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Subject: FEIS 1st IRD CH 4 NPS comments
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Attachments: [CAHA FEIS 1st IRD comments SH.docx](#)

Hi Lori,

Here are EQD comments on CH 4 plus some global ones. The one high lighted in yellow is a reminder to me to check what we decided with the SOL to do about the impairment findings for alts A - E given the new NPS interim guidance on impairment determinations in NEPA documents. I'll do that today and let you know how we've decided to handle that. We're waiting a bit this morning to see if we have Britta's to combine with Mike's and then will forward to you.



CAHA FEIS 1st IRD comments SH.docx

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GLOBAL:

The 2nd internal review draft must show the original DEIS with only those changes that will appear in the final FEIS. It won't be acceptable to have several people correcting each other's corrections. Needs to be one color and set of track changes in the FEIS document that will be up on PEPC. In the first internal review draft FEIS that EQD received from LB it is not possible to tell what was changed from the DEIS and what was changed to someone's changes to the DEIS.

Title of Alt F e.g. in CH 4 Impacts of Alternative F: please leave "NPS Preferred Alternative" and delete "Management Based on Advisory Committee Input" instead of deleting it all and then adding new text that says "NPS Preferred Alternative" see e. g. p. 475, p. 514, p. 568

parking lots should have the "parking" left alone and "lots" deleted and replaced with "areas" instead of deleting "parking lots" and replacing it with "parking areas" (see p. 623 for how to do it)

"non-ORV use area" should be changed to "vehicle-free area" or "VFA" not to "vehicle-free use area" (e.g. see p. 554 lines 11 and 22; p. 562 line 18; p. 566 line 45)

it reads better to say "visitors" instead of "users" when referring to "users" who want an experience w/o the presence of vehicles

under alternative F impacts, check to see if CH 2 refers to "numerous" VFAs and if not, delete the "numerous" in CH 4 (e.g. p. 366, and others listed below).

SOMEWHAT GLOBAL: there are some places where using "vehicle-free" instead of "non-ORV" reads strangely and it may be better to use other text (e.g. p. 342 line 7 would be better to say "opportunities for visitors to experience the Seashore...");

SOMEWHAT GLOBAL; for alt F we need consistent "text" for what is happening with night driving between 9:00 pm and 7:00 am (p. 401 it says prohibiting, elsewhere it says restricting). Seems to me we are prohibiting, [what does CH 2 alts narrative say?]

CH 4

p. 295 Table CALO IPSMP is it not also a present action and to the extent it'll still be implemented for awhile after the CAHA plan is done a future action, too

p. 307 line 28 and p. 316 lines 42-43 what is the difference between a foot trail and a pedestrian trail? This sentence is confusing (and maybe incorrect?) Then see p. 317 line 44 where it refers to "two new pedestrian trails"

p. 327 lines 10 -22 (and other pages where the same/similar paragraph appears): line 13 "action" should be "actions" and "bird" should be "shorebird; line 15 "impacts" should be "impact" OR line 14 you need to delete the "a" [same problem lines 18 and 17]; line 16 what are "recreation closures"? should this be "resource closures"?

p. 328 lines 16-20 It would be more informative to say what level of adverse impact is occurring by using the threshold text from the CALO plan (line 19-20) than saying "a level of adverse impact to occur"

p. 333 lines 26-33 what about when areas are closed to ORV because of buffers so there is no driving on the wrack day or night while the closure is in effect, do those need to be noted here and also under the other alternatives where this paragraph appears. Seems like for the other alts that have SMAs and VFAs that the elimination of daytime driving would be a relevant factor

p. 338 line 8 why have we added “and other shorebirds” here in a determination of effect for PIPL? Is this the correct place to insert the Thomas et al 2002 reference which according to the title relates to the foraging behavior of sanderlings?

