

Response to Comments on the Strategic Growth Policy for the National Wildlife Refuge System

Comment 1: Commenters requested that the comment period be extended to enable review of additional documents, especially by the flyways.

Response 1: We believe the 30-day public comment period is sufficient. In an effort to seek feedback from our partners and the public, we voluntarily decided to share, and incorporate feedback on, this internal policy. The 30-day public comment period is consistent with what we provide for documents of this length and complexity. Even after issuance of the final policy, we accept comments, suggestions, and concerns for consideration for any appropriate subsequent Rulemaking. We did not re-open the comment period as a result of this comment.

Comment 2: Commenter suggested the Service revise the policy to better reflect the Conservation Delivery role of the Refuge System.

Response 2: We recognize one of the main functions of the Refuge System is to deliver conservation. This policy identifies how we will prioritize future acquisitions of the Refuge System in a way that reflects our vision towards managing for functional landscapes, enhancing our scientific rigor, improving our effectiveness, and involving our partners and the American people. This strategic approach to growing the Refuge System will direct the Service to prioritize future acquisition efforts where we can most effectively deliver conservation, and make the largest contribution to the conservation estate. We made no changes to the policy as a result of this comment.

Comment 3: A Commenter recommended we add language to the draft policy that addresses the importance of specific refuge purposes and need for expansion to enable the refuge to better achieve those purposes.

Response 3: The National Wildlife Refuge System Administration Act of 1966 (Administration Act) as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act), directs the Secretary of the Interior to “plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System...” Nothing in this policy precludes anything in the Administration Act as amended by the Improvement Act. This policy aims to narrow our focus and give us guidance, using the best available science to incorporate elements of biological planning and conservation design to identify priority conservation areas where we can have the greatest impact. We made no changes to the policy as a result of this comment.

Comment 4: Commenter recommended that the Chief's responsibilities be more clear and consistent with others in the policy by including "ensuring that refuge acquisitions support and are consistent with the overall strategic growth policy" rather than "consistent with priority conservation features" as is currently written.

Response 4: We agree with the commenter's suggestion related to the Chief of the National Wildlife Refuge System's responsibilities. In table 5.1 B (4), we changed "consistent with priority conservation features" to " Working with Regional Directors and staff to ensure that proposals for refuge expansions and new refuges support and are consistent with the strategic growth policy."

Comment 5: Commenter suggested that the Service identify the priority conservation features of interest and link it to habitat or ecosystem conditions and stated that to identify a surrogate species for another species simply adds an "unnecessary layer, and one that may not be related to the degree necessary to understand or monitor the species of interest."

Response 5: In response to another comment, and in order to make the policy more clear, we have changed "priority conservation features" to "priority conservation species". We intentionally do not identify specific priority conservation species in order to remain flexible as legal status, management need, vulnerability, and geographic areas of importance may change. We disagree with the commenter's opinion that surrogate species add an unnecessary layer. Using surrogate species to help identify priority conservation species yields several advantages. Surrogate species may represent multiple species and habitats in a defined landscape. They serve as barometer of how well our management actions are working. We may assess our effectiveness and improve our approaches using Strategic Habitat Conservation. We made no changes to the policy as a result of this comment.

Comment 6: Commenter noted that the definition of "Conservation Features" needs clarification and stated that they lack consideration of other elements of diversity that are not specifically biotic in nature, i.e., substrate, elevation and connectivity.

Response 6: In response to this comment, we changed the title of "Priority Conservation Features" to "Priority Conservation Species". We also revised the definition to read as follows: Priority conservation species are those species requiring focused resource commitments due to legal status, management need, vulnerability, and geographic areas of importance. In an attempt to narrow our focus we will use the priority conservation targets we have identified in *Section 5.8*.

Comment 7: Several commenters noted that there is a need to finalize definitions of surrogate species (Draft Technical Guidance still under review) and relate the two documents before including "surrogate species" in this policy.

Response 7: The Draft Guidance for Selecting Species describes a standard process and criteria for defining biological outcomes using a surrogate species approach, reducing the burden of addressing the requirements of many species individually. While the guidance for this process is still under review, the Director has adopted the Strategic Habitat Conservation framework under which the surrogate species approach plays an integral role (conservation planning). The inclusion of this approach is not contingent upon the draft process and therefore remains in the draft strategic growth policy as a means to provide the necessary science-based criteria in project proposals. No changes were made to the policy as a result of this comment.

Comment 8: It was suggested that the Service better evaluate suggested conservation features (with long-term perspective of climate change) and that the policy require explanation of how a project or combination of projects will achieve measurable contributions to the conservation of priority conservation features.

Response 8: We believe the Strategic Growth policy adequately addresses this comment. *Section 5.9 D. Identify vulnerability and resiliency.* This section requires project proposals to discuss vulnerability to

climate change and other non-climate stressors and describe how the Refuge System will mitigate stressors to ensure the project's resiliency. Section 5.9 B specifically requires that we identify population objectives (measurable contributions) during the Landscape Conservation Design process.

Comment 9: Several commenters requested inclusion of candidate species as fourth category of conservation feature.

Response 9: In an attempt to prioritize which lands should be added to the Refuge System, we will not include candidate species in this policy. The intent of this policy is to narrow our focus and direct our limited resources in a strategic way that ensures we make the greatest contribution to the conservation estate. Candidate species may be included when they are a bird of conservation concern or when represented by a surrogate species. We made no changes to the policy as a result of this comment.

Comment 10: Commenter noted that migratory birds and waterfowl seem duplicative and that aquatic and landscape features included in LAPS were lacking. Commenter stated that the priority conservation features were too narrow in focus and did not meet the Service's statutory responsibilities.

Response 10: While there may be some overlap between the North American Waterfowl Plan and conserving migratory birds of conservation concern, the two targets are very different and we do not consider it duplicative. This policy does not address LAPS. This policy is specific to future acquisition of the Refuge System, and does not supersede any other legislation or policy, including the biodiversity policy. We made no changes to the policy as a result of this comment.

