

Cape Hatteras National Seashore Preliminary Alternatives Options Meeting for

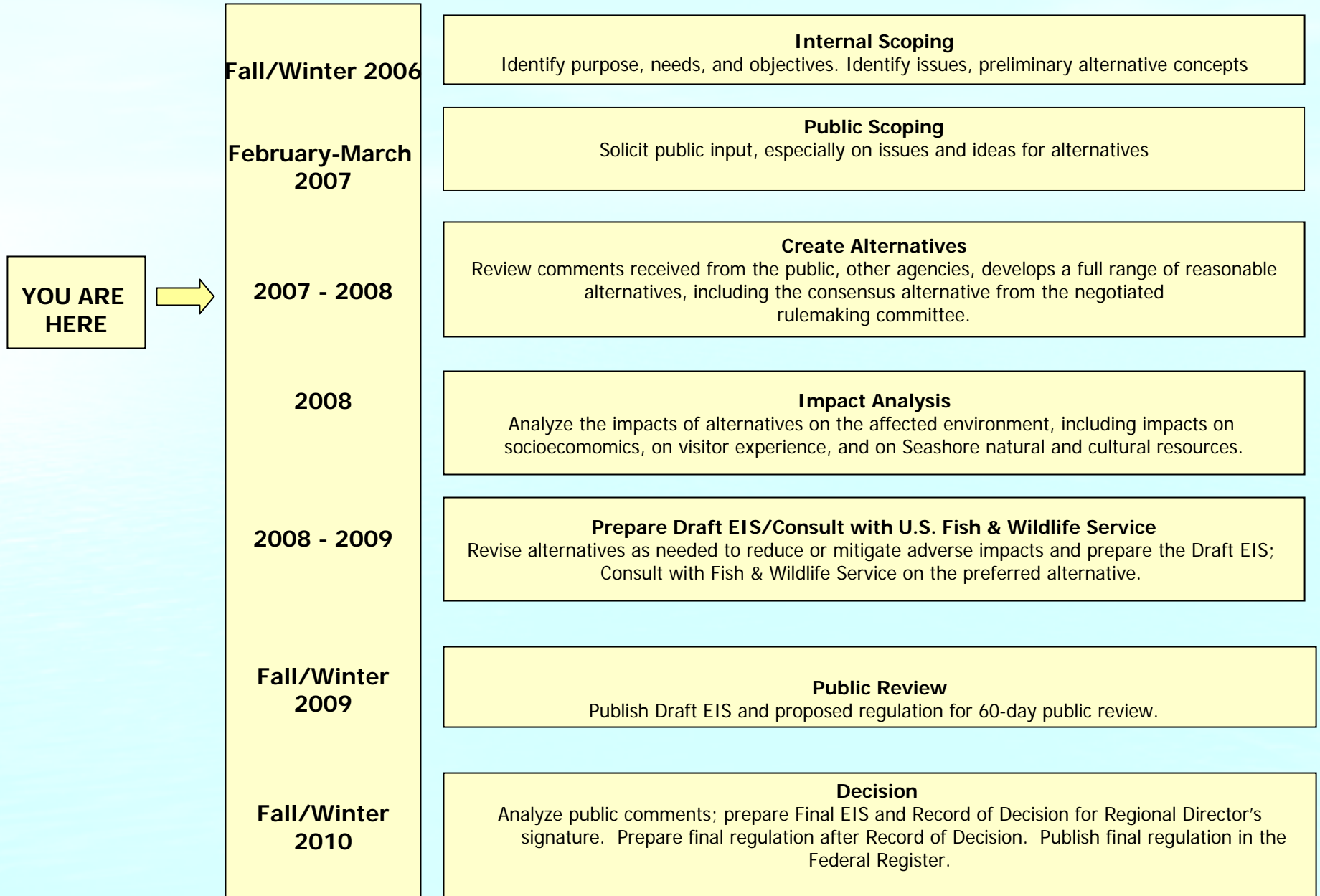


**ORV Management Plan/
Environmental Impact Statement
January 2008**

Purpose and Objectives of Meeting

- **Review the planning process and timeline and note the relation of NEPA planning to the proposed negotiated rulemaking**
- **Share information from public and internal scoping**
- **Receive your comments on options for ORV management**

ORV Management Plan/Environmental Impact Statement Planning Process





NPS Organic Act

16 U.S.C. § 1 et seq.

- **“...the fundamental purposes of said parks... is to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”**

General Authorities Act

16 U.S.C. § 1a-1 et seq.

- **Directed that the various types of NPS areas be managed as one “National Park System” consistent with the purpose statement in the Organic Act.**

NPS Management Policies 2006

1.4.4 Prohibition on Impairment of Park Resources and Values

- NPS must leave park resources and values unimpaired.
- Though NPS has discretion to allow impacts within parks, it is limited by this statutory prohibition on impairment.