p. 348 line 5 add “on ORV routes” after “during the day” (also on p. 353 line 24; p, 360 line 11;

p. 357 line 44 change “scraps/nests” to scrapes/nests”

p. 357 line 37 needs a space between “1” and “of”

p, 357 line 38 should “individual piping plover” be “one or more piping plover nests”? check what alt A says

p. 358 lines 21 – 22 the sentence starting “Buffers...” seems incorrect, and reads strangely, check what alt A says

p. 358 line 22 needs to include explanation that ORV corridor is seaward of the prenesting closure (same as explanation earlier)

p. 358 line 27 should be “”from the eastern portion” instead of “from eastern portion”

p. 358 line 27 should be “towards the inlet” instead of “toward inlet”

p. 359 line 30 only the word “SMAs” should be deleted. After the word “of” insert prenesting closures. The line would read “the whole the establishment of prenesting closures early in the breeding season, VFAs, and areas seasonally closed to”

p. 360 line 20 (same comment as p. 358 line 22)

p. 360 line 22 should say “establishment of prenesting closures, designation of year-round and seasonal VFAs, and the other restrictions under alternative F should”

p. 360 line 32 change “till” to “until”

p. 361 lines 8-10 (also) should say “Pets would be permitted in the Seashore, except in ORV corridors at Cape Point and South Point and in pedestrian shoreline access areas in from of (i.e. seaward of) prenesting areas. As provided by 36 CFR xx pets must be crated or restrained by a leash not longer than six feet (use the language from the CFR, mine is just an approximation).

p. 361 lines 13-18, I think we can fix this with less strike-out

p. 361 line 41 should say ...the establishment of prenesting closures early in the breeding season, (i.,e don't strike out early in the breeding season, just replace “of SMAs” with “prenesting closures”); see also same issue on p. 362 line 9-10, and line 11. P. 363 line 32, and

p. 364 line 28 why is “vehicle free habitat” inserted? The end of the sentence has VFAs and the middle of the sentence nonbreeding closures. Is vehicle free habitat a new category?

p. 365 alt F column, Establishment of Prenesting Closures row, FIX so it says “Long-term moderate benefits would occur as the Seashore would establish prenesting closures by March 15 and VFAs would be in place to provide protection for migratory piping plovers and breeding plovers establishing territories.” And do it without deleting any more words than necessary.

p. 367 first deletion: only delete SMAs and replace it with “prenesting closures” so that it reads “prenesting closures early in the breeding season, “

p. 368 change needs to be fixed

p. 369 does ch 2 say “limitation” of pets or does it say “prohibition” of pets. We need consistency. Also is it “prenesting closasures and” before “year-round “

p. 369 why is “pet and” deleted?

p. 371

p. 374 lines 31-32 “non-ORV use” makes more sense here than “vehicle free use” so leave it as it was in the DEIS

p. 378 line 31 Marion 2005 needs to be added to the References section. It’s not there now.

P, 378 line 33 insert “to” between “continue” and “result”

p. 378 line 41 insert “turtle” before “species”

p. 379 (see comment on p. 328 above, same here only for turtles)

p. 387 line 35 see comment above same topic p. 374

p. 396 line 38-40 this is old alt F language, and it needs to be changed to reflect the revised alt F.. Should it say “During the closures, the beneficial impacts in the Cape Point and South point areas would also be tempered slightly because in these two areas an ORV corridor seaward of the prenesting closures would be subject to potential deterioration of nesting habitat due to the compaction of sand and contributing factors to erosion that result from ORV use.”?

p. 397 lines 1-6 Replace with “Under alternative F the ORV permit would be obtained after viewing a short video or CD on-site at a Seashore facility. The permit could be revoked for violation of applicable Seashore regulations or permit terms and conditions. This educational component of the permit and the other public education measures described for alternative F would provide long-term minor to moderate beneficial impacts from an increased level of public awareness.” [revise the above text to make it track exactly the text in the revised alt F narrative – I haven’t checked it, but am writing from memory here]

p. 397 line 12 delete “number of”; insert “of” between “hours” and “night”; delete “would be”. The line would then read: “be realized under alternative F due to the decreased hours of night time driving allowed,”

p. 397 line 13 insert “end” between “and” and “1”. The line would then read “as restrictions would begin 1 hour earlier in the evening and end 1 hour later in the morning than under”

