

CHAPTER 5 – CONSULTATION AND COORDINATION

1 BRIEF HISTORY OF PUBLIC 2 INVOLVEMENT

3 4 *The Final General Management*

5 *Plan/Environmental Impact Statement* for Fort
6 Matanzas National Monument represents thoughts
7 of the NPS, park staff, state and local agencies
8 and organizations, and the public. Consultation
9 and coordination among the agencies and the
10 public were vitally important throughout the
11 planning process. Public meetings and
12 newsletters were used to keep the public informed
13 and involved in the planning process. A mailing
14 list was compiled that consisted of members of
15 governmental agencies, organizations, businesses,
16 legislators, local governments, and interested
17 citizens.

18
19 The consultation and civic engagement process
20 began with a series of meetings with NPS subject
21 matter experts and managers in the Southeast
22 Regional Office in Atlanta in June and in St.
23 Augustine in August of 2001. Meetings with
24 various local agency and organization
25 representatives were held in March and April
26 2002. Agencies and organizations consulted
27 during this period included various tour bus
28 companies, historical societies, State and Federal
29 agencies, the Chamber of Commerce, the St.
30 Augustine Visitors and Conventions Bureau, the
31 St. Johns County Planning Department, the St.
32 Augustine City Manager's office, the Historic
33 District Manager, and the St. Augustine Police
34 Chief, among others.

35
36 The planning team kept the public informed and
37 involved in the planning process through public
38 meetings and through the distribution of
39 newsletters. Representatives of governmental
40 agencies, organizations, businesses, legislators,
41 local governments, and interested citizens
42 contributed their names and addresses to a
43 mailing list for the project. The NPS published a
44 notice of intent to prepare the GMP/EIS in the
45 Federal Register on March 28, 2002.

46
47 Newsletter No.1 described the planning effort and
48 solicited public input. Public open house
49 meetings were held at the St. Augustine Beach

50 City Hall on May 29 and 30, 2002. The NPS
51 received comments in the meetings and in
52 response to the first newsletter. At this point, due
53 to an unforeseen shift in management priorities,
54 the project was put on hold until August 2007
55 when another scoping newsletter restarted the
56 project. Public meetings were held on September
57 18 and 19, 2007 at the University of Florida
58 Whitney Laboratory for Marine Bioscience. In
59 March 2008, a newsletter presenting the
60 preliminary management alternatives was
61 published and distributed. This newsletter was
62 also posted on the National Monument's
63 GMP/EIS website. On March 19 and 20, 2008,
64 the planning team presented the preliminary
65 alternatives to the public at the St. Augustine
66 Beach City Hall to provide direct opportunities
67 for the public to hear descriptions of and to
68 comment on the proposed alternatives.

69
70 All comment letters received from agencies and
71 organizations have been posted to the PEPC
72 internet site (<http://parkplanning.nps.gov/foma>)
73 for public inspection.

74
75 A report titled "*Comments and Responses on*
76 *the Fort Matanzas National Monument Draft*
77 *General Management Plan / Environmental*
78 *Impact Statement*" is included at the end of this
79 chapter. The report summarizes the substance
80 of the comments received during this draft
81 review period and provides a collection of
82 National Park Service responses to the various
83 categories of concerns that commenters raised.

84 85 **CONSULTATIONS WITH OTHER** 86 **AGENCIES AND ORGANIZATIONS**

87 88 **U.S. Fish and Wildlife Service,** 89 **Section 7 Consultation**

90
91 During the preparation of this document, NPS
92 staff has coordinated formally with the U.S. Fish
93 and Wildlife Service in Jacksonville, Florida
94 throughout the planning process. The Fish and
95 Wildlife Service also provided a list of federal
96 threatened and endangered species that might be
97 in or near the National Monument (Appendix E).

1
2 In accordance with the Endangered Species Act
3 and relevant regulations at 50 *CFR* Part 402, the
4 NPS determined that development and approval
5 of the management plan is not likely to adversely
6 affect any federally threatened or endangered
7 species and requested written concurrence with
8 that determination from the U.S. Fish and
9 Wildlife Service.

10
11 The NPS will continue to consult with the Fish
12 and Wildlife Service on future actions conducted
13 under the framework described in this GMP/EIS.
14

15 **Florida State Historic Preservation** 16 **Officer, Section 106 Consultation**

17
18 Section 106 of the NHPA requires Federal
19 agencies to take into account the effects of their
20 undertakings on historic properties and afford the
21 Advisory Council on Historic Preservation a
22 reasonable opportunity to comment on such
23 undertakings (16 USC 470, et seq.). NPS staff
24 has coordinated informally with the Florida
25 SHPO's office.

26
27 Under the terms of the 2008 Programmatic
28 Agreement among the NPS, the Advisory
29 Council on Historic Preservation, and the
30 NCSHPO, the NPS will consult with SHPOs on
31 projects reviewed in accordance with the
32 procedures set forth in Section IV of the
33 Agreement.

