From: Cyndy Holda
To: Sherri Fields
Cc: Mike Murray; Sandra Hamilton
Subject: Re: Fw: Patuxent Protocols
Date: 03/19/2010 08:49 AM

To All:

Just spoke with A.B. again.....
she'll copy me on her response back to Irene Nolan.

In addition, basically, A.B. spoke with the lead scientist of the protocol document and said:
1) No significant changes to the new version.....added an introduction but no other changes
2) The new version will be published (hopefully) within two weeks
3) When published, the new version will be made available to the public on the USGS website.

A.B. will send me a link to their website when it is published.

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Email: cyndy_holda@nps.gov

▼ Sherri Fields/Atlanta/NPS

Sherri Fields/Atlanta/NPS
03/19/2010 10:29 AM

To: Cyndy Holda/CAHA/NPS@NPS
cc: Mike Murray/CAHA/NPS@NPS, Sandra Hamilton/DENVER/NPS@NPS
Subject: Re: Fw: Patuxent Protocols

FYI - I spoke with our USGS Regional Exec a couple of days ago about recent inquiries and he conveyed that A.B. is the right person from USGS to be involved in responding to inquiries.
Sherri

Sherri L. Fields
Chief, Science & Natural Resources Division
Southeast Regional Office
National Park Service
(404) 507 - 5807

▼ Cyndy Holda/CAHA/NPS

Cyndy Holda/CAHA/NPS

03/19/2010 10:20 AM

To Mike Murray/CAHA/NPS@NPS
cc Sandra Hamilton/DENVER/NPS@NPS, Sherri Fields/Atlanta/NPS@NPS
Subject Fw: Patuxent Protocols

Mike,
Irene Nolan called me this morning re: Patuxent protocols. She was careful to avoid any connection of her question with the DEIS and just wanted general information about a document. I reminded Irene that NPS was awaiting USGS notification of publication of the document. Irene told me that she had contacted A.B. Wade (my PIO with USGS and here in Feb. for the coastal erosion studies) and asked A.B. for her assistance in obtaining information about the protocols.
I called A.B. and she forwarded this message to me. A.B. is attempting to find out the status of the document for us. She said she would get back to us. She is out of the office this afternoon.....and so am I. We'll deal with it next week. I need to respond to Mr. Mike Donaldson as well when we find out something.

Cyndy M. Holda
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----- Forwarded by Cyndy Holda/CAHA/NPS on 03/19/2010 10:02 AM -----

Anne-Berry Wade/DO/USGS/DOI@USGS

03/19/2010 09:45 AM

To Cyndy Holda/CAHA/NPS@NPS
cc
Subject Fw: Patuxent Protocols

****
A.B. Wade
Eastern Region Communications Chief
703-648-4483 office
703-477-2851 cell
****

----- Forwarded by Anne-Berry Wade/DO/USGS/DOI on 03/19/2010 09:44 AM -----

From: "IRENE C NOLAN" <irenen@mindspring.com>
To: "abwade" <abwade@usgs.gov>
Date: 03/18/2010 03:27 PM
Subject: FW: Re: Patuxent Protocols

AB:
I am looking for more information on this entry in the DEIS on ORV regualtion at Cape Hatteras National Seashore. (It's at the top of page 660 in the acknowledgments.)

Cohen, J.B., R.M. Erwin, J.B. French Jr., J.L. Marion, and J.M. Meyers In press. Recommendations for Management of Endangered Species at Cape Hatteras National
Seashore. U.S. Geological Survey Open-File Report 2009-1262.

You can read Mike Murray's explanation below, but I am seeking more information on what exactly "in press" and "open-file report" mean. My question is -- exactly what is being published? Where is it being published? Has the document changed? If so, in what way?

I am hoping you can suggest someone at USGS who can tell me more about this.

Thanks.

Irene

IRENE NOLAN
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irenen@mindspring.com

> [Original Message]
> From: <Mike_Murray@nps.gov>
> To: <irenen@mindspring.com>
> Cc: Sandra_Hamilton <Sandra_Hamilton@nps.gov>
> Date: 3/12/2010 4:57:23 PM
> Subject: Re: Patuxent Protocols
>
> Hi Irene,
>
> In general, please understand that under the NEPA process once a major
> planning document such as the DEIS is released to the public, NPS does not
> typically provide responses to individual questions about the document
> until the release of the final environmental impact statement (FEIS), at
> which time written responses to substantive comments will be provided as
> part of the FEIS. That said, I hope to assist you in finding the
> information you are seeking.
>
> The USGS protocols are still posted on the NPS PEPC website (under the
> Interim Strategy document list; document name starts with "2006 03Mar
> 02...") at:
>
http://parkplanning.nps.gov/document.cfm?parkID=358&projectId=13331&document
ID=12970
>
> "In press" generally means the reference document is in the process of
> being published. In this case, after the conclusion of the negotiated
> rulemaking process NPS asked USGS to take another look at the protocols
> because of continuing questions about them. I understand that USGS decided