Comment 11: Commenter noted that the funding availability requirement of the "Merited, but not approved" Director Review outcome category limits long-term vision and efforts to expand refuge boundaries.

Response 11: We agree with the commenter, and have removed the "Merited, but not approved" category. This policy is focused on adding lands to the Refuge System that meet our biological priorities, not on funding availability. We have removed this option from the policy but also acknowledge that not all approved projects will be prioritized for traditional funding.

Comment 12: *Subsection C.2.* seems to add yet another objective for refuge acquisitions: to "ensure that strategic growth of the Refuge System contributes to the plans, goals, and objectives of other Service programs." If this is indeed an objective of the policy, then it needs to be better integrated throughout, not just rest on the shoulders of the Regional Directors to figure out.

Response 12: We disagree that *Subsection C.2* adds another objective for refuge acquisitions. The other Service programs fall within the priority conservation targets we have identified in *Section 5.8*. It is important that the plans, goals, and objectives of different Service programs are taken into consideration in the project proposals. We made no changes to the policy as a result of this comment.

Comment 13: Commenter disagreed with the statement that current fee title and easement program is unsustainable.

Response 13: The commenter is referring to the Fact Sheet we made available to the public at the same time we released the draft policy. Because Service resources and funding levels will always be changing, it is not possible to know at exactly what rate we will be able to grow the Refuge System. The numbers we provided in our Fact Sheet are estimates of future prices, and projections of how long it would take to complete fee title and easement acquisition. This policy guides the Service on how to prioritize and strategically grow the system, but remains flexible enough to take into consideration changes in funding and resource levels. We made no changes to the policy as a result of this comment.

Comment 14: It was suggested that the policy not limit threatened and endangered inclusion to only those with recovery plans.

Response 14: In an attempt to prioritize which lands should be added to the Refuge System, we will focus on threatened and endangered species recovery plans or subsequent revisions. The intent of this policy is to prioritize our limited resources where actions have been identified as necessary for recovery.

Comment 15: It was noted that working with partners is political and does not relate to the biological needs of the Service.

Response 15: The Service is dedicated to ensuring we interact, coordinate, and collaborate with our many State, Federal, tribal, conservation, and local partners. Biological planning for projects will be done using the Strategic Habitat Conservation framework. Specifically, population objectives must be identified in a landscape conservation design that has been developed in cooperation with our conservation partners. In addition, working with partners will allow the Service to take a landscape-level approach when prioritizing future acquisition for the Refuge System. We made no changes to the policy as a result of this comment.

Comment 16: Commenter pointed out that Refuge Managers do not serve in the land acquisition role and therefore should not be designated as the local level representative of the Director in section 5.11.

Response 16: While refuge managers do play a role in the land acquisition process, we agree with the commenter's observation about the refuge manager's role in prioritizing land acquisition efforts. We have taken out the reference to refuge managers in section 5.11.

Comment 17: Several commenters requested clarification throughout the document because they believe there is a disconnect between *Sections 5.8 and 5.9* (conservation features versus surrogate species/priority conservation areas) and in general, noted redundancy and conflicting terminology.

Response 17: We have changed some of the language in *Sections 5.8 and 5.9* in an attempt provide clarification, as several commenters suggested. In *Section 5.8*, "conservation features" was changed to "conservation targets for the strategic growth of the Refuge System." *Section 5.8* identifies what the

Service will focus on when prioritizing what lands and waters it will acquire. *Section 5.9* identifies what science based criteria the project proposal must meet in order to be considered by the Director.

Comment 18: It was recommended by several commenters that, in an effort to coordinate more innovative means of landscape-level connectivity, other partners be included with State partners in conservation coordination efforts such as private landowners, NGOs, other stakeholders, and local governments.

Response 18: We believe this policy adequately addresses this comment. *Section 5.2 F.* states “Ensure we adequately collaborate with other local, State, and Federal government agencies, tribal governments, conservation organizations, and private landowners to identify new lands for the Refuge System. In addition, the Service will implement landscape conservation design, a partnership-driven process that assesses current and future biological and socioeconomic conditions, depicts spatially-explicit desired future conditions, and produces a suite of management strategies for achieving those conditions on a landscape-scale. We made no changes to the policy as a result of this comment.

Comment 19: It was suggested to combine *5.2 C and F*, listing all types of partners in one objective.

Response 19: We have taken this comment into consideration but have decided to leave *5.2 C and F* separate. The Service recognizes we share authority with States to manage fish and wildlife, and believe it is appropriate to leave *5.2 C and F* as separate parts. We made no changes to the policy as a result of this comment.

Comment 20: Commenter recommended adding clarification of the Service’s urban conservation work with partners and its impact on existing and new urban refuges.

Response 20: The Service puts great emphasis on our urban refuges and the many great partners we work with. Future expansion of urban refuges, including new urban refuges, will fall under this policy. We made no changes to the policy as a result of this comment.

Comment 21: Regarding *Sections 5.1 and 5.4*, a commenter suggested rewording the reference to 16 USC 668 to end either before or after the words “as amended.” The commenter further suggested that the addition of the single amendment reference should either be eliminated or expanded to include all three amendments as it is “unnecessary”.

Response 21: In order to stay consistent with other U.S. Fish and Wildlife Service Manual Chapters, we have taken the commenters suggestion and deleted the reference to 16 USC 668dd-668ee.

Comment 22: Commenter inquired as to whether this policy applies to coordination areas.

Response 22: Coordination areas are owned by the Service but managed by States or other partners under cooperative agreements or with long-term leases. While exempt from key statutory requirements of the Improvement Act, such as Comprehensive Conservation Plans or compatibility

standards, any expansion or creation of new coordination areas are subject to this policy. We added the term “Conservation Area” to clarify the scope of this chapter under section 5.3 of the policy as a result of this comment.

Comment 23: Commenters recommend that *Section 5.11* should: 1) clarify how decisions are elevated if necessary during Service/State coordination and outline a conflict resolution process that conveys incentives for State wildlife agency concurrence; and 2) describe the roles of the States and the Service (i.e. setting population objectives).