34 **Florida Department of** 35 **Environmental Protection, Coastal** 36 **Management Program**

37
38 The federal Coastal Zone Management Act
39 (1972), through its Federal Consistency
40 Provisions, gives the state the ability to require
41 that all federal activities in the state be consistent
42 with the state's Coastal Management Program.
43 Florida's management program was approved by
44 the National Oceanic and Atmospheric
45 Administration in 1981. The Florida program
46 consists of a network of 11 state agencies and 4 of
47 the 5 water management districts to

- 48 • to ensure the wise use and protection of
- 49 the state's water, cultural, historic, and
- 50 biological resources,
- 51 • to minimize the state's vulnerability to
- 52 coastal hazards,

- 53 • to ensure compliance with the state's
- 54 growth management laws,
- 55 • to protect the state's transportation
- 56 system,
- 57 • and to protect the state's proprietary
- 58 interest as the owner of sovereign
- 59 submerged lands.

60
61 The state's coastal zone includes the area
62 encompassed by the state's 67 counties and its
63 territorial seas. Therefore, federal actions that
64 occur throughout the state are reviewed by the
65 state for consistency with the Florida Coastal
66 Management Program.

67
68 For direct federal activities, the state is required
69 by the Coastal Zone Management Act to complete
70 its review and provide the federal agency with its
71 federal consistency concurrence within 60 days
72 following the receipt of the required information.
73 If the state does not provide the federal agency
74 with its federal consistency concurrence or
75 objection within 60 days, the federal action is
76 presumed to be consistent with the Florida
77 Coastal Management Program. Information for
78 consistency determination is submitted to the
79 Florida State Clearinghouse, which is in the
80 Department of Environmental Protection. The
81 state clearinghouse serves as the single point of
82 contact for the receipt of documents that require
83 federal consistency review. The State
84 Clearinghouse is the only entity legally authorized
85 to accept information and/or materials on behalf
86 of the state that require federal consistency
87 review.

88
89 The National Park Service has requested a
90 consistency determination for the federal Coastal
91 Zone Management Act via the Florida State
92 Clearinghouse program of the Florida Department
93 of Environmental Protection. The National Park
94 Service proposes no development in any area of
95 the National Monument that would conflict with
96 the coastal management program.

97 98 **Tribal Consultations**

99
100 In accordance with the various laws, policies, and
101 Executive Orders concerning government-to-
102 government consultation with and outreach to
103 Federally recognized tribal governments, the
104 Superintendent of Fort Matanzas National
105 Monument sent letters to the tribal representatives

1 inviting their participation in the park’s GMP
2 process. There was no interest in formal
3 consultations regarding Fort Matanzas National
4 Monument.

5
6 **COMMENTS AND RESPONSES ON THE**
7 **FORT MATANZAS DRAFT GENERAL**
8 **MANAGEMENT PLAN /**
9 **ENVIRONMENTAL IMPACT**
10 **STATEMENT**

11 **INTRODUCTION**

12 On June 22, 2012, Fort Matanzas National
13 Monument (the monument) released the Draft
14 General Management Plan / Environmental
15 Impact Statement (GMP/EIS) for public review
16 and comment. The GMP/EIS was available
17 locally at the park and on the National Park
18 Service (NPS) planning website
19 (<http://parkplanning.nps.gov/foma>). The public
20 was invited to submit comments on the Plan/EIS
21 through August 20, 2012.

22
23 During the public comment period, 1,857 pieces
24 of correspondence (including 1,676 form letters
25 from Audubon of Florida supporters) were
26 entered into the Planning, Environment, and
27 Public Comment (PEPC) system, either through
28 direct entry by commenter or uploading hard copy
29 letters or electronic correspondence. While private
30 individuals submitted most of the correspondence,
31 one conservation organization, state government
32 agencies, and federal government agencies also
33 submitted correspondence. 98% of commenters
34 were from Florida, 1.1% from Georgia and the
35 remaining from various states throughout the
36 Unites States.

37 **Summary of Public Concerns**

38 A large portion of the comments received were
39 about the current ban on beach driving at Fort
40 Matanzas. Some commenters want the ban to end
41 so that driving on the beach is again allowed,
42 while others want the ban to continue into the
43 future. The public also provided comments on
44 other topics related to the plan. Commenters
45 provided suggestions for and comments on the
46 alternatives, possible impacts to local economies,
47 levels of impact analysis concerning possible
48 future construction projects, monitoring and
49 protection of special or endangered species,
50 protection of natural and cultural resources, and

51 management actions for the national monument to
52 consider.

53 **The Comment Analysis Process**

54 Comment analysis is a process used to compile
55 and correlate similar public comments into a
56 format that the planning team can use to organize,
57 clarify, and address technical information
58 pursuant to National Environmental Policy Act
59 (NEPA) regulations. The process also aids the
60 planning team in identifying the topics and issues
61 to be evaluated and considered throughout the
62 planning process. The process includes six main
63 components:

- 64
- 65 1. employing a comment database for
66 comment management
- 67 2. developing a coding structure
- 68 3. reading and coding public comments
- 69 4. interpreting and analyzing the comments
70 to identify issues and themes, which
71 includes drafting concern statements
- 72 5. responding to comments
- 73 6. preparing a comment analysis and
74 response report
- 75

76 A coding structure was developed to help sort
77 comments into logical groups by topic. The
78 coding structure was derived from an analysis of
79 the comments, the range of topics discussed
80 during internal NPS scoping, and past public
81 involvement. The coding structure was designed
82 to capture all comment content rather than to
83 restrict or exclude any ideas. In order to organize
84 all of the comments in a clear and concise manner
85 for inclusion in the comment analysis and
86 response report, the planning team created
87 response topics that are organized by similar
88 themes and issues.