> to integrate the various reports into a single comprehensive document and
> will publish it soon as an "open file report". When we hear it has been
> published and is available from USGS, we will let folks know how to access
> it.
>
> Mike Murray
> Superintendent
> Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
> (w) 252-473-2111, ext. 148
> (c) 252-216-5520
> fax 252-473-2595
>
> CONFIDENTIALITY NOTICE
> This message is intended exclusively for the individual or entity to which
> it is addressed. This communication may contain information that is
> proprietary, privileged or confidential or otherwise legally exempt from
> disclosure.
>
>
>

> "IRENE C NOLAN"

> <irenen@mindspri

> ng.com>
To
> "mike_murray" <mike_murray@nps.gov>

> 03/11/2010 05:30
cc
> PM "Sandra_Hamilton"

> <Sandra_Hamilton@nps.gov>

>
Subject
> Please respond Patuxent Protocols

> to

> irenen@mindsprin

> g.com

>

>

>

>
>
>
>
>
>
>
> Mike,
>
> I went on PEPC Web site a few days ago to try to find "Recommendations for
> Managment of Endangered Species at Cape Hatteras National Seashore," and I
> couldn't find it on the site. Tried a couple times. Finally found it in
a
> link with an archived article in Island Free Press. (Maybe this is
operator
> error!)
>
> Also I notice that in the Reference section of the DEIS on Page 660, there
> are two notations with that entry. One says "in press" and the other says
> "U.S. Geological Survey Open-File Report 2009-1262."
>
> Can you tell me what those notations mean?
>
> Also, I notice that using the old link, the protocols were posted on the

> PEPC site in 2006, but I cannot find a date on the document itself. What
> is the date on the document?
>
> Thanks,
>
> Irene
>
> IRENE NOLAN
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> The Island Free Press
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> Buxton, N.C. 27920
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> irenen@mindspring.com
>

From: Anne-Berry Wade
To: irenen@mindspring.com
Cc: cyndy_Holda@nps.gov; David_Barna; jbfrench; joshua.bowlen; mike_murray; Sandra_Hamilton
Subject: Re: USGS Protocols
Date: 03/24/2010 01:08 PM

Irene,

I have responded to question #1 and question #2 below in red.

I hope this helps.
****
A.B. Wade
Eastern Region Communications Chief
703-648-4483 office
703-477-2851 cell
****

From: "IRENE C NOLAN" <irenen@mindspring.com>
To: "David_Barna" <David_Barna@nps.gov>, "mike_murray" <mike_murray@nps.gov>, "Sandra_Hamilton" <Sandra_Hamilton@nps.gov>, cyndy_Holda@nps.gov, "abwade" <abwade@usgs.gov>, "jbfrench" <jbfrench@usgs.gov>
Cc: "joshua.bowlen" <joshua.bowlen@mail.house.gov>
Date: 03/23/2010 10:54 PM
Subject: USGS Protocols

To: David Barna, chief of public affairs, National Park Service, Washington, D.C.
Mike Murray, superintendent, Cape Hatteras National Seashore
Sandra Hamilton, National Park Service, Denver, Colo.
Cyndy Holda, assistant to the superintendent and public information officer, Cape Hatteras National Seashore
A.B. Wade, Eastern Region Communications Chief, USGS
Dr. John B. French, USGS, Patuxent Wildlife Center

I think the public would like to put to rest any questions about the USGS management protocols and whether they have been independently peer-reviewed. I know that the readers of my newspaper want this information.

This is what Dr. French wrote in the introduction to the publication of the protocols, which was announced by NPS today:

"Although no new original research or experimental work was conducted, this synthesis of the existing information was peer reviewed by over 15 experts with familiarity with these species. This report does not establish NPS management protocols but does highlight

scientific information on the biology of these species to be considered by NPS managers who make resource management decisions at CAHA."

This would seem to be a fairly straight forward matter of providing information to the public on the peer review process.

My questions are:

1. When were the protocols peer reviewed?
The peer reviews of Chapters 1-5 took place approximately from April 2005 to Feb 2006.