Response 23: Many of the comments on *Section 5.11* request we add more detail to the policy. Because each project proposal will differ, we intentionally left this section broad in an attempt to remain flexible. The Service recognizes we rely heavily on the authority and expertise of States when administering the Refuge System. We have clearly stated in this document that States will be involved in the development of project proposals and their implementation. We made no changes to the policy as a result of this comment.

Comment 24: A commenter proposed we establish the Regional Director level for cooperation between the States and the Service, as opposed to at the Refuge Manager level.

Response 24: We agree with the above comment and have removed the reference to Refuge Manager in *Section 5.11*.

Comment 25: Commenter expressed concern over lack of public involvement in the land acquisition process.

Response 25: The Service is dedicated to adequately ensuring we involve our many conservation partners and the public in our land acquisition process. The Service encourages public participation during the planning phase for Comprehensive Conservation Plans for existing refuges, or the Landscape Protection Plan for proposed new or expanded refuges.

Comment 26: Confusion was noted over multiple layers of planning involved in developing a Land Protection Plan and that the references to Strategic Habitat Conservation, Landscape Conservation Design, and the Land Protection Planning process seem overlapping and potentially in conflict with draft policy and thus, full review was recommended.

Response 26: In response to the above comment, we have added a definition for Landscape Conservation Design. Landscape Conservation Design is a partnership-driven process that assesses current and anticipated future biological and socioeconomic conditions, depicts spatially-explicit desired future conditions, and produces a suite of management strategies for achieving those conditions on a landscape scale. Landscape Conservation Design is consistent with, and part of, the Strategic Habitat Conservation framework. Landscape Conservation Design will be incorporated into the preplanning phase of every Comprehensive Conservation Plan and Land Protection Plan.

Comment 27: Commenter expressed concern over possible federal jurisdiction limitations associated with conservation easements.

Response 27: The purpose of this policy is to provide guidance for a strategic approach to growth of the Refuge System by prioritizing acquisitions, managing for functional landscapes, enhancing our scientific rigor, improving our effectiveness, and involving our partners and the American people. This policy does not provide guidance on land protection mechanisms, but in general, Service policy is to adopt habitat protection measures and strategies that involve acquiring the minimum possible interest or rights in lands and waters. It is noted that each mechanism has its benefits and limitations and these are carefully considered after a project proposal is approved. No changes were made to the policy as a result of this comment.

Comment 28: Commenter stated that the policy does not provide a means for quick response to emergency opportunities.

Response 28: Evaluation of land conservation opportunities will follow a transparent process to ensure that our limited resources are directed to make the greatest contribution to the conservation of species in a strategic, and cost-effective manner. We intend to work closely with our conservation partners to do this in the most efficient manner possible and provide a timely response to opportunities but, in an effort to maintain the greatest flexibility, do not provide guidance on this level of detail in the policy. No changes were made to the policy as a result of this comment.

Comment 29: Commenter suggested that the Service improve spatial conservation planning (mapping and quantifying species' range shifts) and include this response in project evaluation.

Response 29: We agree there is a need to utilize the most current mapping and modeling resources in evaluation of present and future biological needs across the landscape. As noted in section 5.9 of the policy, the regions are directed to develop defensible science-based project proposals for Director review. This requires application of the best available science, via Service and partner resources, to incorporate elements of biological planning and conservation design in the identification of priority conservation areas that support priority conservation targets and contribute towards achieving measurable conservation targets. No changes were made to the policy as a result of this comment.

Comment 30: Commenters expressed concern over the status of projects underway (in the CCP/LPP/PPP process).

Response 30: Upon Director approval of a strategic growth policy, all project proposals, including those currently underway, will be required to meet the new policy standards. No changes were made to the policy as a result of these comments.

Comment 31: It should be made clear that an outcome of "Unmerited" will not prevent a project proposal from being resubmitted at a later date, for example if conditions change or more supporting documentation can be assembled.

Response 31: Per section 5.10C, if a project proposal receives an outcome of “Unmerited,” it “does not meet all of the criteria or it is not in the best interest of the Refuge System, or both.” In order for a proposal to warrant resubmission, it would have to receive an outcome of “Needs Additional Work” which, although the project proposal did not meet all the required criteria, allows the Region to further address the deficiencies through additional processes or related content work. No changes were made to the policy as a result of this comment.

Comment 32: Commenter suggests consideration of quantity and quality of available research on climate impacts mitigation when evaluating project proposals.

Response 32: While it is expected that project proposals will be prepared using the best available science, it is understood that the amount of information available on each species may vary. No changes were made to the policy as a result of this comment.

Comment 33: Commenter stated that Service should provide justification to and seek approval from Congress prior to inclusion of new lands into the System.

Response 33: The Service will acquire lands and waters consistent with the legislation or other congressional guidelines and Executive Orders for the conservation of fish and wildlife and related habitat. Land protection/acquisition, like other Service activities, can only be accomplished in accordance with authority given by Congress and interpreted by regulations and guidelines established in accordance with such authority; i.e. general legislation authorizing the Service to acquire land such as the Migratory Bird Conservation Act, the Fish and Wildlife Act of 1956, the Endangered Species Act, the Migratory Bird Hunting and Conservation Stamp Act, the Refuge Recreation Act of 1962, and the Emergency Wetlands Resources Act of 1986. Therefore, the Service’s land acquisition activities are conducted in accordance with congressional guidelines and do not require further approval from Congress. No changes were made to the policy as a result of this comment.

Comment 34: Commenter stated that it is unclear whether the policy is intended to replace or modify the LPP process and thus usurp public input from the process.

Response 34: In regard to public input in the acquisition process, the Service notes updated verbiage in the revised policy regarding "landscape conservation design." Landscape conservation design is defined in section 5.6 as, "a partnership-driven process that assesses current and anticipated future biological and socioeconomic conditions, depicts spatially-explicit desired future conditions, and produces a suite of management strategies for achieving those conditions on a landscape-scale." Per the Conserving the Future: Wildlife Refuges and the Next Generation, Planning Implementation Team's Final Report: A Landscape-Scale Approach to Refuge System Planning, this design will be incorporated into the preplanning phase of every Land Protection Plan and is developed and delivered by partners, with the input of various publics. Land Protection Plans are a NEPA driven, detailed, planning process which involves gaining input from the public. These designs are incorporated into the policy further in section 5.9, where it is noted as a key part of project proposal criteria. No changes were made to the policy as a result of this comment.

