

## Appendix E

### *Correspondence with Cooperating Agencies*



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE



IN REPLY REFER TO:

ES-00/627

Ecological Services  
927 North Main Street (Bldg. D1)  
Pleasantville, New Jersey 08232

Tel: 609-646-9310  
FAX: 609-646-0352

February 7, 2001

Mr. Russel J. Wilson, Superintendent  
National Park Service  
Gateway National Recreation Area  
Sandy Hook Unit  
P.O. Box 530  
Fort Hancock, New Jersey 07732

FEB 09 2001

Dear Mr. Wilson:

This letter responds to your December 4, 2000 request to the U.S. Fish and Wildlife Service (Service) for information regarding federally listed threatened and endangered species in the vicinity the Fort Hancock National Historic District at the Gateway National Recreation Area, Sandy Hook Unit, Monmouth County, New Jersey. The National Park Service (NPS) proposes a project to implement a leasing program for the adaptive reuse of historic structures within the Fort Hancock and Proving Ground Historic Landmarks. Adaptive reuses would be undertaken within existing buildings and will attract an estimated 1,200 additional visitors to the park on an average weekday. The project also includes improvements to existing parking lots, the addition of several small parking lots among the Fort Hancock buildings, and the installation of fiber-optic telecommunication and gas lines from the park entrance to Fort Hancock. In addition, future NPS adaptive reuse plans include construction of a replacement structure at the site of the Fort Hancock historic hospital. Your December 4, 2000 correspondence did not provide the referenced attachments. On January 26 and 30, 2001, maps showing the general vicinity of the project area were provided to the Service via facsimile; however, the maps do not provide specific or detailed information regarding the proposed project.

#### AUTHORITY

This response is provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species and does not address all Service concerns for fish and wildlife resources. These comments do not preclude separate review and comments by the Service as afforded by the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 *et seq.*), if any permits are required from the U.S. Army Corps of Engineers pursuant to the Clean Water Act of 1977 (33 U.S.C. 1344 *et seq.*), nor do they preclude comments on any forthcoming environmental documents pursuant to the National Environmental Policy Act of 1969 as amended (83 Stat. 852; 42 U.S.C. 4321 *et seq.*).

## FEDERALLY LISTED SPECIES

### Piping Plover

Documented nesting sites of the piping plover (*Charadrius melodus*), a federally listed threatened species, occur in the vicinity of the Fort Hancock project area and along the proposed fiber-optic telecommunication and gas line route running from the park entrance to Fort Hancock. Piping plovers are small territorial shorebirds that nest on sandy beaches above the high-tide line on mainland coastal beaches, sand flats, and barrier island coastal beaches. Nest sites are typically located on gently sloping foredunes, blowout areas behind primary dunes, washover areas cut into or between dunes, ends of sandspits, and on sites with deposits of suitable dredged or pumped sand. Although piping plovers normally nest on high-energy, ocean beaches, they are known to nest on lower-energy, bay beaches.

Piping plovers feed primarily on marine macroinvertebrates such as marine worms, fly larvae, beetles, and crustaceans. Feeding areas include intertidal portions of ocean beaches, ocean washover areas, mudflats, sandflats, wrack lines (organic ocean material left by high tide), shorelines of coastal ponds, lagoons, and salt marshes.

It appears that construction activities related to adaptive reuse of historic structures, and parking lot improvements within Fort Hancock will not occur within or directly adjacent to piping plover nesting areas. However, construction activities associated with the proposed fiber-optic telecommunication and gas lines may occur within 100 meters of piping plover nesting areas. Such activities could disturb nesting birds and interfere with nest establishment or incubation, resulting in nest abandonment or decreased productivity. Therefore, to avoid impacts to nesting piping plovers, the Service recommends that no project construction activities occur within 100 meters of piping plover nesting habitat during the piping plover breeding season (April 1 to August 15).

The NPS anticipates that the proposed project will increase visitor use at the Sandy Hook Unit. In accordance with Section 7(a)(2) of the Endangered Species Act, an assessment of potential direct, indirect, and cumulative impacts is required for all federal actions that may affect listed species. Therefore, if the anticipated increase in visitor use will occur in or near areas occupied by nesting piping plovers, or will result in indirect or cumulative impacts to the species, an assessment of potential impacts will be required to ensure that increased visitor use will not adversely affect piping plover nesting at the Sandy Hook Unit.

