



CAHA Conference Call 2.8.05

I. Action items from last call

- a. Jami will send Jeff PEPC online training info, Jeff will take training. Mary took training, Jeff couldn't get in, will try again. Jami assigned admin rights to Mary in the interim. Can Steve Harrison get in as well? Jami has not entered him, but he is in as the NHPA specialist, but doesn't mean he is in the system. Jeff will continue to try to take training. Mary will act as PEPC administrator in the interim.
- b. Sandy will post full description of CAHA ORV project on internal PEPC site. May be able to post something from the briefing statements, Sandy and Mary will work on this, hopefully Friday.
- c. John Anglin from CAHA will get remaining basic info on types of vehicles, whether diesel or not, amount of time spent driving on beach, etc. as a data needed item. (waiting on call with Butch Street). Sandy has left Butch a message and sent him information. May set up time to get together on call next week, to resolve what we need to do with the counters, and if they'll pay for one of them, and how to lay them out to get information we should use. We'll want Lianna Reilly on the call as well from ARD. Some of the info we'll need isn't available from a counter – esp. diesels vs. non-diesels – need at least rudimentary info to determine how far to investigate air quality issue. ARD would design an air sampling for CAHA. Even with a video camera you'd have to look up each passing. Steve faxed a proposal on where they would put the counters – EQD didn't receive it. Steve will refax it. Sandy will set up call with Park, EQD, and Butch Street, and Lianna Reilly. Steve will fax proposals on where to put counters to EQD.
- d. Larry will contact Paul Hoffman and discuss making dates realistic. Will try to find more efficient way to shepherd through NOI's, NOA's as well to speed up process. Jerry Case is walking a letter to Paul Hoffman. He'll go through it with Paul, but hasn't yet. Larry also says that last week had a visit from Mike Snyder and regional director. It was basically a Friday session, and talked all morning with them. Going to do some organizational changes. District Rangers at Ocracoke will be like mini-sup's. And, an outreach plan will be drafted as well. Snyder recommended _____ Tricket, who worked on an issue at Glacier & Watertown Park, and has experience with facilitation and negotiation. SOP's to define efforts. Refine policies on how to get public involvement in decision-making and more briefing papers, and public involvement on development of protocols (something in addition to scientific peer review). Also, DC wants more briefings. Once protocols are done, will use public involvement to modify the protocols plan. Won't be done until June at the earliest. This would be in place until final plan. Is public involvement opening up for public comment on the entire plan, or protocols? Larry – just on the protocols. This is an adaptive mgmt. approach. Sandy – if we

get beyond modification of protocols, beyond consultation, then problems. Larry – question is – if we modify it, does that open it up? Sandy – right, if there are many minor modifications of the plan, then we are into two processes at the same time, and do we need to do more. Sandy – what’s the goal of the public involvement for the protocols, and what shape is that taking? Mary – still developing that strategy. Public education and information? Or modification? Is public involvement on the protocols or everything the park does? Larry – everything the park does. Park just needs to keep the community informed on what they are doing. Larry will send out an update from Snyder visit. Will continue to update EQD on protocols, public involvement process, position papers and the like.

- a. Steve and Jeff will finish IDEAS portion of sensor proposal soon and submit to Larry. This is started, just a question of quantity and what Butch says. Hopefully should be out this summer. Park will finish inputting sensors into IDEAS once they get info from Butch Street.
- e. EQD and park will have a separate call with Butch Street who is the NPS statistical guru, on how to make sensors, and other data collection techniques, statistically sound, in two weeks. EQD will set up call with Butch Street in two weeks.
- f. EQD will look at CALO PWC EA as example of trying to measure air quality on seashore. EQD will look at this.
- g. Sherri will update everyone on status of beach nourishment guidelines. This is moving forward, Deputy Regional Director had a number of questions, and we’ve provided answer, so waiting on Deputy and Regional Director. Sherri will forward copies on to other parties in regional office... ?
- h. Region representative for reg-neg interviews March 1-2? Mary – need general discussion about NPS approach to those interviews. Jami – Sherri and I can’t attend. Do you want someone from the regional office? How critical is it? Want to make sure it is value added. Mary – b/c only one interviewee per party, we may only want one person at the table. Sherri – I’m fine with that. But, if many stakeholder groups, may need more NPS reps. Sandy – Eng suggests 2-3 folks. Plus, starts off process that the issue goes beyond the local area, and that there is involvement on different levels. Content-wise, interviewees can provide background, etc., and we can settle on whether or not they are technically-qualified. Mary – discussion with Eng about NPS participation in interview process? Eng – 2-3 people on panel asking questions, but no limit on number of people to observe the process. Eng – they can interview up to four neutral teams per day. Wed. morning he’ll get together with NPS and they will try to come to an agreement on who the neutral should be. Mary would like to know more details. Sandy will talk to Eng about the interview process in more detail. May be OK for just one person from CAHA and one person from EQD. Sandy will talk to Mary about this.