Comment 35: Commenter stated that a species-based, landscape conservation management policy conflicts with the intent of the LCCs and the responsibilities of the states. It was further noted that population objectives are an "unrealistic metric" since refuges only manage a small portion of the population's range.

Response 35: We do not see conflict between the draft strategic growth policy and either the intention of Landscape Conservation Cooperatives (LCC) or the responsibilities of the states, and understand the concern regarding refuge's role in achieving population objectives.

As stated in section 5.6D, LCCs are, "public-private partnerships that define shared conservation goals and provide the expertise needed to support conservation planning at landscape scales." They aid in development of a landscape conservation design to assess current and anticipated future biological and socioeconomic conditions, depict spatially-explicit desired future conditions, and produce a suite of management strategies for achieving those conditions on a landscape scale. While these designs will inform refuge's step-down management plan(s) and associated species-based population objectives, the LCC's targets are not limited by that of a refuge. Rather, a population objective is intended to adaptively contribute to the broader desired biological condition, as identified in a landscape conservation design. The two work symbiotically and do not conflict.

In regard to conflict with state responsibilities, objective 5.2B of the draft policy ensures "interaction, coordination, cooperation and collaboration with State agencies to develop landscape conservation designs..." This objective directs us to work closely with states to develop our designs collaboratively in an effort to meet all State and Federal responsibilities. Additionally, in an effort to prevent any conflict, the policy explicitly states in section 5.11 that, "Both the Service and State fish and wildlife agencies have authorities and responsibilities for management of fish and wildlife on refuges as described in [43 CFR part 24](#). Consistent with the Administration Act, the Director must interact, coordinate, cooperate, and collaborate with the State fish and wildlife agencies in a timely and effective manner on the acquisition and management of refuges."

Finally, while refuges play a key role in conservation delivery across the landscape, the Commenter is correct in noting that refuges are typically but one part of a population's range and that it is unrealistic to expect them to achieve population objectives independently. For this reason, the policy states that these objectives are "dependent on the scale of the population measured..." and are intended to be achieved collaboratively with our conservation partners.

No changes were made to the policy as a result of this comment.

Comment 36: Commenter noted that the policy oversteps the Service's authority, i.e. the word "or" in section 5.9C results in the Service holding the decision making authority, and that the policy introduces "significant management and State coordination issues of concern." It is further stated that additional clarification is needed to outline the jurisdiction, role, and authority of State wildlife agencies, and that the policy should identify the necessity for State concurrence on population objectives for State trust species.

Response 36: In an effort to clarify the important role of States and other conservation partners in strategic growth of the Refuge System, section 5.9C of the policy has been reworded to read, "*Identify priority conservation areas*. Using the best available science, the project proposal must identify priority

conservation areas that support priority conservation species and contribute toward achieving measurable targets, such as stated population objectives. The project proposal must consider lands and waters identified in a landscape conservation design that has been developed in cooperation with our conservation partners. The project proposal must ensure projects are arranged in a geographically efficient manner to safeguard ecological processes across the landscape and to complement the resiliency of other conservation areas.” Additionally, in an effort to ensure coordination, the policy explicitly states in section 5.11 that, “Both the Service and State fish and wildlife agencies have authorities and responsibilities for management of fish and wildlife on refuges as described in [43 CFR part 24](#). Consistent with the Administration Act, the Director must interact, coordinate, cooperate, and collaborate with the State fish and wildlife agencies in a timely and effective manner on the acquisition and management of refuges.” We feel this change addresses the comment in regard to inclusion of all our conservation partners, including the States.

Comment 37: Commenter suggested the Service "fully utilize its ...authorities to include federal public lands (in the Refuge System) administered by the Bureau of Land Management and other public agencies."

Response 37: It is the intention of the Fish and Wildlife Service to include *all* conservation lands, owned and/or operated by federal, state, local and private partners, in the development of a network of conservation lands within a landscape conservation design. No changes were made to the policy as a result of this comment.

Comment 38: Commenter stated that the Emergency Wetlands Resources Act should be cited as one of the authorities for the Service to acquire wetlands.

Response 38: As stated in section 5.4, the authority for the Service to implement a strategic approach to the growth of the National Wildlife Refuge System is the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997. This policy does not go to the level of detail that identifies the general authorities under which the Service can acquire land. No changes were made to the policy as a result of this comment.

Comment 39: Commenter recommended use of mapping, modeling and ranking tools to identify areas most susceptible to future development pressures, and which provide a full range of geographical, ecological and geophysical variation of species and systems.

Response 39: As stated in section 5.9 of the draft policy, project proposals must meet science-based criteria before consideration by the Director, and applicants are expected to use the best available science, biological and socioeconomic, to identify priority conservation areas that support priority conservation species and contribute toward achieving measurable targets. The use of mapping, modeling and ranking tools will be necessary to achieve this requirement. No changes were made to the policy as a result of this comment.

Comment 40: Commenter stated that State wildlife action plans should be included in list of plans guiding acquisitions.

Response 40: The main priority conservation targets for the strategic growth of the Refuge System: A) Recovery of threatened and endangered species; B) Implementing the North American Waterfowl Management Plan; and C) Conserving birds of conservation concern, are intentionally nation-wide in focus in keeping with the scope of the Service. State wildlife action plans, due to their significance in regard to migratory birds of conservation concern, are included in the broader “Associated step-down management plans” category under section 5.8C(4). No changes were made to the policy as a result of this comment.

Comment 41: Commenter noted a need to incorporate climate considerations, such as resilience, into prioritization criteria.