### Northeastern Beach Tiger Beetle

In coordination with the National Park Service, the northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*) has been successfully reintroduced to its historic habitat at Sandy Hook, specifically within North Beach. Northeastern beach tiger beetles inhabit sandy ocean beaches, and, although they may be distributed from the intertidal zone to the dunes depending on life stage, are most often located along the intertidal zone and lower beach just above the mean high tide line. Adults prey and scavenge on amphipods, flies, and other beach arthropods along the water's edge. Eggs are deposited in the mid- to above-high tide drift zone. Larval beetles occur in a relatively narrow band of the upper intertidal to high drift zone, taking nearly two years to develop from eggs to adults. Larvae dig vertical burrows in the sand and wait at the burrow mouth to capture passing prey, primarily small amphipods. The primary threat to the northeastern beach tiger beetle is habitat disturbance and destruction from development, beach stabilization activities, and recreational beach uses including pedestrian and vehicle traffic, all of which affect the larvae. Other threats include spills of oil or other contaminants, pesticide use, natural or human-induced beach erosion, and natural factors such as predation and storms.

According to the information provided, no construction activities are proposed within beach areas; therefore, the Service does not anticipate any adverse impacts to the northeastern beach tiger beetle from proposed construction activities related to adaptive reuse of historic structures, parking lot improvements within Fort Hancock, or associated with the proposed fiber-optic telecommunication and gas lines. However, as with the piping plover, if the anticipated increase in visitor use from the proposed project will result in an increase in visitor use in or near areas occupied by the northeastern beach tiger beetle, an assessment of potential direct, indirect, and cumulative impacts will be required to ensure that increased visitor use will not adversely affect the species.

### Seabeach Amaranth

Several occurrences of seabeach amaranth (*Amaranthus pumilus*), a federally listed (threatened) plant, were recently documented at the Sandy Hook Unit. The seabeach amaranth is an annual plant, endemic to Atlantic coastal beaches, primarily occurring on overwash flats at the accreting ends of barrier beach islands and lower foredunes of non-eroding beaches. The species occasionally establishes small temporary populations in other habitats, including bayside beaches, blowouts in foredunes, and sand and shell material placed as beach replenishment or dredge spoil. The seabeach amaranth appears to be intolerant of competition and does not occur on well-vegetated sites. Threats to the seabeach amaranth include construction of beach stabilization structures, beach erosion and tidal inundation, beach grooming, and destruction by off-road vehicles.

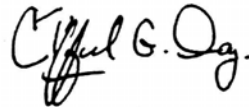
The information provided indicates that no construction activities are proposed within beach areas; therefore, the Service does not anticipate any direct adverse impacts to seabeach amaranth from proposed construction activities related to adaptive reuse of historic structures, parking lot improvements within Fort Hancock, or associated with the proposed fiber-optic telecommunication and gas lines. However, if the anticipated increase in visitor use from the

proposed project will result in an increase in visitor use in or near areas with occurrence of seabeach amaranth, an assessment of potential direct, indirect, and cumulative impacts will be required to ensure that increased visitor use will not adversely affect the species.

If work is proposed within piping plover nesting areas during the nesting season or if increased public use is anticipated that would adversely affect the piping plover, northeastern beach tiger beetle, or seabeach amaranth, formal consultation pursuant to Section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA) will be required.

Other than the aforementioned species and an occasional transient bald eagle (*Haliaeetus leucocephalus*) or roseate tern (*Sterna dougallii*), no other federally listed or proposed threatened or endangered flora or fauna are known to occur within the vicinity of the project area. Please contact Annette Scherer of my staff at (609) 646-9310, ext. 34 if you have any questions or require further assistance regarding threatened or endangered species.

Sincerely,

A handwritten signature in black ink, appearing to read "Clifford G. Day". The signature is stylized with a large, looped "C" and a long, sweeping underline.

Clifford G. Day  
Supervisor



State of New Jersey

Christine Todd Whitman  
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.  
Commissioner

Division of Fish, Game and Wildlife  
2201 Route 631  
Woodbine, NJ 08270  
Robert McDowell, Director  
Visit our website: [www.state.nj.us/dep/fgw](http://www.state.nj.us/dep/fgw)  
29 January, 2001

Mr. Russel J. Wilson  
Sandy Hook Unit  
Gateway National Recreation Area  
PO Box 530  
Fort Hancock, NJ 07732

RE: Plan for Osprey nesting at Fort Hancock district

Dear Mr. Wilson:

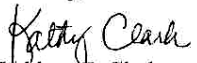
I have reviewed your plan, dated December 20, 2000, to maintain osprey nesting during and after rehabilitation of buildings at Fort Hancock. I understand the specific terms to be these:

1. Repair of five existing (but unused) nest structures (P3, P6, P7, P9, P11);
2. Installation of four new nest structures, at locations sufficiently distant from regular human use;
3. Adaptation of utility poles where suitable, once the poles are abandoned for their current use;
4. Removal of existing nest materials from chimneys (C15, C16, C17) before April 1, 2001 *or* after August 15, 2001 (i.e., no nest removals or disturbance during the nesting season).

