgrades in the Valley. The Refuge evaluated trails for their ability to provide access for Priority Public Uses. Many railgrades in the valley are not connected to trails that meet Refuge criteria (see trail checklist in the Appendix of the Compatibility Determination). Some railgrades have been degraded through years of off-road vehicle use and flooding. Other sections of railgrade may only be accessible if trails leading to these grades were substantially improved to bridge wetland areas and reduce severe erosion (particularly at river and stream crossings). These options will be evaluated in the Refuge Comprehensive Conservation Plan. Trails found compatible for public use were based on existing conditions of these routes.

165. During Al Rizzo's trip with member of TCT we finished the hike with a look at how to move portions of the trail up the slope to more durable soils, which was presented as feasible and probable. The type of kiosk that would ensure public understanding of trail policies was even discussed.

Comment acknowledged. In response to public interest the Refuge has included two sections of trail identified during a trip with Mr. Rizzo. These sections are included in the designated trail system for public access to the Refuge. These two sections involve creating new trail segments to avoid highly eroded existing trail sections. Both will be open for multiple access (horse, pedestrian, bicycle) creating a loop trail between A-frame Road and Middle Ridge trail.

166. Currently low density of usage on existing trails.

Comment acknowledged. As written in the Compatibility Determinations the trails found compatible were based in part on the anticipated current levels of use which was stated to be relatively low.

167. Why is it so important to severely limit use on a parcel of land that is absolutely not in its original, pristine condition?

Allowing use on designated trails will allow the Refuge to protect and restore the highly degraded wetland and upland plant communities and associated wildlife habitat. By allowing use only on designated routes, the Refuge reduces wildlife disturbance and trampling impacts to plant communities. The Refuge acknowledges that the land is not in its "original, pristine condition", however, this fact does not make the biological resources less valuable. The valley was designated in 1974 as a National Natural Landmark demonstrating earlier public interest in the valley's valuable and unique biological resources. The National Wildlife Refuge was established due to the vast and unique wetland areas, rare plant species, and wildlife communities associated with the valley. These biological resources were in part a result from the disturbance in the early 20th century that has altered the condition of the valley from a "pristine" state. Without protection and restoration, the valley will continue to be impacted by human disturbance and resources the Refuge was established to protect would be compromised.

168. There is unlikely to be the volume of bikers and pedestrians on any reasonable supply of trails in Canaan Valley that will lead to problems.

Comment noted. Designated trails reflect their projected ability to safely accommodate shared access. Multiple modes of access can exist on the same trail without significant user conflict. Trail use will be monitored. If increasing numbers of visitors create user conflicts, trail damage or wildlife disturbance, corrective actions will be taken. A condition of compatibility for these designated routes was that the current levels of use are low.

169. Allowing multiple modes of access on the same trail leads to user conflicts.

Under current use levels and based on staff observation and information collected from members of the community that represent different user groups, the Refuge believes that there is no current problem with user conflicts. The Refuge recognizes the potential of user conflicts through allowing multiple modes of access on the same trail, and stated this concern in the Compatibility Determination. If significant user conflicts occur the Refuge will make changes in the trail system.

170. The document could have been printed with line numbers to aid in referencing comments to the narrative.

Comment Noted.

171. I suggest that the public be allowed to buy the document so they can take a copy home with them.

Comment noted.

172. Copies should have been made available, by the USFWS, for the public to pick up and review during their available time, not just during regular office hours.

The Refuge conducted an extensive outreach effort to solicit public input on the draft and pre-acquisition compatibility determinations. The Service is required to provide at least 14 calendar days for public comment. The Refuge provided more than 60 days (November 1 through January 6) for public input. This period includes a 30 day extension in response to public interest. The Refuge also hosted 2 public open houses to answer public questions about Compatibility Determinations and the Compatibility Determination process. Less than 20 people attended these meetings and less than 15 people called or visited the office to request information or to ask questions about this issue. The Refuge has provided numerous news releases about the Compatibility Determinations and distributed public notices at county businesses, post offices, and the Tucker County

Courthouse. Copies of the Compatibility Determinations have been provided to local libraries in and outside Tucker County. Notices of the Compatibility Determinations were sent to 130 interested persons on the Refuge mailing list. Additionally, the Compatibility Determinations were available on the Service's northeast region website during the public comment period. The Refuge Friends Group made copies of the Compatibility Determinations to distribute on floppy disc for those who did not download or read them from the internet. Extensive efforts were taken to ensure that all Refuge stakeholders had abundant opportunities to comment on the proposed actions.