89
90 The National Park Service PEPC database was
91 used to manage the comments received. After
92 reading the correspondence, the planning team
93 assigned codes to statements made by the public
94 in their letters, at the public meetings, in their e-
95 mail messages, and on the written comment form.
96 All comments—those of a technical nature;
97 opinions, feelings, and preferences of one element
98 or one potential alternative over another; and
99 those of a personal or philosophical nature—were
100 considered and analyzed and have been used to
101 help create the final GMP/EIS.

1 After reading the comments, the planning team
2 coded comments as either substantive or
3 nonsubstantive. A substantive comment, as
4 defined in the NPS Director’s Order 12 Handbook
5 (section 4.6A), is a comment that:

- 6
- 7 ▪ questions (with a reasonable basis) the
8 accuracy of information presented in the
9 EIS
- 10 ▪ questions (with a reasonable basis) the
11 adequacy of the environmental analysis
- 12 ▪ presents reasonable alternatives other
13 than those presented in the EIS
- 14 ▪ causes changes or revisions in the
15 proposal

16

17 As further stated in Director’s Order 12,
18 substantive comments “raise, debate, or question a
19 point of fact or policy. Comments in favor of or
20 against the proposed action or alternatives, or
21 comments that only agree or disagree with NPS
22 policy, are not considered substantive.” Typically,
23 only those comments considered to be substantive
24 are analyzed and used to create concern
25 statements for NPS response; however, some non-
26 substantive issues were identified for response
27 during this process.

28

29 Then, all substantive comments were categorized
30 and grouped by similar themes. The themes were
31 then summarized using a concern statement that is
32 representative of many comments. In this
33 comment analysis and response report, concern
34 statements are organized under broad topical
35 categories.

36

37 As required under the NEPA process, the National
38 Park Service has responded to all substantive
39 comments raised by the public as part of
40 finalizing the GMP/EIS. In this report, the
41 planning team provided responses to the
42 substantive comments and indicated, where
43 appropriate, how the text in the final
44 environmental impact statement was revised. In
45 addition, the non-substantive comments that were
46 identified as being of high importance to the
47 public or needing clarification are also responded
48 to in this report.

50 Definitions of Terms

51 **Correspondence:** A correspondence is the
52 entire document received from a commenter. It

53 can be in the form of a letter, e-mail, written
54 comment form, note card, open house transcript,
55 or petition.

56 **Comment:** A comment is a portion of the text
57 within a correspondence that addresses a single
58 subject or issue. It could include such information
59 as an expression of support or opposition to the
60 use of a potential management tool, additional
61 data regarding the existing condition, or an
62 opinion debating the adequacy of an analysis.

63

64 **Code:** A grouping that is centered on a common
65 subject.

66

67 **Concern Statement:** Concern statements
68 summarize the issues identified by each code.
69 Each code is further characterized by concern
70 statements to provide a better focus on the content
71 of comments. Some codes may require multiple
72 concern statements, while others do not. In cases
73 where no comments were received on an issue,
74 the issue was not identified or discussed in this
75 report.

76

77 **Nonsubstantive Comment:** As stated in the
78 NPS Director’s Order 12 Handbook (section
79 4.6A), comments in favor of or against the
80 proposed action or alternatives, or comments that
81 only agree or disagree with NPS policy, are
82 considered non-substantive.

83

84 **Substantive Comment:** A substantive
85 comment, as defined in the NPS Director’s Order
86 12 Handbook (section 4.6A), is a comment that
87 does one or more of the following:

- 88
- 89 ▪ questions (with a reasonable basis) the
90 accuracy of information presented in the
91 environmental impact statement
- 92 ▪ questions (with reasonable basis) the
93 adequacy of the environmental analysis
- 94 ▪ presents reasonable alternatives other
95 than those presented in the environmental
96 impact statement
- 97 ▪ causes changes or revisions in the
98 proposal

99 Agency Consultation and coordination

100 Federal and state agencies affirmed their
101 concurrency on the Draft GMP/EIS. The EPA
102 gave the plan a “Lack of Objections” rating. The

1 Florida Fish and Wildlife Conservation
2 Commission found the plan to be consistent with
3 their authorities under Chapter 379, Florida
4 Statutes. The US Fish and Wildlife Service found
5 that alternative B, the environmentally preferred
6 alternative, either would have no effect or would
7 not be likely to affect the main species listed in
8 the plan adversely. The Florida State Historic
9 Preservation Office concurs with the management
10 actions contained in alternative B of the plan. The
11 Florida Department of Environmental Protection
12 found the proposed federal activities in this plan
13 are consistent with the Florida Coastal
14 Management Program. The National Marine
15 Fisheries Service of NOAA supports the preferred
16 alternative and the decision to continue the ban on
17 beach driving.

