

Herron, Amanda

CAHA# 2246

**From:** Fox, Lori  
**Sent:** Wednesday, April 21, 2010 11:20 AM  
**To:** Herron, Amanda  
**Subject:** FW: pet regulations with attachment  
**Attachments:** Alternative F and language on pet restrictions.mbm.docx

For CAHA admin record

Lori Fox  
 Deputy Director, Denver Operations/Senior Planner

Direct 303-985-6602  
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-----Original Message-----

**From:** Mike\_Murray@nps.gov [mailto:Mike\_Murray@nps.gov]  
**Sent:** Tuesday, April 13, 2010 2:40 PM  
**To:** Sandra\_Hamilton@nps.gov  
**Cc:** Doug\_Wetmore@nps.gov; jason.waanders@sol.doi.gov; Fox, Lori; mike.stevens@sol.doi.gov  
**Subject:** RE: pet regulations with attachment

As a follow-up to our phone call this morning, see attached for park comments on how to resolve confusion between the various references to pet restrictions.

(See attached file: Alternative F and language on pet restrictions.mbm.docx)

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

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Sandra  
Hamilton/DENVER/N  
PS

04/09/2010 10:24  
AM

jason.waanders@sol.doi.gov

To

cc

"Holda, Cyndy"  
<Cyndy\_Holda@nps.gov>, Doug  
Wetmore/DENVER/NPS@NPS,  
lfox@louisberger.com, Mike  
Murray/CAHA/NPS@NPS,  
mike.stevens@sol.doi.gov

Subject

RE: pet regulations with  
attachment(Document link: Mike  
Murray)

[attachment "Alternative F and language on pet restrictions.docx" deleted by Mike  
Murray/CAHA/NPS]

Sandy Hamilton  
Environmental Protection Specialist  
National Park Service - Environmental Quality Division Academy Place P.O. Box 25287 Denver CO  
80225  
PH: (303) 969-2068  
FAX: (303) 987-6782

Sandra  
Hamilton/DENVER/N  
PS

04/09/2010 08:21  
AM

"Waanders, Jason"  
<JASON.WAANDERS@sol.doi.gov>

To

cc

"Holda, Cyndy"  
<Cyndy\_Holda@nps.gov>, Mike  
Murray/CAHA/NPS@NPS, Doug  
Wetmore/DENVER/NPS@NPS,  
lfox@louisberger.com,  
mike.stevens@sol.doi.gov

Subject

RE: pet regulations(Document link:  
Sandra Hamilton)

Hi Jason,

Attached is is the language on pet restrictions compiled from the DEIS (the language about "in front of villages" is highlighted in yellow). The inconsistency appears to stem from the impact analysis for AMOY in CH 4.

This has been picked up in in the AMOY section of the CH 2 table summarizing impacts . This table is duplicated in the Exec. Summary.

However, the Table summarizing alternative elements in CH 2 (also duplicated in the Exec. Summary) does not have any language about "in front of village beaches."

It seems to me that this may be a problem with the impact analysis describing the alternative incorrectly, rather than the alternative elements description in CH 2 being inconsistent or incorrect. However, Mike Murray can best answer the question about whether the description of the alternative in CH 2 or in the CH 4 impact analysis is correct. He'll be back in the office next week.

I've asked Cyndy to schedule a call early next week with Mike Murray, you and Mike Stevens to resolve how best to handle this.

Sandy

Sandy Hamilton  
Environmental Protection Specialist  
National Park Service - Environmental Quality Division Academy Place P.O. Box 25287 Denver CO 80225  
PH: (303) 969-2068  
FAX: (303) 987-6782

"Waanders, Jason"  
<JASON.WAANDERS@soil.doi.gov>

04/08/2010 08:28 AM

"Hamilton, Sandra"  
<Sandra\_Hamilton@nps.gov>

"Holda, Cyndy"  
<Cyndy\_Holda@nps.gov>

RE: pet regulations

To  
  
cc  
  
Subject

The controlling language for what Alternative F actually DOES should be the language in Chapter 2.

So the first question is: is that language correct? If so, then I think the correct response is "Alternative F, including its aspects relating to visitor pets, is accurately described in Chapter 2 of the DEIS. Members of the public are encouraged to bring any errors or inconsistencies in the Chapter 4 impact analysis (or elsewhere in the DEIS) to our attention in their comments, and any such errors or inconsistencies will be corrected in the FEIS."