- p. 397 line 20 change “extends” to “extending”
- p. 397 line 23 change “an” to “the”
- p. 397 line 24 delete Only and capitalize the h on however
- p. 397 put the definitions of dusk and dawn in FOOTNOTE
- p. 397 line 30 make the line read “there is enough light that objects are distinguishable and that outdoor activities can commence” IT’LL BE IN THE FOOTNOTE
- P. 397 line 34 Neville et al. 1988 is not in the References section. Add the citation to the References section.
- p. 397 line 37 delete “ample”
- p. 29 “virtually eliminating” is this true? What about if a nest is found and has to be moved and the rest of the patrol route can’t be covered before the beach opens to ORV? If Britta is OK with “virtually eliminating” then so am I, but I’d like her concurrence on this
- p. 398 line 28 change SMAs to “prenesting closures”?
- p. 400 line 29 delete “pass’through”; delete “for” and replace it with “seaward of the prenesting”
- p. 400 line 37 delete “which would be”
- p. 400 line 41 insert a comma between “nests” and “would”
- p. 400 line 45 move “during the turtle nesting season” to line 43 between “and” and “would”; insert a comma after “6:00 am” so line 43 reads “between the hours of 10:00 pm and 6:00 am, and during the turtle nesting season would be restricted to areas in front of Coquina Beach”
- p. 402 line 1 delete the green highlight and the strikeout and text (this isn’t in the DEIS)
- p. 407 lines 4-5 change “all sea turtle species” to “seabeach amaranth”
- p. 407 lines 9-10. Don’t delete this sentence. It’s immediately repeated and we don’t need extra and unnecessary strikeout in the FEIS.
- p. 407 lines 31 – 32 see comment above on p. 295
- p. p. 421 do not strike NPS Preferred Alternative . It’s immediately repeated and we don’t need extra and unnecessary strikeout in the FEIS.
- p. 422 line 6 replace “a” with “at”
- p. 422 line 15 delete “pass’through” and insert “seaward of the prenesting closures at Cape Point and South Point” between “corridor” and “would”
- P. 422 line 22 replace “has” with “have”
- p. 423 delete “of”

p. 424 line 22 delete “pass’through” and insert “seaward of the prenesting closures” between “corridor” and “that”

p. 432 lines 16-22 see previous comment on this above for p. 333

p. 433 line 15 Why are we citing the USFWS 5 year review of PIPL (USFWS 2009a) here under state-listed species? OK if it’s relevant, but not clear from the text that it is.

p. 433 why do the first two bullets spell out vehicle-free areas and the last two use VFAs? Can we be consistent.

p. 434 lines 21 and 23 change “bird” to “shorebird”

p. 435 lines 41-45 see previous comment p. 328

p. 445 lines 18-25 see previous comment p. 333

p. 454 lines 39- p. 455 lines 1- 2 see previous comment p. 333

p. 462 lines 38 – p. 463 lines 1-2 see previous comment p. 333

p. 470 lines 36 – 43 see previous comment p. 333

p. 475 line 33 see global above

p. 475 line 38 – is “numerous” the best word to use here?

p. 475 lines 38-39, shouldn’t we have information about prenesting areas here as part of replacement mgmt for SMAs

p. 475 line 44 change “waterbird” to “waterbirds”

p. 476 line 21 delete “the” between “in “ and “efforts” so it reads “spent in efforts to locate” [this is consistent with the text in Table 10-1]

p. 476 lines 30-33 why not keep this text and delete “as described under all other action alternatives,” and replace “ SMAs” with “prenesting closures” so it would read “Under alternative F surveys would concentrate in established prenesting closures, which may not detect American oystercatchers or colonial waterbirds that establish territories in new habitat. As described under all other alternatives, surveying under alternative F would provide benefits to the species.

p. 647 line 8 insert “be” between “would” and “less”

p. 476 lines 41 – 46. This sentence doesn’t make any sense. Please figure out what it should say. And we need to analyze in CH 4 (not necessarily on p. 476, but in sections for PIPL, AMOY, and CWB) the potential for adverse effects on CWB from establishing their prenesting closures adjacent to or in ramps so that the ramps are kept open until nesting/scraping is observed (see table 10-1 for correct text) which may result in disturbance that causes them to abandon the area before nests/scrapes are produced or observed by Seashore staff thus potentially resulting in selection of less desirable areas for breeding. Also need to analyze impact of table 10-1 text which applies to all shorebird species “When scrapes (s), nests(s) or chicks() occur in the immediate vicinity of paved roads, parking lots, campgrounds, buildings, and other facilities, such as within the villages or at NPS developed sites, the NPS retains the discretion