18 **NPS Response to Public Comments**

19 Comments that contain substantive points
20 regarding information in the draft GMP/EIS or
21 comments that need clarification are extracted
22 below. A concern statement has been developed
23 to summarize the comments. A response follows
24 these concerns, sometimes multiple concern
25 statements are addressed with one response. All
26 comment letters from government agencies have
27 been scanned and are included in Chapter 5.
28

29 Where appropriate, text in the *Fort Matanzas*
30 *National Monument Draft General Management*
31 *Plan / Environmental Impact Statement* has been
32 revised to address comments and changes, as
33 indicated in the following responses.
34

35 Concern statements and responses are listed
36 below. Concerns statements have been organized
37 under topical areas. At times, one response
38 addresses multiple concern statements.
39

40 **Summary Concern and Response about** 41 **Beach Driving**

42
43 **CONCERN:** A large portion of the comments
44 received were about the current ban on beach
45 driving at Fort Matanzas. Some commenters want
46 the ban to end so that driving on the beach is
47 again allowed, while others want the ban to
48 continue into the future. Individuals who want
49 beach driving to be allowed often stated that
50 without beach driving, reaching the inlet for
51 fishing is very difficult, particularly for elderly or
52 disabled persons. Commenters said that the

53 national monument is obligated to provide
54 adequate beach access, via beach driving, to
55 visitors with disabilities. In addition, commenters
56 questioned the reasons for banning beach driving
57 and asked park staff to supply data and analysis
58 on the impacts of beach driving. Individuals who
59 do not want beach driving to be allowed or
60 considered in the future raised concerns over
61 human safety and possible impacts to wildlife and
62 vegetation caused by cars. Many of these
63 commenters also stated that their visitor
64 experiences have improved since the ban on
65 beach driving and therefore do not want it to be
66 allowed in the future.

67 **RESPONSE:** The National Park Service
68 recognizes that beach vehicle use at Fort
69 Matanzas National Monument has previously
70 been a customary means of access for sport
71 fishermen and other recreational users, has long
72 facilitated the transport of personal gear and
73 equipment, and has enabled elderly and disabled
74 visitors to more easily access and experience the
75 national monument's beaches. However,
76 consistent with law, regulation, and policy (see
77 appendix E of the general management plan), the
78 National Park Service currently has no legal
79 authority to permit driving off designated roads
80 within the national monument. Closure of the Fort
81 Matanzas beaches to vehicles (completed in
82 January 2010) will continue unless and until such
83 time that authority to permit off-road driving on
84 the beach is legally granted. While many disabled
85 or elderly visitors will not be able to access the
86 inlet without a vehicle, the northern end of the
87 national monument is accessible to anyone who
88 can drive to the ramp parking area or the beach
89 immediately north of the park boundary.
90 Depending on the individual's capability, they can
91 walk to or be assisted to a spot where surf fishing
92 and other beach activities are readily available.
93

94 In addition to providing for visitor use, NPS
95 managers must address the requirements for
96 resource protection that stem from the overall
97 mission of the National Park Service and the
98 specific purpose of Fort Matanzas to "conserve
99 resources within the park for the benefit of future
100 generations through a comprehensive program of
101 preservation, management, interpretation, and
102 education." Vehicle use places nesting birds and
103 other coastal species at risk, and can damage
104 important wildlife habitat that sustains threatened

1 and endangered species. Such impacts to wildlife
2 and habitat have been documented at Fort
3 Matanzas and are supported by scientific data on
4 this topic. Appendix G, containing additional
5 narrative and references, has been added to the
6 document to address this comment.

7 For these and other reasons (e.g., public safety
8 concerns) the National Park Service continues to
9 support the preferred alternative (B) from the
10 draft general management plan that does not
11 permit public beach driving. Irrespective of the
12 amount, location or seasonality of beach driving,
13 the National Park Service is following both legal
14 and scientific evidence that such use is not
15 acceptable.

16 Below, specific concern statements relating to
17 beach driving are presented along with NPS
18 responses to those concerns. Topics outside of
19 beach driving are also then presented.

20 21 **1. Beach Driving**

22 **a. Approves of Beach Driving**

23 **i. New Alternatives or Elements**

24 **CONCERN:** Commenters shared a proposal to
25 allow driving on half of the beach, with the bridge
26 dividing the point where beach driving should
27 end. Additionally, signs would be posted on the
28 bridge that would advise visitors to not drive west
29 of the bridge. Commenter felt this would allow
30 both an area for driving and keep an area
31 protected from driving.

32
33 **CONCERN:** Commenters suggested various ideas
34 on beach driving being allowed on a seasonal
35 basis to accommodate fishermen and disabled
36 persons. One commenter suggested the beach be
37 open a few days a week and every other weekend
38 to driving. One commenter recommended that
39 beach driving be allowed, but only during a
40 specific season (October to February) so that
41 disabled persons could still access desired fishing
42 areas.

43
44 **CONCERN:** Commenters proposed that beach
45 driving could continue with little or no impact on
46 natural resources if cars are kept off the dunes.
47 Commenters suggested using driving poles to
48 demarcate the areas where cars would not be
49 allowed and to patrol the dunes.