Response 41: Section 5.9D explicitly addresses climate considerations in the following statement, “The project proposal must discuss vulnerability to climate change and other non-climate stressors...and describe how the Refuge System will mitigate stressors to ensure the project’s resiliency.” Additionally of note, the Service has added verbiage regarding landscape conservation designs, including its definition in section 5.6, and reference in regard to the science-based criteria in section 5.9, which addresses “anticipated future biological...conditions.” No changes were made to the policy as a result of this comment.

Comment 42: To ensure consistency with ANILCA, the DRAFT Growth Policy either needs to be modified or regional policy needs to be developed (similar to Chapter 5 of Part 610, Special Provisions for Alaska Wilderness) to recognize the savings clause in the Refuge Improvement Act and address the specific provisions in ANILCA that modify the policy for refuges in Alaska.

Response 42: The purpose of this policy is to implement a strategic approach to the growth of the National Wildlife Refuge System under the authority of the National Wildlife Refuge System Administration Act of 1966 (Administration Act) as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act). The policy’s strategic approach aims to narrow our focus and give us guidance, using the best available science to incorporate elements of biological planning and conservation design, to identify priority conservation areas where, in cooperation with our conservation partners, we can have the greatest impact. This policy does not supersede either the establishing purposes of a refuge or other Alaska-specific legislation. No changes were made to the policy as a result of this comment.

Comment 43: Commenter expressed concern over a lack of involvement with the states and other partners in draft policy development, and suggested development of a more meaningful policy that “would meet the letter and spirit of the law.”

Response 43: We believe the states were sufficiently notified and involved in the draft policy development. In addition, we have received excellent comments from numerous states during the 30-day public comment period. In an effort to involve and seek feedback from our partners and the public, we have sought and incorporated feedback on this important internal policy which provides guidance for a strategic approach to the growth of the National Wildlife Refuge System. No changes were made to the policy as a result of this comment.

Comment 44: Commenter recommended a policy that more narrowly defines parameters to identify areas of "critical value to conservation or public uses."

Response 44: The Strategic Growth Policy, a strategic approach to the growth of the Refuge System, is informed by existing laws, regulations and policies that guide the Refuge System. This approach aims to narrow our focus and give us guidance, using the best available science and incorporating elements of biological planning and conservation design, to identify priority conservation areas where, in cooperation with our conservation partners, we can have the greatest impact. The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Administration Act) authorizes the Service to establish regulations and policies for managing Refuges and to govern Refuge uses. The Administration Act also prohibits uses that are not compatible with the purpose(s) of an individual Refuge and the mission of Refuges. As authorized by the Administration Act, the Service will continue to apply the existing regulations and policies to review and guide decisions and actions regarding past, current and future practices, including wildlife-dependent public uses, on Refuges. No changes were made to the policy as a result of this comment.

Comment 45: Commenter recommended that the framework between the Service and the states and Draft Technical Guidance (surrogate species) be approved prior to any additional action on the draft policy.

Response 45: The Draft Guidance for Selecting Species describes a standard process and criteria for defining biological outcomes using a surrogate species approach, reducing the burden of addressing the requirements of many species individually. While the guidance for this process is still under review, the Director has adopted the Strategic Habitat Conservation framework under which the surrogate species approach plays an integral role (conservation planning). The inclusion of this approach is not contingent upon the draft process and therefore remains in the draft strategic growth policy as a means to provide the necessary science-based criteria in project proposals. No changes were made to the policy as a result of this comment.

Comment 46: Commenter suggested the policy include expansion of hunting and other recreational opportunities.

Response 46: The Strategic Growth Policy, a strategic approach to the growth of the Refuge System, is informed by existing laws, regulations and policies that guide the Refuge System. This approach aims to narrow our focus and give us guidance, using the best available science and incorporating elements of biological planning and conservation design, to identify priority conservation areas where, in cooperation with our conservation partners, we can have the greatest impact. The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Administration Act) authorizes the Service to establish regulations and policies for managing Refuges and to govern Refuge uses. The Administration Act also prohibits uses that are not compatible with the purpose(s) of an individual Refuge and the mission of Refuges. As authorized by the Administration Act, the Service will continue to apply the existing regulations and policies to review and guide decisions and actions regarding past, current and future practices, including

wildlife-dependent public uses, on Refuges. This policy does not limit compatible uses, such as hunting, on refuges. No changes were made to the policy as a result of this comment.

Comment 47: Commenters expressed concern over the lack of reference to LAPS (or other transparent tool) as a mechanism for land acquisition prioritization.

Response 47: This policy is intended to provide broad guidance on a strategic approach to the growth of the Refuge System. The tools, such as the Land Acquisition Prioritization System, by which project proposals will continue to be evaluated and prioritized are not within the scope of the draft policy. We fully anticipate a decision support tool will be created to reflect this policy. No changes were made to the policy as a result of this comment.

Comment 48: Commenter cautions that public acceptance of acquisitions is predicated upon a comprehensive and fully vetted discussion of the impact of a change in mosquito control practices on the local population. The final policy needs to accommodate the “grandfathering” (continued allowance) of any-and-all mosquito control practices currently performed by a local organized public mosquito control program (whether at the state, county, district or municipal level) on a property that is targeted by the Service to become part of the National Wildlife Refuge System, applicable to wherever a local organized public mosquito control program might desire such accommodation, and is willing to continue to perform mosquito control work on-site at the program’s own expense and labor.

Response 48: The Strategic Growth Policy is informed by existing laws, regulations and policies that guide the Refuge System. The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Administration Act) authorizes the Service to establish regulations and policies for managing Refuges and to govern Refuge uses. The Administration Act also prohibits uses that are not compatible with the purpose(s) of an individual Refuge and the mission of Refuges. As authorized by the Administration Act, the Service will continue to apply the existing regulations and policies to review and guide decisions and actions regarding past, current and future practices on Refuges, including mosquito management. Title 50 Code of Federal Regulations (CFR) Subchapter C, Parts 25 -28 are the primary enabling regulations of the National Wildlife Refuge System. The Service’s guiding policies are: Comprehensive Conservation Planning Process (602 FW 3), Step-Down Management Planning Policy (602 FW 4), Biological Integrity, Diversity, and Environmental Health (BIDEH) (601 FW 3), Integrated Pest Management (569 FW 1), Appropriate Refuge Uses (603 FW 1), and Compatible Uses (603 FW 2). It is not necessary for the Service to address current practices for mosquito management on Refuges in the Strategic Growth Policy because BIDEH, Integrated Pest Management, Appropriate Refuge Uses, and Compatibility all allow the Service to review and change agency practices, as appropriate, guided by best available scientific information. The Service concurs that working with others is paramount to achieving agency missions. No changes were made to the policy as a result of this comment.

