

0027787

From: [Mike Murray](mailto:Mike_Murray@nps.gov)
To: irenen@mindspring.com
Bcc: [Cyndy Holda](mailto:Cyndy_Holda@nps.gov)
Subject: Re: critical habitat
Date: 08/20/2010 09:02 AM

Irene,

You may want to check with Pete Benjamin on that, or look at the biological opinion (BO) for the Bonner Bridge project to see if the critical habitat consultation has already occurred.

As an aside, my experience with ESA consultations on NPS projects is that the Section 7 consultation (regarding potential impacts to the listed species), as well as the critical habitat consultation (regarding potential impacts to the habitat), are handled concurrently in the project or plan's NEPA document and related BO. The critical habitat consultation process is not a substantial (or separate) workload. It is simply one more base to cover, along with the other consultation requirements (such as FWS, CAMA, Army Corps of Engineers, etc.), during the planning process. For example, for the Seashore's ORV plan, critical habitat and analysis of potential impacts to it are covered in the DEIS (e.g., see p. 40 and various locations in Chapter 4 in the analysis for each alternative). FWS would typically respond to our critical habitat impact analysis when they prepare the BO for the ORV plan. (We haven't received the BO yet.)

I hope this information helps.

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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▼ "[IRENE C NOLAN](mailto:IRENE_C_NOLAN@nps.gov)" <irenen@mindspring.com>

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

To "Mike_Murray@nps.gov" <Mike_Murray@nps.gov>
cc

08/19/2010 06:04 PM

Subject Re: critical habitat

Please respond to irenen@mindspring.com

Thanks, Mike. In your opinion, would construction projects include the replacement of the Bonner Bridge?

Irene

IRENE NOLAN
Editor
The Island Free Press
www.islandfreepress.org
252-995-5323
Post Office Box 414
Buxton, N.C. 27920
editor@islandfreepress.org
irenen@mindspring.com

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> Mike,
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>
> The letter you wrote to Pete Benjamin on July 30, 2007 in response to
> proposed critical habitat designation for the piping plover is still on
the
> PEPC web site.
>
>
>
http://parkplanning.nps.gov/document.cfm?
parkId=358&projectId=13331&document
ID=20018
>
>
> I am considering publishing it in a blog tomorrow.
>
>
> Is your view of critical habitat any different now than it was then?
Do
> you still think the current management plan (consent decree) and the
> eventual proposed rule on ORVs are satisfactory and that critical
habitat
> designation is not needed in the seashore?
>
>
> Obviously, the judge did not agree with you or CHAPA. Just wondering
if
> that is a letter you would write today and if you still feel the same.
>
>
> Also, I think you have said before that you did not see any further
beach
> closures under the critical habitat designation. Do you still feel the
> same about that -- or might we see more extensive closures outside the
> nesting season?
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>
> Thank you.
>
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> Irene
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> IRENE NOLAN
> Editor
> The Island Free Press
> www.islandfreepress.org
> 252-995-5323
> Post Office Box 414
> Buxton, N.C. 27920
> editor@islandfreepress.org
> irenen@mindspring.com
>
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