50

51 **RESPONSE:** Beach driving is prohibited at Fort
52 Matanzas because the National Park Service
53 currently lacks legal authority to permit. It has
54 been determined that beach driving violates
55 Executive Order 11644, "Use of Off-Road
56 Vehicles on Public Lands," as amended; NPS
57 regulations at 36 Code of Federal Regulations
58 (CFR) 4.10; and St. Johns County ordinances 97-
59 34 (June 24, 1997). Under these current laws and
60 policies, driving on the beach within the boundary
61 of the national monument is prohibited. Beach
62 driving is also prohibited south of Matanzas
63 Ramp (the entrance to the beach from the
64 highway) under current state law and county
65 ordinance. A federal regulation on beach driving
66 within Fort Matanzas or other national
67 monuments, along with an amended county
68 ordinance, would be required for beach driving to
69 occur in the future.

70 Some of those who commented on the plan
71 suggested compromise solutions to partially limit
72 or restrict vehicle use in a manner that protects
73 resources and safely accommodates pedestrian
74 visitors. At this time, providing limited or
75 periodic beach driving is not feasible due to both
76 legal and regulatory factors cited above as well as
77 the potential adverse impacts on wildlife and
78 human safety. The National Park Service supports
79 Alternative B, the preferred alternative, and with
80 the adoption of that alternative beach driving,
81 even if limited or temporary, will not be
82 permissible. If, in the future laws and regulations
83 change, an off-road vehicle (ORV) management
84 plan would be conducted and such variations of
85 beach driving would be considered and assessed.

86 **ii. Impact Analysis and Methods** 87 **Used for the GMP**

88 **CONCERN:** Commenters asked that supporting
89 data concerning beach driving impacts on
90 resources be included in the final GMP/EIS.
91 Commenters contend that sufficient data was not
92 presented in order to support the ban on beach
93 driving contained in alternatives A and B.
94 Specifically, commenters want to see scientific
95 data concerning counts of threatened or
96 endangered species from before and after the
97 beach driving ban was put into effect. One
98 commenter asserts that declines in species are
99 related to natural processes rather than being
100 human caused.

1 **RESPONSE:** The decision to end beach driving
2 at Fort Matanzas was made after review of current
3 laws and regulations. It has been determined that
4 beach driving violates Executive Order 11644, as
5 amended, NPS regulations at 36 CFR 4.10, and
6 St. Johns County ordinances 97-34 (June 24,
7 1997). Under these current laws and policies,
8 driving on the beach within the boundary of the
9 national monument is prohibited. A federal
10 regulation on beach driving within Fort Matanzas
11 or national monuments, along with an amended
12 county ordinance, would be required for beach
13 driving to occur in the future. If such policy
14 change does occur in the future, the National Park
15 Service would begin the process of creating an
16 off-road vehicle plan. That planning process
17 would investigate potential impacts to resources
18 caused by beach driving.

19
20 The selection of Alternative B as the NPS
21 preferred alternative was accomplished using a
22 decision-making process called Choosing By
23 Advantages (CBA). This process is a rational
24 method for evaluating the importance of the
25 advantages between the different alternatives and
26 then comparing those advantages to the costs of
27 the alternatives. The selection was not based on
28 the impact of driving on threatened and
29 endangered species alone. Other factors
30 considered were impacts on cultural resources
31 associated with the park's National Register
32 Historic District, educational and interpretive
33 opportunities, and public safety and welfare.

34
35 Finally, an appendix (Appendix G) has been
36 added that contains references to a large number
37 of scientific studies from various locations on the
38 Atlantic Coast and the Gulf Coast that document
39 impacts of driving on the ecology of ocean
40 beaches. It is too soon to have enough data to
41 determine the impacts of the beach driving ban on
42 the populations of threatened and endangered
43 species at Fort Matanzas. The National Park
44 Service is committed to monitoring threatened
45 and endangered species that are present within
46 park units. The NPS Inventory and Monitoring
47 program determines status of site-specific species
48 as well as trends over large areas. Long-term
49 changes, whether from the beach driving ban,
50 natural processes, or otherwise, are monitored and
51 evaluated at Fort Matanzas through this program.
52 For more information on this program visit
53 <http://science.nature.nps.gov/im/index.cfm>.

54
55
56
57

iii. Park Operations: Guiding Policies, Regulations, and Laws

58 **CONCERN:** Commenters contend that the intent
59 with which park lands were transferred to the
60 National Park Service will not be fulfilled with
61 alternatives that ban driving. Therefore,
62 commenters want beach driving to be reinstated at
63 Fort Matanzas.

64 **RESPONSE:** The boundary of Fort Matanzas was
65 expanded in 1948 and additional lands were
66 donated to the National Park Service in 1962. As
67 a unit of the national park system, Fort Matanzas
68 is required to follow federal laws and regulations,
69 even if they are enacted after land transfers. The
70 deed from the 1962 land donation does not
71 specify that the previous owners desired beach
72 driving to continue. The most relevant clause of
73 the deed specifying how resources should be
74 managed states that “. . . hereinafter described
75 lands are conveyed for park purposes, and said
76 lands are being conveyed to facilitate
77 development and protection of the Fort Matanzas
78 National Monument.” The NPS believes that the
79 intent under which lands were added to the park
80 are in fact being fulfilled, as the purpose and
81 significance of the park will be protected and
82 continued upon implementation of the GMP/EIS.

