

# Cape Hatteras National Seashore

## Public Scoping for Interim Protected Species Management Strategy/Environmental Assessment



# Purpose and Objectives of Public Scoping Meeting

- Explain **planning process and timeline**
- Share information from internal scoping: purpose, need, objectives, and issues
- Share what we heard from you at the informational meetings
- Receive your comments



# Interim Protected Species Management Strategy/Environmental Assessment Planning Process

YOU ARE HERE →

NOVEMBER  
2005

DECEMBER  
2005

JANUARY-  
FEBRUARY  
2006

MARCH  
2006

## **Internal Scoping**

Identify purpose, needs, and objectives  
Identify issues

## **Public Scoping**

Solicit public input, especially on issues and ideas for alternatives

## **Create Alternatives**

NPS reviews comments received from the public and other agencies; develops a full range of reasonable alternatives

## **Impact Analysis**

NPS analyzes the impacts of alternatives on the affected environment, including socioeconomic impacts and impacts on park visitors

## **Prepare EA/Consult with U.S. Fish & Wildlife Service**

NPS revises alternatives as needed to reduce or mitigate adverse impacts and prepares the EA; NPS consults with Fish & Wildlife Service on the preferred alternative and biological assessment (biological assessment is analysis prepared to determine whether the preferred alternative is likely to adversely affect listed species)

## **Public Review**

Interim Strategy/EA distributed for 30-day public review

## **Decision**

NPS analyzes public comments; corrects or adds factual information to the EA or in errata sheets; prepares Finding of No Significant Impact (FONSI) for Regional Director's signature. FONSI states which alternative has been selected for implementation and explains the rationale for its selection

# Relation of Interim Strategy and ORV Plan

- **The Interim Strategy**
  - is a 7-month process
  - focuses on protected species management
  - Will be considered during the ORV Plan development but may be changed based on information discussed during development of the plan
- **The ORV Plan and Regulation**
  - is a 3-year process
  - will consider all aspects of ORV use on the seashore, not just its relation to protected species management
  - May be developed via negotiated rulemaking with an advisory committee to develop the regulation along with public involvement

# National Environmental Policy Act (NEPA) Planning Process

- First step is to develop the Purpose, Need, and Objectives for taking action and to Identify Issues
- You can find them in the flyer for this meeting and on the posters around the room.

# Purpose of Action

- The purpose is a broad goal statement. It tells readers what the proposal or its alternatives intends to accomplish by taking action



# Purpose

- To evaluate and implement strategies to protect sensitive species and provide for recreational use as directed in the enabling legislation, NPS management policies, and other laws and mandates until the long-term ORV Management Plan is developed.



# Need for Action

NEED is the proper framing of the question  
“WHY take action now?”

It is a “BECAUSE” statement



# Action is needed now because:

- A clear and consistent set of management strategies is needed. The lack of an approved strategy over time has led to inconsistent management of protected species and created confusion for both the public and park staff.
- A management strategy on which to consult USFWS under Section 7 of the ESA is necessary.

- A management strategy is needed that complies with the ESA, Migratory Bird Treaty Act (MBTA), NPS management policies, and park enabling legislation, and avoids adverse effects to protected species.
- Public concerns about species management and recreational use must be addressed immediately.

# Objectives

- OBJECTIVES are smaller goals that must all be met in large part for the strategy to be considered a success.
- We've developed 5 categories of OBJECTIVES for the strategy—

# Objectives

- Management Methodology
- Civic Engagement
- Visitor Use and Experience
- Threatened, Endangered, and Other Protected Species
- Park Operations



# Management Methodology Objectives

- Establish adaptive interim management practices and procedures that have the ability to respond to changes in the Seashore's dynamic physical and biological environment
- Establish procedures for prompt and efficient public notification of protected species management actions and the reasons for these actions

# Civic Engagement Objective

- Establish an ongoing and meaningful dialogue with the multiple publics interested in and affected by protected species management to ensure development of an implementable strategy.



# Visitor Use and Experience Objectives

- Provide for continued recreational use and access consistent with required management of protected species.
- Increase opportunities for public awareness and understanding of NPS resource management and visitor use policies and responsibilities as they pertain to the Seashore and protected species management.

# Threatened, Endangered, and other Protected Species Objectives

- Provide threatened, endangered, and other protected species and their habitats protection from adverse impacts related to recreational uses as required by laws and polices such as the MBTA, ESA, and NPS management policies
- Consult with USFWS to ensure that NPS management actions comply with the requirements of the ESA



# Park Operations Objective

- Provide for effective protected species management while maintaining other park operations



# Issues

- In NPS NEPA planning, “issues” often describe concerns or obstacles to accomplishing the objectives.
- Issue statements describe the relationship between action elements that could be taken and the environmental (natural, cultural, and socioeconomic) resources

# Issues Identified

- **Visitor Use and Experience:** Management of protected species could result in adverse and beneficial changes to visitor use and experience.
- **Economy of Communities within the Seashore:** Management of protected species could affect the local and regional economy.
- **Local Commercial Fishing Activities:** Management of protected species could affect access for commercial fishing.

- **Federally Listed Threatened and Endangered Species:** Recreational activities at the Seashore could impact federally threatened or endangered species and their habitat, on the beach and soundside of the Seashore. Conflicts between the listed species and recreational use could create direct or indirect losses to the species.
- **Other Sensitive Species:** Habitat for American oystercatcher and other locally sensitive species, as well as species listed by the State of North Carolina, may be vulnerable to recreational uses.

# Issues Identified

- **Soundscapes:** Recreational activities at the Seashore could create noise that could impact protected species by altering the natural quiet and sounds of the Seashore.
- **Wetlands:** Human activities in wetland areas could adversely affect wetlands including moist substrate habitat, ephemeral ponds, and other habitat important to protected species.