Comment 49: Commenter noted that the policy lacks an overarching growth strategy that addresses the System's pressing biological and human needs in the 21st century. Commenter stated that the policy expansion criteria is vague and subject to discretionary interpretation.

Response 49: The purpose of this policy is to provide guidance for the Service to implement a strategic approach to the growth of the National Wildlife Refuge System, “ensuring future land protection efforts are based on explicit priorities, rigorous biological planning, and conservation design that support achieving measurable conservation and population objectives that are developed in cooperative with State fish and wildlife agencies.” (*Conserving the Future: Wildlife Refuges and the Next Generation, 2011*). Additional verbiage regarding landscape conservation design has been included throughout the document to provide a means for identifying future biological and socioeconomic objectives associated with priority conservation species and, where appropriate, justifying land acquisition.

Comment 50: Commenter supported priority conservation features/emphases and suggested the policy further define how priorities are affected when acquisitions meet objectives in more than one area of emphasis or are a higher priority within an area of emphasis (i.e. lands designated as Primary Zone for threatened and endangered species, or those lands that serve migratory birds and also benefit, or could prevent listing of, listed species).

Response 50: The purpose of this policy, as stated in section 5.1, is to “implement a strategic approach to the growth of the National Wildlife Refuge System,” according to a lands’ support of priority conservation targets, as listed in section 5.8 of the draft policy: A) Recovery of threatened and endangered species; B) Implementing the North American Waterfowl Management Plan; and C) Conserving migratory birds of conservation concern. Further ranking is outside the scope of this policy and will rely upon regional and national evaluation and prioritization. No changes were made to the policy as a result of this comment.

Comment 51: Commenters warned that older recovery plans may not go into as much detail on land acquisition as a prescribed strategy and encouraged the Service to broaden this language to include plans where habitat is a “limiting factor for species.” Commenter suggested highest priority should be to acquire lands/waters that could prevent a species from going extinct in the short-term future and noted that the policy should ensure these priority conservation features “increase the ‘resilience’ of the system by conserving habitats that will help fully support genetically viable populations for threatened and endangered species,” and migratory birds at the System level.

Response 51: The National Wildlife Refuge System Administration Act of 1966 (Administration Act) as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act), directs the Secretary of the Interior to “plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System...” The policy’s strategic approach aims to narrow our focus and give us guidance, using the best available science to incorporate elements of biological planning and conservation design, to identify priority conservation areas where, in cooperation with our conservation partners, we can have the greatest impact. Plans provide a road map with detailed, site-specific management actions for private, Federal, and State cooperation in conserving listed species and their ecosystems and are identified as one of the priority conservation targets which will help us to identify lands that will contribute to the recovery of threatened and endangered species. We assert that this will help us to focus on the highest priority threatened and endangered species. No changes were made to the policy as a result of this comment.

Comment 52: Commenters noted that the policy should emphasize infill of current refuges, connectivity and defragmentation of the conservation estate, and conserving habitat types that are most vulnerable to the effects of land use intensification (mining, development, etc.) and most susceptible to climate effects (mangroves and wetlands).

Response 52: While properties or inholdings within existing refuges are important to the continuity of habitat, they will be considered equally in the context of the priority conservation targets as noted in section 5.8 of the revised policy. Development of landscape conservation designs, as added in the revised policy, will assist Regions in identifying projects, which may include these inholdings that are arranged in a geographically efficient manner to safeguard ecological processes across the landscape and to complement the resiliency of other conservation areas. No changes were made to the policy as a result of these comments.

Comment 53: Commenters suggested expanding the priorities to better include the intent of these words in the Improvement Act: "...ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public," by including "coarse filter" conservation features including ecosystem structure, function, composition, and connectivity that contribute to ecological integrity.

Response 53: The Service has revised section 5.1 to include all of section 5.4 (C) of the National Wildlife Refuge System Improvement Act of 1997.

Comment 54: Commenter noted that LAPS should be updated to include additional criteria and that the policy should articulate how LAPS is to be used.

Response 54: This policy is intended to provide broad guidance on a strategic approach to the growth of the Refuge System. The tools, such as the Land Acquisition Prioritization System, by which project proposals will continue to be evaluated and prioritized on a national and Regional level are not included in the draft policy. We do acknowledge that any decision support tool we use should reflect this policy. No changes were made to the policy as a result of this comment.

Comment 55: Commenter suggested that the Service work with others to develop standardized methods to identify "areas of high ecological integrity and strategic areas for restoring ecological integrity, including parcels whose acquisition ...will contribute to landscape-scale structure, function, composition, and connectivity."

Response 55: The Service will work with the states and other conservation partners to assess project proposals, which, using the best available science, must identify priority conservation areas that support priority conservation species and contribute toward achieving measurable targets, such as stated population objectives. The project proposal must consider lands and waters identified in a landscape conservation design that have been developed in cooperation with our conservation partners and ensure projects are arranged in a geographically efficient manner to safeguard ecological processes across the landscape and to complement the resiliency of other conservation areas. No changes were made to the policy as a result of this comment.

Comment 56: Commenter suggested the Service develop a companion strategy to identify parcels for acquisition that would specifically target habitats that support species unlikely to be conserved via landscape-level conservation approaches.