83
84 It has been determined that beach driving violates
85 Executive Order 11644, as amended, NPS
86 regulations at 36 CFR 4.10, and St. Johns County
87 ordinances 97-34 (June 24, 1997). Under these
88 current laws and regulations, driving on the beach
89 within the boundary of the national monument is
90 prohibited. Beach driving is also prohibited south
91 of Matanzas Ramp (the entrance to the beach
92 from the highway) under the current state law and
93 county ordinance. A federal regulation on beach
94 driving within Fort Matanzas or other national
95 monuments, along with an amended county
96 ordinance, would be required for beach driving to
97 occur in the future. If such policy change does
98 occur in the future, the National Park Service
99 would reference the suggestions made by
100 commenters during a formal off-road vehicle
101 (ORV) management plan.

102
103 **CONCERN:** Commenters argue that Fort
104 Matanzas is legally obligated to provide adequate

1 beach access to its visitors by the Americans with
2 Disabilities Act. Commenters stated that current
3 parking is too limited and find the boardwalk to
4 be too long to adequately provide access for both
5 abled and disabled persons who wish to fish at
6 Fort Matanzas. Commenters believe that, for a
7 variety of reasons mentioned, beach driving
8 should be reestablished.

9
10 **RESPONSE:** Although the Americans with
11 Disabilities Act does not apply to federal
12 agencies, the Rehabilitation Act of 1973 requires
13 the National Park Service to provide disabled
14 visitors with reasonable access to services and
15 programs. The National Park Service recognizes
16 that beach vehicle use at Fort Matanzas National
17 Monument has previously been a customary
18 means of access for sport fishermen and other
19 recreational users, has long facilitated the
20 transport of personal gear and equipment, and has
21 enabled elderly and disabled visitors to more
22 easily access and experience the national
23 monument's beaches.

24
25 However, after an extensive review of laws and
26 policies, it has been determined that the National
27 Park Service currently has no legal authority to
28 permit driving off designated roads within the
29 national monument. Further, the National Park
30 Service has reviewed laws concerning
31 accessibility (Public Law 90-480, the
32 Architectural Barriers Act; and Public Law 93-
33 112, the Rehabilitation Act of 1973). The
34 regulations (Section 1018.2) that establish
35 accessibility guidelines pursuant to the
36 Architectural Barriers Act (ABA) for camping
37 facilities, picnic facilities, viewing areas, outdoor
38 recreation access routes, trails, and beach access
39 routes that are constructed or altered by or on
40 behalf of the Federal Government require the
41 National Park Service to connect an accessible
42 entry point to the high tide level at tidal beaches.
43 The boardwalk at the southern parking lot on the
44 east side of Highway A1A is an accessible path to
45 the beach. The National Park Service will comply
46 with the Section 1018.2 requirement.

47 48 **iv. Visitor Opportunities and** 49 **Experience Issues**

50 **CONCERN:** Commenters state that by not
51 allowing beach driving, the National Park Service
52 is restricting visitation at the monument.

53 Commenters stated that without vehicles, some
54 visitors will not be able to reach the inlet and will
55 be denied the beach experience.

56
57 **CONCERN:** Commenter states that prohibiting
58 driving on the beach unfairly impacts the elderly
59 and those with disabilities who need a vehicle to
60 access the inlet. Additionally, those who might be
61 able to make the walk to the inlet would not be
62 able to bring beach and fishing gear because it
63 would be too strenuous without a vehicle.

64
65 **CONCERN:** Commenter states that allowing
66 vehicles provides a better visitor experience
67 because of the ease of access to the beach and the
68 inlet and because it is easier to carry beach and
69 fishing gear. Commenter states the distance is too
70 far to carry all this equipment.

71
72 **RESPONSE:** The National Park Service
73 recognizes that beach vehicle use at Fort
74 Matanzas National Monument has previously
75 been a customary means of access for sport
76 fishermen and other recreational users, has long
77 facilitated the transport of personal gear and
78 equipment, and has enabled elderly and disabled
79 visitors to more easily access and experience the
80 national monument's beaches. However,
81 consistent with law, regulation, and policy (see
82 appendix E of the general management plan), the
83 National Park Service currently has no legal
84 authority to permit driving off designated roads
85 within the national monument. Closure of the Fort
86 Matanzas beaches to vehicles (completed in
87 January 2010) will continue unless and until such
88 time that authority to permit off-road driving on
89 the beach is legally granted. While many disabled
90 or elderly visitors will not be able to access the
91 inlet without a vehicle, the northern end of the
92 national monument is accessible to anyone who
93 can drive to the ramp parking area or the beach
94 immediately north of the park boundary.
95 Depending on the individual's capability, they can
96 walk to or be assisted to a spot where surf fishing
97 and other beach activities are readily available.

98
99 In addition to providing for visitor use, NPS
100 managers must address the requirements for
101 resource protection that stem from the overall
102 mission of the National Park Service and the
103 specific purpose of Fort Matanzas to "conserve
104 resources within the park for the benefit of future
105 generations through a comprehensive program of

1 preservation, management, interpretation, and
2 education.” Vehicle use places nesting birds and
3 other coastal species at risk, and can damage
4 important wildlife habitat that sustains threatened
5 and endangered species. For these and other
6 reasons (e.g., public safety concerns) the National
7 Park Service continues to support the preferred
8 alternative (B) from the draft general management
9 plan that does not permit public beach driving.