Your plan should be successful in accommodating and improving osprey nesting and nest success on Sandy Hook, and is acceptable to us.

The height of the nest relative to surrounding vegetation and distance from human use areas are the main factors influencing osprey use of new nests. If you like, you may consult with us when you select specific locations for new nests; my number is (609) 628-2103, and email is [KClark@nwip.net](mailto:KClark@nwip.net). I appreciate the opportunity to review this plan.

Sincerely,

  
Kathleen E. Clark  
Principal Zoologist  
Endangered and Nongame Species Program



## State of New Jersey

DEPARTMENT OF TRANSPORTATION  
1035 Parkway Avenue  
PO Box 600  
Trenton, New Jersey 08625-0600

James E. McGreevey  
*Governor*

February 27, 2003

Mr. Russel Wilson  
Superintendent  
National Park Service – Sandy Hook Unit  
P.O. Box 530  
Fort Hancock, New Jersey 07732

Re: Gateway Village Rehabilitation Project at  
Fort Hancock and the Sandy Hook Proving Ground  
Monmouth County  
Traffic Study for Draft Environmental Assessment

Dear Mr. Wilson:

This is in reference to the Traffic Study for the Draft Environmental Assessment (EA) submitted by your office for the New Jersey Department of Transportation's (NJDOT) review. As advised by our Bureau of Major Access Permit, the current NJDOT Access Code does not require the National Park Service to mitigate the problem on Route 36 at Broad Street based on the following reasons:

1. The access from Route 36 to Fort Hancock at Sandy Hook is via a **street**, not a **driveway**. While we might require traffic study and highway mitigation for increased volumes on a **driveway**, under the Access Code, there are no such requirements for **streets**. Accordingly, the NJDOT has no authority, under the Access Code, to regulate and require mitigation for increased traffic associated with **street** access to Fort Hancock.
2. The traffic impact is approximately 17 miles away from the site of the increased development, as practical matter, mitigation by the National Park Service is not required.

If you have any questions, please call Atul Shah at 530-2475.

Sincerely yours,

Steve Lavelle  
Program Manager  
NJDOT

AS:JP

Enclosure

cc: Atul Shah  
Howard Zahn

MAR 3 2003



State of New Jersey

Department of Environmental Protection

James E. McGreevey  
Governor

Bradley M. Campbell  
Commissioner

Office of Coastal Planning & Program Coordination

PO Box 418

Trenton, NJ 08625-0418

Phone 609-292-2662

Fax 609-292-4608

[lschmidt@dep.state.nj.us](mailto:lschmidt@dep.state.nj.us)

May 15, 2002

Superintendent  
Sandy Hook Unit  
Gateway National Recreation Area  
PO Box 530  
Fort Hancock, NJ 07732

RE: **EA Comments - Adaptive Use of Fort Hancock and Sandy Hook  
Proving Ground Historic District**

Dear Superintendent:

The Office of Coastal Planning and Program Coordination of the New Jersey Department of Environmental Protection (NJDEP) has completed its review of the Environmental Assessment (EA) for the Adaptive Use of Fort Hancock and the Sandy Hook Proving Ground Historic District. We offer the following comments for your consideration regarding cultural resources, natural resources, consistency with the Rules on Coastal Zone Management of New Jersey and environmental assessment review coordination.

**CULTURAL RESOURCES**

The NJDEP's Historic Preservation Office (HPO) has been working with the National Park Service (NPS) to ensure the preservation of the historic fabric and character of Fort Hancock and the Sandy Hook Proving Ground District. The HPO fully endorses the proposed action of the EA, the rehabilitation alternative.

The buildings and structures of Fort Hancock and the Sandy Hook Proving Ground Historic District (Sandy Hook District) are nationally significant, and have been designated a National Historic Landmark (one of only 53 National Historic Landmarks in New Jersey). The historic character of Fort Hancock is largely defined by grouping of buildings that define the edge of the parade grounds. As a group, the buildings of Fort Hancock create a unique sense of place. To lose some individual buildings, will not only be the loss of the particular building, but will endanger the character of the whole.