to provide resource protection to the extent possible while still allowing those facilities to remain operational. Regardless of the nature of the adjacent facilities, in all cases, as a minimum, NPS would provide signs, fencing and reduced buffers to protect nest(s) and chick(s) once they occur. The NPS shall not reduce buffers to accommodate an ORV corridor or ORV ramp access.” (text from table 10-1 Scrape/Nest Buffers row)

p. 477 line 7 should read “alternatives C, D, and E, but would provide for pre-nesting closures instead of SMAs. Under alternative E, numerous areas of the

p. 477 line 7 see earlier comment about where “numerous” is the best word to use

p. 478 line 11 replace “and” with “an”

p. 478 line 35 change “regardless of if the area is an ORV route or designated VFA” to “in both designated ORV routes and VFAs.”

p. 478 lines 37 capitalize the B on “buffers”

p. 479 line 8 replace “describe” with “described”

p. 479 line 9 needs to be fixed [a VFA is not a buffer, pedestrians cannot go in buffers and they can go in VFAs though they would be expected to be at a lower density in the more remote locations than if the area were open to ORVs]

p. 479 lines 14-17 This sentence doesn’t make sense.

p. 479 line 35 is numerous the best word to use?

p. 479 lines 37 – 38 “implementation of the stipulation to increase buffer zones should there be a violation of these zones or pedestrian use” may not belong here in alt F – unclear if we’re talking about the consent decree stipulation for mandatory expansion for deliberate violations (which doesn’t belong in F) or something else.

p. 479 line 43 same question about numerous

p. 480 line 23 same question about numerous

p. 480 line 26 “permitted on a leash” is misleading... insert the text from the reg, or say permitted in accordance with existing regulation and put the reg text in a footnote.

p. 481 lines 40 – 44. This is an awkward and confusing sentence. We could try “Management of commercial fishing vehicles would be the same as under alternative A. Commercial fishermen would not be required to obtain an ORV permit, commercial fishing vehicles would be authorized to enter VFAs except for full resource closures and lifeguarded beaches. On the other hand, does this sentence even belong here when on p. 483 lines 5-8 we say commercial fishing would be managed similar to alternative C and then describe the impacts.

p. 482 line 4 and line 22 same question about numerous

p. 482 line 21 same problem as described above, buffers do not equal SMAs or VFAs

p. 482 lines 27 – 34 see previous comment above p. 333

- p. 482 lines 41-42 need to add where no turtle nests night driving could be allowed from xxx to Nov 16?
- p. 483 see comment on p. 481 lines 40-42 – need consistency
- p. 482 line 15 see comment for p. 480 line 26

- p. 483 line 30 should be prohibition of pets in the shoreline access seaward of prenesting areas (see line 16 above – need consistency)
- p. 483 line 32 same question about numerous
- p. 483 line 33 delete “buffers” and replace with “prenesting closures”
- p. 484 line 21 same question about numerous
- p. 484 p. 29 see previous comment p. 483 line 30
- p. 484 line 33 – 35 the sentence beginning However doesn’t make sense. Peds or ORVs cannot go into buffers. What are you trying to say here?
- p. 485 line 23 same question about numerous
- p. 485 lines 41-42 same comment as p. 480 line 26
- p. 486 line 10 – 11 it is not correct and doesn’t make sense to say “Management of state-listed and special status species would be consistent throughout the Seashore.” Need to say what we are doing to replace SMAs as we have earlier and also refer wherever we address the management of shorebirds on ramps and villages/NPS facilities (see comment above on this topic)
- p. 486 line 44 same question about numerous
- p. 487 line 9 need to add where no turtle nests night driving could be allowed from xxx to Nov 16?
- p. 489 top of column for alt F see comment p. 483 line 30
- p. 498 lines 28-33 see comment p. 333
- p. 500 lines 1 – 13 see comments above about this paragraph text and also note that the other wildlife bird species in this section are not nesting at CAHA but are the other migrating/wintering shorebirds (I think) so the last sentence would need to be changed also for this section of the FEIS.
- p. 500 lines 15 – 26 see previous comment p. 328
- p. 503 lines 11-17 see previous comment p. 333
- p. 505 lines 39-45 see previous comment p. 333
- p. 508 lines 33-41 see previous comment p. 333
- p. 511 lines 31-37 see previous comment p. 333