10 **v. Socioeconomics: Impacts of**
11 **Proposal and Alternatives**

12 **CONCERN:** One commenter stated that not
13 allowing beach driving causes negative impacts to
14 local businesses because restrictions to beach
15 driving will deter tourists.

16
17 **RESPONSE:** Beach driving was discontinued
18 because of current laws and regulations and was
19 therefore not evaluated for specific economic
20 impacts. If laws and regulations were to change in
21 the future, local economics would be considered
22 when conducting an off-road vehicle (ORV)
23 management plan.

24
25 **b. Disapproves of Beach Driving**
26 **i. Park Operations: Guiding**
27 **Policies, Regulations, and Laws**

28 **CONCERN:** Comments contend that beach
29 driving should not be considered at Fort Matanzas
30 because it would require an act of Congress to be
31 legal. Commenters believe that process is too
32 costly and counters previous legislation.

33
34 **RESPONSE:** Fort Matanzas National Monument
35 is not actively seeking to reestablish beach
36 driving. Beach driving is no longer allowed at
37 Fort Matanzas because of current laws, rather than
38 because of existing or potential impacts to
39 resources. It has been determined that beach
40 driving violates Executive Order 11644, as
41 amended, NPS regulations at 36 CFR 4.10, and
42 St. Johns County ordinances 97-34 (June 24,
43 1997). Under these current laws and policies,
44 driving on the beach within the boundary of the
45 national monument is prohibited. Beach driving is
46 also prohibited south of Matanzas Ramp (the
47 entrance to the beach from the highway) under
48 current state law and county ordinance. A federal
49 regulation on beach driving within Fort Matanzas

50 or other national monuments, along with an
51 amended county ordinance, would be required for
52 beach driving to occur in the future. If such policy
53 change does occur in the future, the costs
54 associated with implemented beach driving would
55 include an off-road vehicle (ORV) management
56 plan. Neither the federal regulation nor
57 development of an ORV management plan would
58 require an act of Congress.

59 **ii. Visitor Opportunities and**
60 **Experience Issues**

61 **CONCERN:** Commenters state that visitor
62 experience on the beach is much safer without
63 vehicles and contends there is a large liability
64 with allowing vehicles on the beach. Since
65 vehicles have been removed, commenters report
66 that their beach experience has greatly improved.

67
68 **CONCERN:** Commenter states that vehicles
69 detract from the overall experience at the beach.
70 The vehicles are loud and smelly and the overall
71 size of the monument is small and cannot sustain
72 such a large impact.

73 **RESPONSE:** In addition to providing for visitor
74 use, NPS managers must address the requirements
75 for resource protection that stem from the overall
76 mission of the National Park Service and the
77 specific purpose of Fort Matanzas to “conserve
78 resources within the park for the benefit of future
79 generations through a comprehensive program of
80 preservation, management, interpretation, and
81 education.” Vehicle use places nesting birds and
82 other coastal species at risk, and can damage
83 important wildlife habitat that sustains threatened
84 and endangered species. For these and other
85 reasons (e.g., public safety concerns) the National
86 Park Service continues to support the preferred
87 alternative (B) from the draft general management
88 plan that does not permit public beach driving.

89
90 **iii. Socioeconomics: Impacts of**
91 **Proposal and Alternatives**

92 **CONCERN:** Commenters stated the belief that if
93 beach driving is allowed at Fort Matanzas, park
94 operation costs will increase. Commenters cited
95 costs of smoothing car tracks for turtles,
96 patrolling, and rights of way as requiring large
97 amounts of money that could better be spent
98 elsewhere at the monument. Commenters urged

1 the park to practice fiscal conservation in these
2 tough economic times.

3
4 **CONCERN:** One commenter stated that allowing
5 beach driving will cause negative impacts to local
6 businesses by encouraging an influx of visitors to
7 the area.

8
9 **RESPONSE:** Concerning increased costs
10 associated with beach driving, operational costs at
11 Fort Matanzas increase in response to the
12 recreational use and enforcement activities more
13 than resource management activities. There would
14 be some additional resource costs required with
15 vehicles on the beach. Under the preferred
16 alternative, beach driving would continue to be
17 prohibited and therefore costs associated with
18 managing driving would not exist. As for
19 concerns over impacts to the economies of local
20 communities, beach driving was discontinued
21 because of current laws and regulations and was
22 therefore not evaluated for specific economic
23 impacts. If laws and regulations were to change in
24 the future, local economics would be considered
25 when conducting an off-road vehicle (ORV)
26 management plan.

27
28 It is anticipated that implementing the preferred
29 alternative of the GMP/EIS will positively impact
30 the local community. For instance, under this
31 alternative, permanent jobs could be created at
32 Fort Matanzas and temporary jobs could be
33 created if construction projects occur. The
34 national monument also anticipates visitation and
35 visitation-related spending in local communities
36 will increase as the local and national population
37 increases.

38 2. New Alternatives or Elements

39 **CONCERN:** The Environmental Protection
40 Agency (EPA) recommended that the National
41 Park Service should, instead of expanding parking
42 at the monument, look to partner with outside,
43 adjacent state and local agencies to share parking
44 and provide a shuttle to the monument.