If the description of Alt. F in Chapter 2 is internally inconsistent, then I think a correction or clarification of our actual intent would be warranted now (but probably not an extension of the comment period).

---

Jason Waanders  
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-----Original Message-----

From: Hamilton, Sandra  
Sent: Thursday, April 08, 2010 9:44 AM  
To: Waanders, Jason  
Subject: Fw: pet regulations

Hi Jason,

Cyndy and I put this response together. I don't believe the inconsistency hampers public comment, but I told Cyndy I'd verify with you.

I checked with Lori, and from her records it's unclear where it came from. We will make both sections consistent in the FEIS, but I don't want to start changing things midstream.

What do you think?

Sandy

Sandy Hamilton  
Environmental Protection Specialist  
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----- Forwarded by Sandra Hamilton/DENVER/NPS on 04/08/2010 07:38 AM -----

Cyndy  
Holda/CAHA/NPS

04/08/2010 07:30  
AM

irenen@mindspring.com

To  
cc

Subject  
Re: pet regulations(Document link:  
Sandra Hamilton)

Irene,  
We are in receipt of your email. Mike is out of the office until Monday, April 12th.  
Any inconsistencies will be addressed in the FEIS.

Cyndy M. Holda  
Public Affairs Specialist  
Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NM  
252-473-2111 ext. 148  
252-216-6455 cell  
252-473-2595 fax  
Email: cyndy\_holda@nps.gov

"IRENE C NOLAN"  
<irenen@mindspring.com>

04/07/2010 11:00  
PM

Please respond to  
irenen@mindspring.com

"mike\_murray" <mike\_murray@nps.gov>  
cyndy\_Holda@nps.gov,  
"Sandra\_Hamilton"  
<Sandra\_Hamilton@nps.gov>

pet regulations

To  
cc  
Subject

Mike,

I know you are on leave this week, but I hope that someone can address the issue of pet regulations in the DEIS.

The proposed regulations vary in different parts of the DEIS. Some refer to pets not allowed in SMAs from March 15-Aug. 1, other refer to the dates of March 15 to Nov. 15, and yet another reference says pets are banned on all seashore beaches during breeding season -- even in front of the villages.

This issue is beginning to get attention from the public. These folks are confused about exactly what the regulation for pets would be under the preferred alternative -- Alternative F.

I know that you say you cannot answer questions now that the DEIS is public, but it seems that there are some errors in the text of the DEIS and it seems reasonable that you would let the public know exactly what the pet regulations are under Alternative F before the meetings and the end of the comment period.

Can you please clarify what is going on here for me and for the readers of The Island Free Press?

Thanks.

Irene

IRENE NOLAN  
Editor  
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CAHA# 2246

Alternative F and language on pet restrictions (compiled 4/9/10; MBM comments 4/13/10. Edits intended to eliminate inconsistencies between sections.)

**Exec Summary**

Page xl (Table ES-5 Environmental impact summary by alternative, American oystercatcher, alt F column) Implementation of...prohibition of pets in SMAsthe Seashore during the breeding season including in front of the villages,.... SH Note: this is exactly the same language as the CH 2 Table 13 Environmental impact summary by alternative, American oystercatcher, alt F, on page 136, see below.

Page xxix (Table ES-3 Summary of alternative elements, Pets, alt F column) Same as alternative C, except: Pets would be prohibited in all designated Breeding Shorebird SMAs from March 15 to July 31, or 2 weeks after all shorebird breeding activities have ceased or all chicks in the area have fledged, whichever comes later. *[Alternative C says Pets would be prohibited within all nonbreeding shorebird SMAs that are otherwise open to recreational use. It also incorporates Alt A's incorporation of 36 CFR 2.15 on pets and the Superintendent's Compendium prohibition on pets in resource closures etc. Alt C has different dates (March 15 to October 15) than alt F for the prohibition on pets in Breeding Shorebird SMAs.] SH Note: this is exactly the same language as the CH 2 Table 8 summary of alts for Pets, alt F on page 113, see below.*

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**Chapter 2**

Page 113 (Table 8 Summary of alternative elements, Pets, alt F column) Same as alternative C, except: Pets would be prohibited in all designated Breeding Shorebird SMAs from March 15 to July 31, or 2 weeks after all shorebird breeding activities have ceased or all chicks in the area have fledged, whichever comes later. [Alternative C says Pets would be prohibited within all nonbreeding shorebird SMAs that are otherwise open to recreational use. It also incorporates Alt A's incorporation of 36 CFR 2.15 on pets and the Superintendent's Compendium prohibition on pets in resource closures etc. Alt C has different dates (March 15 to October 15) than alt F for the prohibition on pets in Breeding Shorebird SMAs.]