II. Update on reg-neg process

- a. interviews (Mar 1-2)
 - i. review interview questions Sandy sent out on 1.28.05 – may need to wait to get technical proposals, b/c some of the questions will be specific to the proposals. Mary – we were going to get together as a group later this month and brainstorm questions. Sandy will ask Eng when we'll get the proposals, and if we can get them before the interviews. Regional office may have questions too. Jeff – will this be a template? Not necessarily – if proposals vary then questions may be different. Jeff sent an email to Eng on how many would be coming, and he said that four would be there for the interviews, and that the rest would correspond through email. NEXT CALL SHOULD BE DEVOTED TO GOING THROUGH THE INTERVIEW PROCESS QUESTIONS, ASSUMING WE HAVE THE PROPOSALS FROM ENG BEFORE THAT. OTHERWISE, A SEPARATE CALL, OR GET TOGETHER ON THE MONDAY AFTERNOON BEFORE THE INTERVIEWS.
 - ii. logistics – park is coordinating this. Who pays for a room? Huge hassle to go through IDEAS to pay for discreet items. Not worth time it takes. Eng will pay for some of those things, and EQD will transfer money as needed. Jeff should talk to Eng about what rooms to use, price, and reservation info. Sandy will send email to remind him as well. Could also go through the park, which might be easier too. Mary - Going to try to set up these meetings on the seashore, instead of at park headquarters...that would be significant for the locals too.
 - iii. date for selection set for second day – Based on consensus agreement b/t the park and the institute. Stakeholders only get technical proposals, NPS and Institute gets cost and technical proposals.
- b. orientation (Mar. 17-18)
 - i. logistics: room, participants, agenda: defer orientation of potential stakeholders until committee established? EQD's thought is that if there are a lot of park staff interested, then do another official training for stakeholders later, rather than try and put them all together. Jeff – so, two diff. trainings on the same subject. Sandy – I understand that on the 17th we would have an orientation session with the neutral – including protocols for the interviews, introduction for the situation at the park, etc. The 18th would consist of training for the neutrals, and any park staff interested in coming should also come along, assuming a room is big enough. The more people understanding both processes the better. But not designed to be a substitute for the regular NEPA training, b/c it covers the entire process – including CE's, EA's, etc., whereas this is very focused on EIS process. But could still be helpful. Mary – what else is covered? Sandy – time spent talking about other enviro statement memoranda, EO on public participation, DO-75A

– civic engagement, other things Mary thinks would be helpful. Sandy – we’re thinking not to include the interested parties b/c we don’t have the people sitting on the committee identified yet, it will be a bit iffy to invite only a part of the public, so orientation for park staff and neutrals will be a bit different than that we do with the public, and with the public it is focused more on how they participate. Thus, right now thinking that if we want to do something for the stakeholders, best to do something the day before or the day after for a few hours – i.e. how to participate in the ADR process. Set up in the contract with the Institute, they will do a day of training with the committee members before the first committee meeting. This would be a good introduction with NEPA. But, 17th is NPS & Neutrals, and 18th would be neutrals and park staff. Jeff – but don’t talk to stakeholders until FACA committee meets? Sandy – as far as NEPA yes, but there is a provision for a public meeting to discuss the feasibility assessment. Mary – read Coastal Times article – about conflict resolution for beach driving proposed, and one of the things it states in there is that there will be a public meeting in June – Sandy – I think this is the feasibility assessment meeting. CAHA OK with this approach. Plus, DO-12 training in Atlanta and GWMP week of May 9.