# Issues Identified

- **Coastal Barrier Ecosystem:**

Natural processes such as hurricanes and other storm events may create habitat for protected species resulting in conflicts between management of the area as habitat and management of the area for recreation.

# Alternatives

- A full range of reasonable alternatives is required in an Environmental Assessment.
- Where Purpose and Need define “the problems,” Alternatives are different ways to solve them, i.e. they meet the purpose and objectives while resolving need and issues.
- They are all within stated constraints, including NPS policies.
- Each should minimize impacts to all or several resources.

- Alternatives are the “heart” of the NEPA environmental planning process
- Alternatives provide real options for decision makers.
- They require a creative approach
- They are based on environmental, rather than technical, logistic or economical differences.
- They must be reasonable.

# Reasonable Alternatives

- Economically feasible
- Display common sense
- Meet the objectives of taking action
- Technically feasible
- Not necessarily the cheapest or easiest solution



# How Alternatives Are Developed

**Review of NPS Organic Act, NPS Management Policies, Other Related Federal Requirements**



**Review of Park's Enabling Legislation, Cape Hatteras Purpose and its Significance**



**Develop Purpose, Need, and Objectives for the Interim Protected Species Management Strategy**



**Develop Range of Alternatives based on Federal Laws and Policies, Public Input, Science, and Practical Management Experience**



## **Alternative A**

### **No Action Alternative (2004 Practices)**

Continue 2004 management, provides a baseline for comparison with other alternatives

## **Alternative B**

### **Under Development**

Elements of A with improved year-round PIPLI protection and monitoring

## **Alternative C**

### **Under Development**

Elements of A and B with Improved breeding son protection and more monitoring to fine tune closures

## **Alternative D**

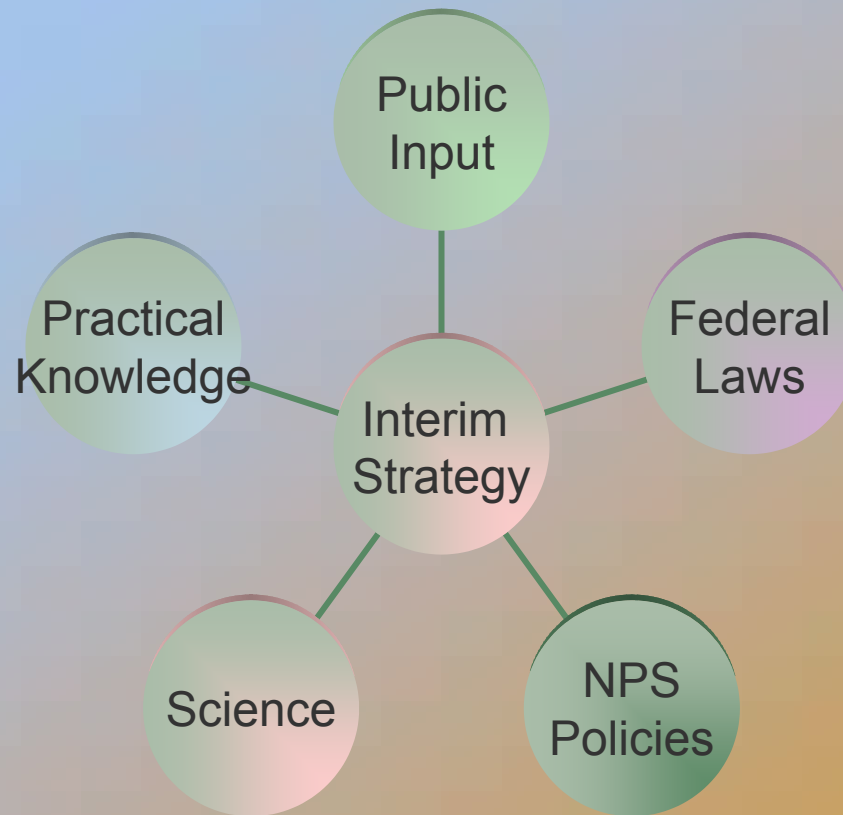
### **Under Development**

Similar to A with more monitoring and addition of an improved escort system

## **Other Alternatives ?**

## **Other Alternatives ?**

# How Alternatives Are Developed



# All Reasonable Alternatives?

- When there are many alternatives that could be analyzed, choose a few that cover the **full spectrum** for options.
- It is the range of alternatives that is most important, rather than the number.

# Alternatives

- Must include: “**No Action**”; which means no further management actions beyond the baseline (2004 management). In other words, 2004 management continued during the interim period.



# What We Heard from You at the Informational Meetings

- Held informational and listening sessions last month
- Heard range of comments relative to
  - Effect of interim strategy on ORV access
  - Effect of interim strategy on species protection
  - 2005 Escort system
  - Turtle management
  - Economic impacts
  - Other management practice suggestions
- We will consider this input along with public scoping input as interim strategy developed
- Some of what we've heard can not be addressed in interim but will be considered in longer term ORV management

# How to Provide Comments during Public Scoping

- Accepting comments tonight via open house and public hearing
- Comments must be received by **November 17, 2005**
- You can submit comments directly on-line on the NPS Planning, Environment, and Public Comment (PEPC) website at <http://parkplanning.nps.gov/CAHA>

# How to Provide Comments during Public Scoping

- Written comments may be submitted to:  
**Superintendent, Outer Banks  
Group**  
**1401 National Park Drive**  
**Manteo, NC 27954**
- Please include your full name, mailing address, and e-mail address so that we may add you to the project mailing list. Comments must be received by November 17, 2005.

# Please keep in mind...

- ...longer term ORV management will be handled by a regulation development process and environmental impact statement-opportunity for input into that process will be announced in coming months