2. Who were the "more than 15" scientists involved in the peer review? Their names, please.
The peer reviewers names have always been available in the "acknowledgments paragraphs" at the end of each chapter 1 - 5. Because of their scientific expertise, some individuals reviewed more than one chapter.

Chapter 1: Acknowledgments
Funding for this Protocol was provided by the U.S. Geological Survey, Patuxent Wildlife Research Center, under USGS Cooperative Agreement number 1434–00 HQRV1573, Research Work Order 104. Special thanks to David Allen, Ruth Boettcher, Walker Golder, Anne Hecht, David Rabon, and Pea Island National Wildlife Refuge biologists and managers for reviews of these protocols. Administrative review was also provided by the following NPS personnel: Sherri Fields and Steve Harrison, and by Dr. J.B. French, USGS Patuxent Wildlife Research Center.

Chapter 2: Acknowledgments
We appreciate the comments and technical review of T. R. Simons of the North Carolina Cooperative Wildlife and Fisheries Research Unit (NCCWFRU) and A. L. Wilke of The Nature Conservancy. We also acknowledge the discussions and information from D. Allen (NCWRC), S. Cameron (NCWRC), S. Shulte (NCCWFRU), and D. Rabon (USFWS).

Chapter 3: Acknowledgments
We appreciate the comments and technical review of Dr. P.A. Buckley (retired, formerly NPS and USGS research biologist), D. Allen, NCWRC, S. Cameron, NCWRC, and D. Rabon, USFWS, Raleigh Field Office. Administrative review was also provided by the following NPS personnel: Sherri Fields and Steve Harrison, and by Dr. J.B. French, USGS Patuxent Wildlife Research Center.

Chapter 4: Acknowledgments
Funding for this Protocol was provided by the U.S. Geological Survey, Patuxent Wildlife Research Center, under USGS Cooperative Agreement number 1434–00 HQRV1573, Research Work Order 104. Special thanks to Ruth Boettcher, Matthew Godfrey, Sandy MacPherson, and David Rabon for reviews of these protocols. Administrative review was also provided by the following NPS personnel: Sherri Fields and Steve Harrison, and by Dr. J.B. French, USGS Patuxent Wildlife Research Center

Chapter 5: Acknowledgments
The author would like to acknowledge the input of beneficial scientific and technical reviews received from Dr. Claudia L. Jolls, Associate Professor, Department of Biology, East Carolina University and Dale Suiter, Endangered Species Biologist, U.S. Fish and Wildlife Service. Administrative review was also provided by the following NPS personnel: Sherri Fields and Steve Harrison, and by Dr. J.B. French, USGS Patuxent Wildlife Research Center.

And were at least two of them "qualified scientists who have no stake in the outcome of the review, who are not associated with the work being performed, and who are without conflict of interest," as required by the USGS Peer Review Policy? **Yes**

3. What comments did they have when they reviewed the protocols and how were the

comments addressed

I hope one of you can answer these questions. And, if not, I hope one of you will tell me who can.

Thank you.

Irene Nolan

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From: Mike Murray
To: Doug Wetmore
Subject: Fw: Additional information from USGS (2 of 3)
Date: 07/01/2010 08:30 AM

Mike Murray
Superintendent
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
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fax 252-473-2595

----- Forwarded by Mike Murray/CAHA/NPS on 07/01/2010 10:29 AM -----

Anne-Berry Wade/DO/USGS/DOI@USGS

03/26/2010 12:54 PM

To irenen@mindspring.com
cc
Subject Additional information from USGS

Hello Irene,
As promised, I wanted to provide further explanations to some of your questions and comments in previous emails. Again, my reply is in red.

You asked:

And were at least two of them "qualified scientists who have no stake in the outcome of the review, who are not associated with the work being performed, and who are without conflict of interest," as required by the USGS Peer Review Policy? The answer remains YES that the peer review for each chapter had at least 2 impartial reviewers and for some chapters there were more than 2 reviewers. Chapter 1, for example had 6 reviewers...one of whom was Walker Golder. He was selected because of his expertise in the biology of piping plovers. He was an employee of Aubudon in 2005, and that was not a conflict of interest. Note that the peer review predated the lawsuit filed by Audubon by a couple of years.

You asked: What comments did they have when they reviewed the protocols and how were the comments addressed? In 2005 when the USGS prepared the original report for Cape Hatteras National Seashore, there was no mechanism to catalog peer reviewer comments in one central location. It was the USGS policy then and is the policy now that authors address and resolve all peer review comments and modify the manuscript where warranted before supervisory approval for publication is given. Also, as a matter of policy and practice, the USGS does not give peer reviewer comments to the public.