- ii. TV Show – EQD will start working on goals for doing a segment. We’ll send those out before the next meeting.
 - iii. Reference notebook of materials? EQD will prepare this to focus on EIS process and negotiation process.
- c. news release? – park will place info on public PEPC site once the park has taken the online training. Thus waiting on My Learning Manager.

III. Update on NEPA process

- a. internal scoping report – Park and region will comment on draft internal scoping report once received from LB. Will do so using PEPC internal comment and review process. EQD will talk to LB today. Can everyone on the park access PEPC? No, just My Learning Manager. EQD will send park info on entering public comments – Step 6.
- b. notice of intent, briefing statement – Park, EQD decided to release NOI for public scoping in place of the ANPR. EQD will write and send – draft will be done by Wed. CAHA will get it by Friday.
- c. ESF data needed items (from internal scoping meeting)
 - i. EQD and park will have separate call on air quality info needed either with Lianna Reilly or Aaron Worstell. Sherri Fields/SERO will also be on this call.
 - ii. Review ESF for past data items needed. See Lori Gutman’s 1.25.05 email
 - 1. Water quality: issue dealt with submerge vehicles, releasing oil, etc. CAHA will get number of submerged

vehicles every year, and EQD (Michael) will talk to WRD to see if this is really an issue.

2. Rare or unusual vegetation, old-growth timber, riparian, alpine: We may already have this with Sea Beach Amaranth data – this is the only one we monitor for (also this is under species of special concern). Also, maritime forest – Buxton Woods is a unique ecosystem. Not an issue so long as no alts propose to open it. Then there would be impacts under this item. No dune driving, but there are a series of roads that go through the dunes. In order to establish roads/zones to certain areas, had to drive through the dunes. Blue Dune Curles – this is state listed. CAHA will forward information above to Lori to put into the internal scoping report.
3. Unique or important fish habitat: this is a weird one, not sure how driving would impact this. Perhaps water quality, but impacts to fish directly, see it as a no. EQD will check with WRD again or BRMD. Sandy – thinks it might be an impact due to erosion, or configuration of offshore habitat changing.
4. Introduce or promote nonnative species (plant or animal): talk about seeds or vegetative parts being carried in on tires. Or dogs running loose, or walking on leash even. Could be a problem with horses as well. What about invasive plants? CAHA – Steve will check with Marcia to see whether there are invasive plants.
5. Cultural resources, including cultural landscapes, ethnographic resources: shipwrecks, archeological sites, and landscapes. Steve – ethnographic study – have draft info on this, expecting final study sometime this spring. Possible impact here from ORV's is that a) it gives easier access and b) they are able to carry off large chunks of wood. Also, driving on a shipwreck is an issue as well. CAHA tries to post these areas, but not always possible, b/c at low tide they may be exposed, but not at high tide. If far enough up the beach they get marked, or will be covered up with sand. Archeological sites – CAHA will get a list of these sites and forward to EQD, LB. CAHA will get this info from SEAC and the state archeologist. Need gross numbers, but won't disclose where they are. Steve – generally aren't archeo sites on ocean side, but perhaps on sound side.
6. Minority and low-income populations, ethnography, size, migration patterns, etc.: There are low-income pops, right, but are they the ORV drivers? Yes, the ones doing subsistence fishing. Probably not a great deal of that.

Commercial fishermen – some might qualify as a low-income population. This might be fed into the contract with Bruce Peacock on the economic impact analysis. EQD will move this into data needed column, and wait on Bruce's study.