1.5 Appropriate Use of the Parks

- When proposed park uses and the protection of park resources and values come into conflict, the protection of resources and values must be predominant.

CAHA Enabling Legislation*

(50 Stat. 669, August 17, 1937)

"...said area shall be, and is hereby, established, dedicated, and set apart as a national seashore for the benefit and enjoyment of the people."

16 U.S.C § 459

****No record exists of any debate or protest of the legislation.***



CAHA Enabling Legislation

“Except for certain portions of the area, deemed to be especially adaptable for recreational uses, particularly swimming, boating, sailing, fishing, and other recreational activities of similar nature, which shall be developed for such uses as needed, ...” *16 U.S.C § 459a-2*



Surf fishing 1935



Cape Hatteras 1934

CAHA Enabling Legislation *(continued)*

“...the said areas shall be permanently reserved as a primitive wilderness and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing in the area.” *16 U.S.C § 459a-2*



Beach north of CAHA Light 1934



Beach Fishing 1956

National Environmental Policy Act (NEPA) Planning Process

- First step is to develop the Purpose, Need, and Objectives for taking action
- You can find these in the alternatives options workbook in the regulatory framework section.



Purpose (what we intend to accomplish)

- The purpose of this Plan/EIS is to develop regulations and procedures that manage ORV use/access in the Seashore to protect and preserve natural and cultural resources and natural processes, provide a variety of appropriate visitor use experiences, while minimizing conflicts among various uses, and promote the safety of all visitors.**

Need -- Action is needed now because:

- **The seashore must comply with Executive Orders 11644 and 11989 respecting ORV use, and with NPS laws, regulations (36 CFR 4.10), and policies to minimize impacts to Seashore resources and values.**



Action is needed now because:

- The lack of an approved plan has led over time to inconsistent management of ORV use, user conflicts, and safety concerns.



Action is needed now because:

- The seashore needs to provide for protected species management in relation to ORV and other uses to replace the Interim Protected Species Management Strategy/EA and associated Biological Opinion.



Objectives

- **Objectives are goals that must be achieved to a large degree for the plan to be considered a success.**



Management Methodology Objectives

- Identify criteria to designate ORV use areas and routes.



Management Methodology Objectives

- **Establish ORV management practices and procedures that are able to adapt to changes in the seashore's dynamic physical and biological environment.**



Management Methodolgy Objectives

- **Establish a civic engagement component for ORV management.**



Management Methodology Objectives

- **Establish procedures for prompt and efficient public notification of beach access status including any temporary ORV use restrictions for such things as ramp maintenance, resource and public safety closures, storm events, etc.**

Management Methodology

Objectives

- **Build stewardship through public awareness and understanding of NPS resource management and visitor use policies and responsibilities as they pertain to the Seashore and ORV management.**



Visitor Use and Experience Objectives



- **Manage ORV use to allow for a variety of appropriate visitor experiences.**
- **Minimize conflicts between ORV use and other uses.**

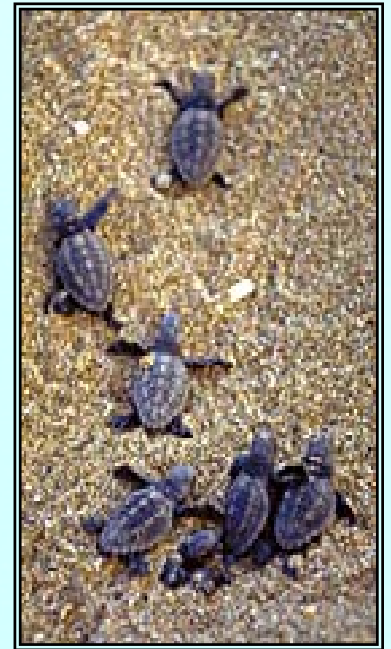
Visitor Use and Experience Objectives

- **Ensure that ORV operators are informed about the rules and regulations regarding ORV use at the Seashore.**
- **Ensure that ORV management promotes the safety of all visitors.**



Seashore Resource Objectives

- For threatened, endangered, and other protected species (e.g. state listed species) and their habitats, minimize adverse impacts related to ORV uses as required by laws and polices such as the Endangered Species Act, Migratory Bird Treaty Act, and NPS laws and management policies



Seashore Resource Objectives

- **Minimize adverse impacts to native plant species related to ORV use**
- **Minimize adverse impacts to wildlife species and their habitats related to ORV use.**
- **Protect cultural resources such as shipwrecks, archeological sites and cultural landscapes from adverse impacts related to ORV use.**

Seashore Operations Objectives

- Identify operational needs, costs and potential funding sources to fully implement an ORV management plan.