And your last concern/question: Many of the others listed as peer reviewers, also have work

cited in the acknowledgments -- so they peer reviewed their own work?
It's not uncommon for an author to cite a publication for a scientist who later ends up being a peer reviewer. While striving for a strict independence and neutrality of opinions and the avoidance of possible bias in the selection of reviewers, we also want a cross-section of the most knowledgeable scientists who can objectively critique the science contained within a given manuscript. The community of experts is sometimes large and other times smaller depending upon the subject. So, to select a peer reviewer whose work is also cited is not unusual and, in no manner, would this imply that they "peer review their own work"

****

A.B. Wade
USGS
Eastern Region Communications Chief
703-648-4483 office
703-477-2851 cell

****

From: Mike Murray
To: Doug Wetmore
Subject: Fw: More press questions on the Cape Hatteras peer review document (3 of 3)
Date: 07/01/2010 08:30 AM

Mike Murray
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fax 252-473-2595

----- Forwarded by Mike Murray/CAHA/NPS on 07/01/2010 10:29 AM -----

Anne-Berry Wade/DO/USGS/DOI@USGS

03/31/2010 03:51 PM

To Sandy Semans <editor@obsentinel.com>
cc
Subject Re: More press questions on the Cape Hatteras peer review document

Sandy,

I apologize for the slight delay. My responses to your questions and comments are below in red.

****
A.B. Wade
Eastern Region Communications Chief
703-648-4483 office
703-477-2851 cell
****

▼ Sandy Semans ---03/26/2010 04:15:44 PM---Could you please tell me who the Pea Island managers and biologists were who are listed in the ack

From: Sandy Semans <editor@obsentinel.com>
To: Anne-Berry Wade <abwade@usgs.gov>
Cc: IRENE C NOLAN <irenen@mindspring.com>, Joshua Bowlen <joshua.bowlen@mail.house.gov>, Kendra Barkoff <Kendra_Barkoff@ios.doi.gov>
Date: 03/26/2010 04:15 PM
Subject: press question

Could you please tell me who the Pea Island managers and biologists were who are listed in the acknowledgments? I understand from Irene that she was told that those listed in the acknowledgments were the peer reviewers and so would like their names as has been provided for the others. The USGS was never given the individual names of the Pea Island employees who reviewed the manuscript. Here's why: The USGS sent our manuscript to the Pea Island Refuge and asked them to review the manuscript. Several biologists reviewed the manuscript and their comments were consolidated together and given back to the USGS collectively, rather than individually.

I do want to point out that usually peer reviewer names are not provided to the public, but for this report their assistance in the review was openly acknowledged.

My understanding thus far ~~from Irene and~~ other sources is that the original document did not go through the formal USGS peer review process and its guidelines, but instead, was reviewed by some scientists at the request of the authors themselves. I think you're aware now that the original document DID get peer reviewed. But, let me further explain that it is not uncommon for authors of manuscripts to identify peer reviewers. This is because they know who the technical and scientific experts are in their field. In many instances, someone that is a peer reviewer may also have themselves published relevant scientific papers which are cited in the manuscript under review.
I also understand that the version released this month, although now considered a USGS publication, also didn't go through the formal USGS peer review process. Is that correct? That is not correct. The original manuscript (Chapters 1 -5) was peer reviewed between April 2005 and Feb. 2006. There were no changes to those chapters between then and now, therefore there was no need to have them peer reviewed again. The introduction in the recently published USGS Open File Report was modified to provide some synthesis of the chapters so it (the introduction) did get a more recent peer review.

A notation in the new document states that there is no new science/ research included in the document as compared with the original but there are some citations for work/communications that have been in the past year to 18 months. Were these just clarifications or additional information? No additional information was added to any of the chapters. In a couple of cases, references which were originally given as "in press" were brought up to date to provide complete referencing information.

There has been controversy around this document for a long time and I'm really puzzled why it has taken three years for anyone to say it was peer reviewed since the question has arisen frequently. Why hasn't anyone spoken up before and explained that the acknowledgments were the list of peer reviewers? It wasn't until just a few weeks ago that the press has asked the USGS about the peer review process for this report and we have responded to those press inquiries as promptly as possible. Also, I believe that on June 12, 2008, the NPS notified all 50+ members of the negotiated rule-making committee of this fact. I would ask that you please verify that statement with the Park for certainty.

Thanks much

Sandy Semans
Outer Banks Sentinel