7. Resource, including energy, conservation potential: EQD could estimate how many folks are driving based on the counters.
8. Urban quality, gateway communities, etc.: EQD will get the definition of gateway communities.
9. Have material adverse effects on public health or safety: probably not – assuming plan would not approve such an alternative.
10. Have adverse effects on properties listed or eligible for listing on NRHP --- Little Kinnekeet Lifesaving Station might be eligible. There are 3 structures, and park is planning to restore them. Probably had a SHPO consultation at some time in the past. Impact would be to the landscape and visitor experience, not to the structure itself. Park has one cultural landscape study done for lighthouse area, but needs a more updated one. CAHA will send EQD, LB any info on past consultation for Kinnekeet Lifesaving Station AND the cultural landscape study. CAHA will send PMIS number for this report as well. GONG TO MOVE THIS CATEGORY INTO YES.
11. Have a disproportionate, significant adverse effect on low income or minority populations: Park thinks no based on “disproportionate” and “significant” language.
12. Contribute to the intro, continued existence, or spread of federally listed noxious weeds: see above, Steve will check with Marcia.
13. Contribute to the introduction, continued existence, or spread of non-native invasive species or actions that may promote the introduction, growth or expansion of the range of nonnative invasive species: see above.
14. Require a permit from a federal, state, or local agency to proceed, unless the agency from which the permit is required agrees that a CE is appropriate. a) Ramp construction would need a permit under CAMA. b) state water permits or lack thereof for ditches dug in beach to drain water – this was more for the Division of Water Quality. LB WILL MOVE THIS TO YES CATEGORY.
15. Have the potential to violate the NPS Organic Act by impairing park resources or values: Yes, due to wildlife being run over. But, is this impairment? Mary – but look at number A – we aren't going to develop a plan that

violates the Organic Act... There are things that do have the potential for impairment, but we don't intend to do it. Leave it as data needed b/c have to do impairment determination anyway. Visitor experience, park operations, and socioeconomics don't get impairment determination.

- d. dates for public scoping meetings – Tentatively scheduled for end of May or beginning of June. More discussion on logistics to come. See Jami Hammond's 1.25.05 email for more on group participation techniques. Still on track for end of May. Meeting on purpose, need, and objectives, then another round for the alternatives? But, don't want to get too far ahead of the reg-neg process. Thus, can have public meeting on just the problem, what park has done so far with monitoring, data collection, purpose, need, objectives ID'd too. And, folks still wanted to give background info on the alternatives. Drawback is that you don't get as much focused input as if you already had a set. And this is before the DEIS. CAHA – we definitely need two public meetings. Good to have an open-ended first meeting, then a second meeting on the alt's. Mary – we used a similar technique on the commercial service plan. Not a hearing, just an open-house. Presentations are good if there is a significant amount of data describing what the problem is, thus want the public a chance to understand what the problem is. But, if crowd is unmanageable, probably not a good idea. Steve – described DOT public meeting that didn't describe the process. Impt. to describe the process first!!! Mary – but we have a public newsletter or scoping brochure that explains the process there. When we have done these presentations, it has been a two-part thing. 1) what the research data shows, and 2) what NEPA process is and focusing just on process that we are in. Mary – how many meetings, and where? Regional meetings? Sandy – we've done these, but depends on where the audience is going to be. ND – did these in 4-5 different cities spread all around the state. Catocin – only did one next to the park. Mary will look at CAHA statistics on visitors to determine where visitors are from, and where should have these meetings, and will provide it in next week or two.. Sandy – we need this info in the next week or two in order to write Phase II of this contract! This goes through the camera-ready draft of the EIS. So, would be two sets of public meetings. 1st is public scoping, 2nd is alternatives workshop.
- e. public participation plan (scoping brochure, newsletters, ?) – heavy emphasis will be placed on this plan; park will use PEPC from the get-go. CAHA will get number of meetings and where.
- f. schedule for next steps – Park and EQD needs to come up with a detailed NEPA schedule. EQD and park will put together more detailed NEPA schedule next Thursday the 17th. EQD will put a draft together before then.

g. any remaining document gathering / action items - - see below

IV. Petition Response Letter

a. All agree 4th draft OK. Will go back to WASO for review.