Response 56: The objectives of this policy, as stated in section 5.2, include ensuring that, “refuges, new refuges, and refuge expansions support viable and persistent populations of priority conservation species and achieve measureable conservation targets, such as population objectives that have been developed in cooperation with partners at various landscape levels (e.g., national, Regional, and local). It is not the intention of the Service to independently achieve these population objectives. We will work cooperatively with our partners at all geographic scales to manage a contiguous and/or complementary conservation estate – each focusing on those species and conservation features that best represent their agency or organizational mission. No changes were made to the policy as a result of this comment.

Comment 57: The Conservancy encourages the Service to consider including a section on how the Service will move forward with consolidation of the Refuge System and the enhanced efficiencies of consolidation based upon divestiture prioritization. For example, how will the Service handle federal lands within counties where a small, piecemeal refuge acquired 20 years ago has now been surrounded by a municipal boundary and urban development? In a case such as this, the municipal government may be better suited to manage that land moving forward. Similarly, there are several scattered Farmers Home Administration tracts in states across the country. Is there a plan for divestiture or transfer of these properties in the future? How would divestiture or transfer of these properties benefit the Refuge System in the future?

Response 57: This policy is intended to provide broad guidance on a strategic approach to the *growth* of the Refuge System, focusing on acquiring land to meet biological priorities. Discussion on consolidation and divestiture are outside the scope of this policy; therefore, no changes were made to the policy as a result of this comment.

Comment 58: Several commenters noted that outdoor recreation (Big 6), people (supporters of conservation), and urban refuge emphases should be included in the objectives and priorities/criteria of the policy, and that strategic growth priorities not be solely based on wildlife conservation and population objectives.

Response 58: The purpose of this policy is to implement a strategic approach to the growth of the National Wildlife Refuge System under the authority of the National Wildlife Refuge System Administration Act of 1966 (Administration Act) as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act). The policy’s strategic approach aims to narrow our focus and give us guidance, using the best available science to incorporate elements of biological planning and conservation design, to identify priority conservation areas where, in cooperation with our conservation partners, we can have the greatest impact. This policy does not supersede either the establishing purposes of a refuge or the provisions of the Administration Act and Improvement Act, which promote wildlife-dependent recreation uses on refuges (subject to the management criterion that they comply with the compatibility standard). Wildlife-dependent recreational uses, therefore, may be considered

after a project proposal meets the science-based criteria necessary to gain Director's approval and acquisition by the Service. No changes were made to the policy as a result of these comments.

Comment 59: Commenter suggested weighing the number of taxpayers that are served by new acquisitions and equally distributing land acquisition across the country in order to maintain relevance of the System to the American public.

Response 59: This policy is intended to provide broad guidance on a strategic approach to the growth of the Refuge System focusing on meeting our biological priorities. Project proposals will continue to be evaluated and prioritized on a regional and national level considering biological and socioeconomic variables such as these, but this level of detail is intentionally not included in the draft policy. No changes were made to the policy as a result of this comment.

Comment 60: Commenter noted that existing mechanisms to address acquisition opportunities within an urgent timeline are insufficiently funded and that the new policy should provide better means for these situations.

Response 60: Evaluation of land conservation opportunities will follow a transparent process to ensure that our limited resources are directed to make the greatest contribution to the conservation of species in a strategic and cost-effective manner. We intend to work closely with our conservation partners to do this in the most efficient manner possible and provide a timely response to opportunities and, in an effort to maintain the greatest flexibility in this regard, we intentionally do not provide funding guidance in the draft policy. No changes were made to the policy as a result of this comment.

Comment 61: Commenters stated that the draft policy should include land cost as an explicit factor in setting priorities for acquisitions. Commenter noted that the strategy focuses exclusively on purchased lands and needs to be broadened to include other means, i.e. donations; further concern was expressed over the vulnerability of easements into the future.

Response 61: The purpose of this policy, as stated in section 5.1, is to "implement a strategic approach to the growth of the National Wildlife Refuge System," which includes all means of land acquisitions. Because there are several acquisition options (fee-title, conservation easement, donation, etc.) that can be employed under different situations, factors such as land cost are secondary to evaluating land according to its support of priority conservation targets, as listed in section 5.8 of the draft policy: A) Recovery of threatened and endangered species; B) Implementing the North American Waterfowl Management Plan; and C) Conserving migratory birds of conservation concern. Funding and cost considerations are therefore outside the scope of this policy and are addressed with regional and national evaluation and prioritization tools. No changes were made to the policy as a result of these comments.

Comment 62: Commenter noted concern over long-term costs associated with restoration/management of new lands and suggested a long-term plan that identifies projects in which the Service commits to while another urged consideration of acquiring the best available naturally functioning habitat to make acquisition more feasible.

Response 62: This policy is intended to provide broad guidance on a strategic approach to the growth of the Refuge System focusing on the adding of lands to the System that meet our biological priorities, not on management funding availability. Project proposals will continue to be evaluated and prioritized on a regional and national level considering biological and socioeconomic variables such as these, but this level of detail is intentionally not included in the draft policy. No changes were made to the policy as a result of this comment.

Comment 63: Commenter stated disagreement with assumption of static funding sources (LWCF, MBCF, mitigation funds) and encouraged better marketing of Duck Stamps to increase land acquisition funds and clearly connecting these resources to acquisition needs, as well as a broad, visionary approach beyond current fiscal realities. Commenter requested clarification on cost-effectiveness of additional planning layers. It was recommended that more funds be budgeted (regionally) in the emergency and inholding account to help partners help the Service provide a bridge in short timeframe acquisitions.

Response 63: The purpose of this policy, as stated in section 5.1, is to “implement a strategic approach to the growth of the National Wildlife Refuge System,” which includes all means and levels of funding. Because there are several acquisition options (fee-title, conservation easement, donation, etc.) that can be employed under different situations, factors such as land cost and funding availability are secondary to evaluating land according to its support of priority conservation targets, as listed in section 5.8 of the draft policy: A) Recovery of threatened and endangered species; B) Implementing the North American Waterfowl Management Plan; and C) Conserving migratory birds of conservation concern. Funding and cost considerations are therefore outside the scope of this policy and no changes were made to the policy as a result of these comments.