**Comment [mbm1]:** I don't know if the public is confused by the wording in F that it is "the same as C, except..." (for the dates and other reopening criteria in F). As written in the DEIS, Table 8, p. 113, alternative F makes sense to me so I have not attempted to make it more clear. I suppose it could be more clear if we said F is "the same as A, except..." followed by two bullets: 1) Pets would be prohibited in all designated Breeding Shorebird SMAs from March 15 to July 31, or 2 weeks after all shorebird breeding activities have ceased or all chicks in the area have fledged, whichever comes later. 2) Pets would be prohibited within all nonbreeding shorebird SMAs that are otherwise open to recreational use.

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Page 121 (Table 10 Species management strategies for action alternatives, Pre-nesting Closures) Pets, as well as kite flying, ball and Frisbee tossing, and similar activities, will be prohibited in the SMA access corridors or pass-through zones (in alternative E only) while the pre-nesting closure is in effect.

Page 124 (Table 10 Species management strategies for action alternatives, nonbreeding shorebird SMAs) Pets will be prohibited within Nonbreeding Shorebird SMAs.

Page 136 (Table 13 Environmental impact summary by alternative, American oystercatcher, Alt F column) Implementation of...prohibition of pets in SMAsthe Seashore during the breeding season including in front of the villages,....

**Chapter 4**

Page 358 (impacts of ORV and recreational use, federally listed t/e species, Alt F) Pets would be prohibited within all SMAs during the breeding season, which would greatly reduce the likelihood of pet disturbance in piping plover breeding areas...

Page 359 (impairment determination PIPL alt F) Alternative F would prohibit pets in all designated breeding shorebird SMAs from March 15 to July 31, or 2 weeks after all shorebird breeding activities have ceased or all chicks in the area have fledged, whichever comes later.

Page 468 (impacts of Resources management activities, state-listed/special status species, Alt F) Pets, kite flying, ball and Frisbee tossing, or similar activities would be prohibited in SMA access corridors while ~~pre~~nesting closures are in effect. If no breeding activity is observed in SMAs by July 31, or two weeks after all chicks have fledged (whichever is later), ~~pre~~nesting closures would be adjusted to the configurations of Nonbreeding Shorebird SMAs...

Page 471 (impacts of ORV and recreational use state-listed/special status species Alt F) Under alternative F, there would be seasonal closures in key red knot habitat reducing the potential to impact resting and foraging red knots from vehicle use and association noise and presence of people and pets, including the addition of four miles of "floating" closures that would offer greater protection to this species than alternatives A,B,C, or E.

Page 472 (impacts of ORV and recreational use state-listed/special status species Alt F) Pets would be prohibited within all SMAs during the breeding season, which would greatly reduce the likelihood of pet disturbance in state-listed/special status species breeding areas; however, compliance is needed to ensure that this reduces the risk of impacts....~~These additional restrictions, along with the limitation of pets to village beaches during breeding season~~ would result in long-term beneficial impacts to species at the Seashore as recreational pressures to state-listed /special status species would be further reduced....  
[next paragraph] Implementation of...prohibition of pets in SMAs the Seashore during breeding season including in front of the villages, and establishment of breeding and nonbreeding SMAs would benefit the American oystercatcher.

Page 473 (Conclusion impacts to state-listed/special status species Alt F) Prohibition of pets in SMAs during the breeding season and establishment of nonbreeding SMAs would benefit the American oystercatcher.

Page 474 (Impairment Determination for Alt F, state-listed and special status species) Alternative F would prohibit pets in all designated breeding shorebird SMAs from March 15 to July 31, or two weeks after all shorebird breeding activities have ceased or all chicks in the area have fledged, whichever comes later.

Page 477 (Table 55 summary of impacts to state-listed and special status species under the alternatives, American oystercatcher, Alt F column) Implementation of...prohibition of pets in SMAs the Seashore during the breeding season including in front of the villages,....would benefit the American oystercatcher.



Page 500 (impacts of Alt F to other bird species) Pets would be prohibited within Nonbreeding Shorebird SMAs.

Page 558 (impacts of Alt F to visitor use and experience) Restrictions on pets would be the same as alternative C, except that pets would be prohibited in all designated breeding shorebird SMAs from March 15 to August 31, or two weeks after all shorebird breeding activities have ceased or chicks have fledged, whichever comes later.