V. Status of document/info gathering

a. WAITING ON NOW

- i. COE studies related to Woods Hole –What are these studies about? Lori – this had to do with COE and beach nourishment. Sandy will assign intern to call.
- ii. CAHA Beach Nourishment Guidelines – park will send once DC reviews. Updates from region? Sherri continues to monitor.
- iii. CAHA fly-over photos from NCDOT – Jeff going to Raleigh to look at these.
- iv. Names and content of GIS files to determine if there is other info that could be used to describe environment and baseline, EX: habitat maps. (Jeff estimates will have this by end of Feb.). Jeff just sent out an email of partial summary of file extensions, but don't know significance yet. Have LIDAR files – this is topographic surveying...but can use it to determine their speed. There is a sampling of all the directories. Jami will have their region specialist, Christy Carol, look at the list – and she will call Jeff.
- v. Vehicle counters update – see above
- vi. Oil spill recovery plan – EQD will check with Coast Guard to see if there is a plan under the OPA - Your area is covered by Hampden Roads plan, but Sandy left a message with respect to that plan, to see about getting a copy of it. EQD pending.
- vii. Research permits – print off investigator reports that have been filed on relevant studies - EQD will continue to work on this. There are several permits that seem relevant, so we want to see what these results are. EQD will assign intern to do this. EQD will continue working on this.
- viii. More air quality info? see above
- ix. Vehicle info apart from spot counts by rangers – Jeff will check to see if there is info from the 1980's by the next call.

b. RECEIVED since last call

- i. CAHA Bird Plan Draft
- ii. Outer Banks Visitors Bureau – 2002 Conversion Research
- iii. NC State study on American Oystercatcher (draft)
- iv. AVM Conservation Study draft
- v. Local ORV regs powerpoint/video

c. PENDING COMPLETION OF DOCUMENT/STUDY

- i. VIM ecosystem study – Steve – once it is completed
- ii. CAHA ethnographic study – date of completion? Sandy will call Tony Paredes – Per Jami - Tony Paredes expects the final Ethnographic Study report by May - June 2005. Need study when completed.
- iii. Cape Point Water Management Plan – Sandy has sent PMIS statement minus budget info to Dana (project will be approved by park next week and go to regional office for review). – CAHA will check with Steve Harrison on this. Who does this go through in the region? With Sherri? Not sure.
- iv. OBPA informal visitor use survey – waiting on final survey from John Crouch (already have executive summary)
- v. CAHA Transportation Study – target date for completion is June 2005, final in August/Sept. 2005
- vi. CAHA Protocols for listed species – park will provide once completed by USGS in June 2005 – Steve
- vii. Evaluation of park GIS database
- viii. Commercial Services Plan – Jeff –Jami spoke with Henry Benedetti regarding the Commercial Services Plan and he said that Parsons is working on the EA now and they hope to have the plan and EA complete (FONSI signed) by July of this year.
- ix. Comprehensive Interpretation Plan – both what it is and when developed –Jeff will keep us informed on what is going on with the new CIP. Target date for completion is 2006

d. UPDATE ON RESEARCH ITEMS FROM LAST MEETING

- i. Primitive Wilderness research – EQD in progress
- ii. ADA/Wilderness research – EQD in progress (waiting on “primitive wilderness” research to finalize response, but have initial determination of how ADA applies to officially-designated or proposed Wilderness)
- iii. Marine Mammal Protection Act & ORV use – EQD in progress
- iv. CZMA/CAMA – EQD in progress
- v. Migratory Bird Act & ORV’s – EQD in progress
- vi. RS 2477 – done. Jim looked at the legislation. Conclusion is that it doesn’t apply if we understand correctly that the land at CAHA was never in federal ownership before it came to the park, but was always in state or private ownership. RS-2477 only applies to land previously in federal ownership. Mostly a western issue with unreserved BLM land, where roads were created before the land was reserved.

VI. Other

- a. Current schedule – timeline that CAHA has, we need to have this updated. EQD will send a current timeline.

VII. **Next call** FEB. 22, 9:30 am eastern, 7:30 am mtn. time