The HPO concurs that the No Action alternative will result in the loss of significant elements of the Sandy Hook District. Under the No Action alternative there will be continued loss of building fabric which will adversely effect this National Historic Landmark. The HPO knows that the NPS will, as it has done, try to stem the flow of deterioration. The HPO also knows that despite their best efforts, that deterioration will continue. The missing porches, and the elaborate tin cornices which have been replaced with flat boards, are harbingers of the No Action future. The NPS will continue, to lose buildings, and eventually the sense of Fort Hancock and the Proving Ground that exists today. Buildings, such as the Officers Club, which is already in partial structural failure, will not last long if no action is taken.

In the field of historic preservation it is well known that the presence of people is essential to the efficient preservation of buildings. People living and working in buildings see what is going wrong before it becomes visible on the outside of the building. As a result, small problems are fixed before they become large problems, which substantially lowers the cost of repairs. Moreover, the ongoing use of a building creates an immediate need to make repairs, rather than putting them somewhere on a long list of maintenance needs.

A public private partnership is the only available vehicle to save this National Historic Landmark. Public money is not, and in the judgement of the HPO, will not be available to undertake the necessary rehabilitation. Even with a private developer rehabilitating 36 of the historic buildings, the NPS will find it challenging to keep up with the restoration and rehabilitation needs of the other 164 buildings and structures of the Sandy Hook District. In evaluating any such public private partnership it is essential to be sure that the interests of the public (as protected by the NPS) and the private interest are a good fit. There must be shared goals and understandings to ensure that the needs of the private partner do not conflict with protecting our natural and environmental heritage.

The NPS has done extensive pre-lease preparation, as reflected in the *Fort Hancock Rehabilitation Guidelines*, the *Sandy Hook Historic Structures Paint Plan*, the *Fort Hancock Sign Plan*, and the *Cultural Landscape Report Volume 3, Statement of Management Philosophy*. All of these documents define, and then control and limit how the site will be developed, and ultimately determine what it will be like to be in the Fort Hancock and the Proving Ground when the project is complete. The developer understands and is bound by these documents. Moreover, the preservation of the historic and natural resource is the developers concern. Without the historic character and significance of the buildings, the natural uniqueness of the Sandy Hook, the buildings of Fort Hancock are simple a very hard to get to, and expensive to rehabilitate and operate, set of buildings. It is in the developers interest to preserve the natural and historic resources of Sandy Hook.

The Rehabilitation Alternative includes two options. Both rehabilitation options require conformance with the Standards of Rehabilitation of the Secretary of the Interior. The second option will be more challenging to execute. Some buildings, such as the Officer's Club which was originally part of the Proving Ground and later part of Fort Hancock, will be difficult to restore to the Proving Ground era because of changes that occurred to the building during the Fort Hancock era period of significance. For example, to justify restoration of the missing porch one would need to show that the porch and the Fort Hancock era additions existed at the same time. If the Officer's Club is returned to its red brick appearance to visually link it to the Proving Ground, it will be left with the yellow brick rear addition from its Fort Hancock period.

In general terms, the rehabilitation of buildings described in Appendix A is appropriate. Final review of the rehabilitation of individual buildings can only be made on a case by case basis when detailed information about the remaining historic fabric of each building is submitted. As currently proposed, the information will be submitted as part of the developers application for the Historic Preservation Tax Incentives.

Please contact Dan Saunders (609-633-2397) of the HPO if you have any questions regarding the above comments.

## **NATURAL RESOURCES**

The NJDEP's Division of Fish and Wildlife (DFW) and their Endangered and Non-Game Species Program (ENSP) Bureau concerns are directed to the following specific impact areas.

### **Piping Plovers**

The DFW and their ENSP Bureau look forward to the continuing work with the NPS with this specie. The timing restrictions of 4/1 - 8/15 with a 100 yard buffer from nesting habitat will continue where appropriate.

### **Ospreys**

The DFW and their ENSP Bureau look forward to the continuing work with the NPS with this specie. The timing restriction of 4/1 - 7/30 with a 1000 foot buffer (where appropriate) from nesting sites will continue.

### **Least Terns**

The DFW and their ENSP Bureau will continue to work with this specie and address their concerns with the proposed sand-slurry pipeline. The specie has a timing restriction of 4/15 - 8/31 and it may be extended in large nesting colonies with a 100 yard buffer from nesting habitat where appropriate.