Comment 64: Agriculture is an important component of the local economy in New Mexico, and preservation of the industry should be considered with any future NWR expansion in the state. Water scarcity continues to be a limiting factor in land use planning in New Mexico. With the high percentage of land in New Mexico devoted to agriculture in mind, NMDA requests that special attention to water conservation be applied when expanding any refuges in the state. Additionally, when proposing land acquisitions for refuges, NMDA requests that existing land uses, especially agricultural uses, be seriously considered prior to the purchase of any additional land in New Mexico. We are also concerned about the potential application of the DRAFT policy to state navigable waters and other state submerged lands, particularly those in marine waters. The State holds title to many miles of rivers that flow through refuges and to the near shore submerged lands adjacent to refuges. We will object to any attempt by the Service to assert its authority over these state-owned resources.

Response 64: The Strategic Growth Policy is informed by existing laws, regulations and policies that guide the Refuge System. The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Administration Act) authorizes the Service to establish regulations and policies for managing Refuges and to govern Refuge uses. The Administration Act also prohibits uses that are not compatible with the purpose(s) of an individual Refuge and the mission of Refuges. As authorized by the Administration Act, the Service will continue to apply the existing regulations and policies to review and guide decisions and actions regarding past, current and future practices, including agricultural uses, on Refuges. Title 50 Code of Federal Regulations (CFR) Subchapter C, Part 25 -28 are the primary regulations of the National Wildlife Refuge System. The Service’s guiding policies are: Comprehensive Conservation Planning Process (602 FW

3), Step-Down Management Planning Policy (602 FW 4), Biological Integrity, Diversity, and Environmental Health (BIDEH) (601 FW 3), Appropriate Refuge Uses (603 FW 1), and Compatible Uses (603 FW 2). The Service concurs that working with the states on water conservation issues and navigable waters/submerged lands is paramount to achieving agency missions and mutually agreed-upon objectives. No changes were made to the policy as a result of this comment.

Comment 65: Commenter suggested moving section 5.6 (definitions) to 5.2 to provide key definitions earlier in the policy.

Response 65: Per review of the Service's Division of Policies and Directives Management, the construction of this policy is appropriate and no changes were made as a result of this comment.

Comment 66: Commenter suggested that subsection 5.2C contains a structural error and be reworded to read: "such as population objectives [that have been] developed in cooperation..."

Response 66: The Service recognizes that section 5.2C would be more clearly stated as, "...such as populations that have been developed in cooperation..." and have made this change to the policy.

Comment 67: Commenter suggested that some sections be constructed and written more prescriptively to better align with other refuge policy.

Response 67: Per review of the Service's Division of Policies and Directives Management, the construction of this policy is appropriate and no changes were made as a result of this comment.

Comment 68: *This section (5.5) should be constructed similar to previous refuge system policies, like compatible uses (Service Manual 603 FW 2) and refuge planning (Service Manual 602 FW 1), which state clearly what the Service will do in response to the policy in terms derived from legislative authority. "...section should affirm the refuge system growth provision of the Refuge System Improvement Act as the overarching policy of the Service with regard to land acquisition. A new subsection A would thus read:*

The Service will plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System, to contribute to the conservation of the ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public.

Response 68: In an effort to maintain consistent language with recent policy, the Service has revised the policy's section 5.5 to read, "The Service will plan and direct the continued growth of the Refuge System in a manner that is best designed to accomplish its mission.."

Comment 69: Commenter recommended removal of all draft/deliberative terminology and concepts until they have been fully vetted and finalized (surrogate species).

Response 69: The Draft Guidance for Selecting Species describes a standard process and criteria for defining biological outcomes using a surrogate species approach, reducing the burden of addressing the requirements of many species individually. While the guidance for this process is still under review, the Director has adopted the Strategic Habitat Conservation framework under which the surrogate species approach plays an integral role (conservation planning). The inclusion of this approach is not contingent upon the draft process and therefore remains in the draft strategic growth policy as a means to provide the necessary science-based criteria in project proposals. No changes were made to the policy as a result of this comment.

Comment 70: Commenter suggested the following terms be better defined: "refuges," "national wildlife refuge," "Refuge System," "Refuge System Units," "State," "Project Proposal," "functional landscapes," "landscape sustainability," and "conservation features."

Response70: We included definitions for new and key terms in the draft strategic growth policy and defer to the definitions section of the National Wildlife Refuge System Improvement Act for clarification of additional terms. No changes were made to the policy as a result of this comment.

Comment 71: This objective (5.2B) introduces at least three terms that are not defined (underlined), which makes the objective difficult to understand or evaluate. What is a "logically dispersed" "efficient" network of lands and waters, and what is "landscape sustainability"? For example, does "efficient" mean least cost? least area? or some other consideration?

Rather than introducing new terms, we recommend this objective support and contribute to the habitat conservation strategy found within the National Fish, Wildlife and Plants Climate Adaptation Strategy which is to "secure appropriate conservation status... to complete an ecologically-connected network of public and private conservation areas that are likely to be resilient to climate change and to support a broad range of species under changed conditions." If this recommendation is adopted, subsection E could be deleted since it also addresses enhancing ecological resilience to cope with climate change.

Response 71: The Service acknowledges the need for consistent language in this policy and therefore has consolidated section 5.2 B and E to read as follows: "Ensure the future growth of the Refuge System supports species-based population objectives derived from landscape conservation designs that further an ecologically-connected network of public and private lands that are likely to be resilient to climate change and to support a broad range of species under changed conditions."

Many of the comments we received were outside the scope of this policy. This policy is purposely left broad in order to maintain flexibility as funding levels and resources change. In order to make the greatest contribution to the conservation estate, and build off the many partners we work with, the Service must narrow its focus and use the best available science to prioritize expansion of the Refuge System.

This policy does not supersede any piece of legislation, regulation, or policy. It aims to simply help the Service prioritize future expansion of the Refuge System in order to ensure that our limited resources are directed to make the greatest contribution to the conservation of species in a strategic, cost-effective, and transparent manner.