Comment noted. Sediment control is a concern on Refuge roads and trails and was considered in developing the Compatibility Determinations.

174. The documents do not mention the 200 plus miles of trails available on State Park and National Forest Lands.

Comment noted. There are many miles of public access trail available for recreational use within 30 minutes of the Refuge office. This includes two State Parks, two U.S. Forest Service Wilderness Areas and other lands owned by the U.S. Forest Service with maintained roads and developed trail systems.

175. I do support: 1. Pedestrian and bike travel on the roads and trails listed. 2. The purposes of the National Wildlife Refuge System. 3. Permission for Whitegrass, Inc. to use listed trails for snowshoeing and cross-country skiing activities. 4. The Canaan Valley National Wildlife Refuge.

Comment noted.

176. The 1994 Station Management Plan says, "Provision for short-term camping in designated areas at trail heads, particularly during hunting season, will be explored." The possibility should be explored, as promised, and an explanation provided.

The Refuge considered camping during the hunting season. Camping is currently not permitted. No developed facilities exist. Littering, sanitation and escaped campfires are a management concern. Camping is available nearby at two State Parks and within the National Forest. Camping may be considered during the Comprehensive Conservation Plan process.

177. More than 76 miles of trails and roads exist within the CVNWR.

Comment noted.

178. I suggest a trail across the swinging bridge to the RR grade going south then southeast. It could, with minor repair, even be made handicap accessible. One could fish or observe flora and fauna, or relate the historic interest. With the addition of a small bridge over the little Blackwater, where a ford currently exists, this could connect to the log road on Middle ridge or to the RR which continues east across Glade Run to the old Glade Run RR/jeep trail, which runs north-south. Studies from the early 1990's recommend use of old railgrades. Why have you closed these railgrades?

The Refuge has investigated this trail and found it incompatible for several reasons: 1) based on the Tucker County Soil Survey's soil suitability for hiking trails, 86% of this trail was found to be listed as severely limited; 2) this trail exists almost entirely on wetland soils; and 3) there are areas that have been heavily damaged by vehicle traffic. These areas are in need of restoration and are not suitable for a public use trail.

In its current condition the swinging bridge is unsafe for use and does not meet federal standards. The western section of the old railgrade that crosses the valley and the Blackwater River is extremely eroded after years of vehicle use and flooding. As a result the stable section of the railgrade is isolated and would require filling or substantial infrastructure to allow public use to continue without impacting wetland plant communities and soils. The Blackwater River crossing of this trail is highly eroded. The bare soil conditions on the river banks require restoration to prevent continued sedimentation of the river. The railgrade on the east side of the river is mostly stable with the exception of the eastern connection with Middle Ridge. At this junction, the trail is again highly eroded from vehicle use. The trail has become incised and has channeled water down the trail from Middle Ridge,

contributing to erosion and increased sedimentation. This section would also require significant infrastructure to make it suitable for public access without causing continued wetland degradation.

This railgrade is currently under investigation to determine the extent of impacts to the wetland/bog community that it crosses. The railgrade channels surface water causing severe erosion. This contributes to habitat degradation and sedimentation of the Blackwater river. The railgrade may be impacting subsurface flows resulting in changes in wetland plant communities. The Comprehensive Conservation Plan will evaluate proposed trails, including this railgrade for future public use.

179. Manage Refuge recreation under the existing Refuge use permit system.

The only permits required are for hunting. Special Use Permits may be requested for research, guided tours, large group sizes, commercial ventures, etc. Special Use Permits are evaluated on a case-by-case basis. Permits are not currently required for visitor use on the Refuge covered by the Compatibility Determinations.

M. COMMENTS RECEIVED THAT DO NOT PERTAIN TO THE COMPATIBILITY DETERMINATIONS.

The Refuge received a total of 45 comments that were general and did not relate to any of the issues discussed in the Compatibility Determinations. These comments were received by the Refuge and are hereby noted.