p. 514 line 20 insert “(except alternative D)” between “alternatives,” and “would” [as is it’s not correct because alt D has 40 miles of year-round VFA, which is more than alt F]

p. 514 lines 24-25 need to say and what the 2nd interdunal road does

p. 514 lines 32 – 41 this is confusing and needs to be fixed

p. 515 lines 1-5 see see previous comment p. 333

p. 515 line 12 what several foot trails are we talking about and what’s the difference between pedestrian trails (also on line 12) and foot trails?

p. 515 line 21 South Ocracoke spit? Is this right?

p. p. 515 lines 28 – 39 see comment p. 514 lines 32-41 – why are the seasonal VFAs in front of the villages called out here and not the seasonal VFAs? Seems like the ones away from the villages would be equally or more important invertebrate habitat as the ones in front of the villages?

p. 516 line 26 insert “prenesting closures,” between “of” and “seasonal”

p. 516 lines 30 – 40 see comment above on changes to the same test (p. 514 lines 32-41, p. 513 lines 28 – 39. We need some consistency among these sections.

p. 522 line 5 insert “and” between “physiology” and “behavior”

p. 526 lines 39-40 need to check what we decided to do with impairment det for alts A-E before thinking about changing anything here

p. 530 line 2 delete “route”

p. 535 line 4 change this line to say “provide opportunities for visitors to experience the natural quiet. Areas open to “

p. 537 line 4 – 5 change to read ...locations of ORV routes and vehicle-free areas...

p. 539 line 24 why is “visitor use and” deleted?

p. 539 lines 25 - 26 delete “and limited access through ORV pass-through zones during shorebird breeding season.”?

p. 539 lines 36-27 The sentence starting “These seasonal closures...” needs to be fixed to make sense.

p. 546 line 31 should say “visitor safety and to those visitors desiring a vehicle-free experience with more natural views and”

p. 547 line 25 leave it as it was the DEIS

p. 547 line 34 make this line say “adverse to visitors who desire an experience without the presence of vehicles.”

p. 549 line 2 and line 23 change to ...for visitors who desire an experience without the presence of vehicles.”

- p. 550 line change to ...to those visitors who desire a ...
- p. 550 lines 39 – 40 change to ...”allow visitors who desire a vehicle free experience”...
- p. 550 line 41 change to ...”benefit to these visitors.”
- p. 551 lines 16 – 17 leave it as it was in the DEIS
- p. 551 lines 23 – 26 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p, 552 line 11 and line 38 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 555 lines 4 and 34 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 556 lines 8-9 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 557 lines 21 use “visitors” instead of “users “
- p. 557 line 41 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 558 lines 19-20 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 560 line 20 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 562 line 11 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 564 line 2 delete “in front of villages” [see table 8 p. 116 of 1st internal review draft Alt C – Sup authority is not limited to in front of villages]
- p. 564 line 38 use “visitors” instead of “users”
- p. 564 line 43 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 565 lines 24-25 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 566 line 3 leave as is in the DEIS
- p. 567 line 21 use “visitors” visitors” instead of “users”
- p. 567 line 46 use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”
- p. 568 line 6 insert “routes” between “ORV” and “and”

p. 568 line 7 same question about “numerous”, also don’t we need to mention the nonbreeding shorebird resource closures as well as the VFA’s here?

p. 568 lines 9-10 why is the sentence about SMAs in the other alternatives here?

p. 568 line 24 should say VFA instead of VFAs

p. 569 line 17 should say table 10-1 instead of table 10

p. 569 line 19 should say routes instead of corridors

p. 569 line 30 change this line to “The ORV routes and VFAs described in table 7-1 for alternative F are intended”

p. 645 line 11 use “described” instead of “noted”

p. 645 line 41 delete “by”

p. 647 line 8 insert “be” between “would” and “less”

p. 647 line 31 need to fix “administrative assist support”

p. 647 39 change “permits” to “permit”

use “visitors who desire a vehicle-free experience” instead of “users wanting a vehicle free experience”