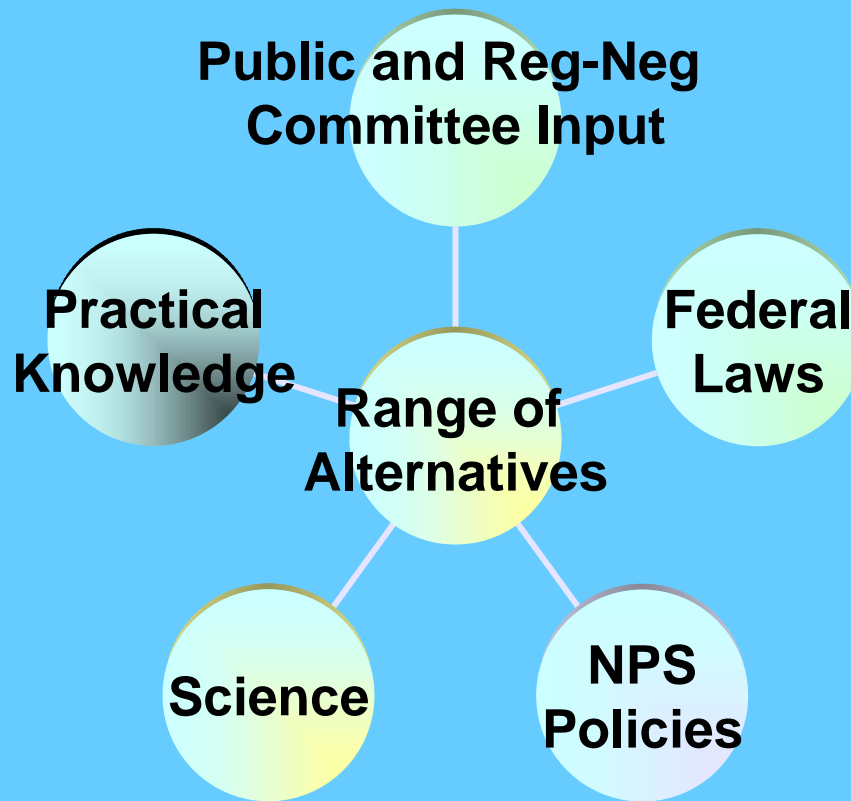
Alternatives

- **A full range of reasonable alternatives is required in an Environmental Impact Statement.**
- **Where Purpose and Need define “the problems,” Alternatives are different ways to solve them, i.e. they meet the purpose and objectives while resolving need and issues.**
- **They are all within stated constraints, including NPS policies.**

Reasonable Alternatives

- **Provide real choices for decision makers**
- **Must be economically and technically feasible, display common sense, meet the plan purpose and objectives and resolve the need for action**
- **Are not necessarily the cheapest or easiest solution**

How Alternatives Are Developed



The Reg-Neg Committee and NEPA Alternatives

- As the NPS representative on the committee, I'll share with the committee the input NPS receives from the public on alternatives.
- The primary focus of the reg-neg committee is to develop a consensus recommendation to the NPS on ORV management at CAHA.
- If the committee reaches a consensus, then NPS will use this consensus agreement as the basis for the NPS proposed ORV rule and in the DEIS for the preferred alternative.

All Reasonable Alternatives?

- When there are many alternatives that could be analyzed, choose a few that cover the full spectrum of options.
- It is the range of alternatives that is most important, rather than the number.



Alternatives

- **Must include: “No Action”;** which means current management continued through the life of the plan. In the workbook “No Action” options are identified as *status quo*.



Preliminary Alternatives Options

- **Through public and internal scoping, NPS has identified a number of different ORV management options.**
- **These options are not intended to be all inclusive, nor necessarily always compatible or mutually exclusive.**
- **Multiple compatible options can be combined to come up with a diverse range of alternatives for evaluation in the draft EIS.**

Preliminary Alternatives Options

(continued)

- These are ideas for discussion that may (or may not) be developed into alternatives.
- You can find them in the workbook provided where we'd like you to give us your evaluation of how effective they would be at meeting the purpose, need and objectives of the plan/EIS.
- We also need your ideas for how these elements could be combined to create comprehensive ORV management alternatives, or suggestions for new ideas that we have not identified.

How to Provide Comments

- **Use the workbook provided to submit comments tonight or by mailing the workbook to:**
 - Superintendent, Outer Banks Group**
 - 1401 National Park Drive**
 - Manteo, NC 27954**
- **Download a workbook from <http://parkplanning.nps.gov/caha>, print it, complete it, and mail to the address above**

How to Provide Comments

- **Download a workbook from <http://parkplanning.nps.gov/caha>, complete it electronically, and e-mail it to cahaorveis@louisberger.com**
- **To be most helpful in the planning process workbooks must be received by February 15, 2008.**
- **If you'd like to be on the project mailing list, please be sure we have your full name, mailing address, and e-mail address.**