45
46 **RESPONSE:** The national monument is always
47 looking for creative and effective partnerships
48 with nearby communities and organizations and
49 will keep this suggestion in mind if such a system
50 is identified as being feasible in the future.
51 Currently, such a shuttle system has been

52 determined to be unfeasible, largely for two
53 reasons. First, visitors are often going to the beach
54 in order to fish. The gear needed for fishing is not
55 conducive to a shuttle vehicle. Second, in order
56 for a shuttle system to work one or more large
57 parking lots would be needed for visitors to park
58 at before boarding the shuttle to the national
59 monument. A lack of such large parking lots in
60 the nearby area makes a shuttle system
61 impracticable.

62
63 **CONCERN:** The U.S. Fish and Wildlife Service
64 (USFWS) noted that they have previously
65 supplied comments on a draft alternative
66 (alternative D) which is no longer included in the
67 draft GMP/EIS. They direct the National Park
68 Service to their previous comment about measures
69 (including permitting) that could avoid, minimize,
70 and mitigate protected species if beach driving
71 were to be allowed in the future.

72
73 **RESPONSE:** In 2008, the National Park Service
74 asked for comments on preliminary alternative
75 concepts. The comments received on those
76 preliminary concepts shaped the draft GMP/EIS
77 rather than serving as a previous version of it. Fort
78 Matanzas appreciates the comments and
79 suggestions made by the Florida Fish and Wildlife
80 Conservation Commission then and now, and like
81 all comments, have been reviewed and considered
82 as part of this planning process.

83 3. Impact Analysis and Methods Used 84 for the GMP

85
86 **CONCERN:** The Environmental Protection
87 Agency commented that options for addressing
88 the inadequate visitor center were presented in the
89 purpose and need sections of the document.
90 However, an evaluation of all of those options
91 was not presented in the alternatives analysis. The
92 Environmental Protection Agency recommends
93 that all visitor center options be carried forward
94 into chapter 2 of the document, or an explanation
95 of why they were not carried forward be included.

96
97 **RESPONSE:** The examples of how the visitor
98 center could be improved were mentioned in the
99 beginning of the document to demonstrate the
100 variety of approaches that would be considered by
101 Fort Matanzas. In order to address this comment,
102 language has been added in chapter 2, under
103 alternative descriptions and in alternatives and

1 actions considered but dismissed, that clarifies
2 why those specific visitor center improvement
3 options were not carried forward from chapter 1.
4

5 **CONCERN:** The Environmental Protection
6 Agency found it difficult to compare
7 environmental impacts among the three
8 alternatives in the draft GMP/EIS. The agency
9 found discussions and evaluations of proposed
10 parking and bus space expansions to be
11 inconsistent between “Chapter 2, the
12 Alternatives,” and “Chapter 4, Environmental
13 Consequences.” They note that at times the
14 impacts of actions, such as parking expansion,
15 were discussed in chapter 4, but not discussed in
16 chapter 2 or vice versa. In addition to changing
17 the text to be consistent, the Environmental
18 Protection Agency recommends that the various
19 areas of parking expansion be quantified by acres
20 for each alternative.

21
22 **RESPONSE:** Within this GMP/EIS planning
23 process, specific construction (implementation)
24 level impacts of general proposals contained in
25 the alternatives are not typically carried forward
26 into the impact analysis section of the plan.
27 Rather, that level of detail is determined during
28 later planning efforts that examine specific
29 options, possibilities, impacts, and mitigations of
30 any action being considered.

31
32 To address this comment, clarifying statements
33 have been added to the alternatives descriptions in
34 regard to parking expansion proposals. In
35 addition, text in chapters 2 and 4 have been
36 modified to ensure that the topic of parking
37 expansion is covered consistently in both
38 chapters.

39
40 **CONCERN:** The Environmental Protection
41 Agency recommends that the final GMP/EIS
42 quantify future impacts associated with actions by
43 expanding indicators and standards. Specifically
44 speaking to issues surrounding parking, the
45 Environmental Protection Agency recommends
46 that indicators and standards that support desired
47 conditions be quantified and analyzed as impacts
48 for each alternative. They recommend that the
49 plan include numbers such as how many cars can
50 be parked in parking lots for each alternative and
51 how many fishermen are displaced because of the
52 beach driving ban.

53

54 **RESPONSE:** EPA comments are pointing to two
55 different parts of the GMP/EIS that, while
56 connected, operate separately within the context
57 of impact analysis.

58

59 Within chapter 2, the alternatives, management
60 zones, and associated alternative management
61 strategies are identified. Zoning is the method
62 used by the National Park Service to describe the
63 appropriate variety of resource conditions and
64 visitor experience to be achieved and maintained
65 under different areas of the national monument.
66 Chapter 2 describes the overall intent or concept
67 of each alternative within the management zones.
68 This description includes potential management
69 strategies (such as increased development to
70 support more recreation opportunities). These
71 management strategies are generally described
72 given the programmatic and general nature of the
73 general management plan. These actions are
74 analyzed for their impact to resources in chapter
75 4. The level of analysis is commensurate with the
76 level of anticipated impact of the actions and the
77 general nature of the plan. This impact analysis
78 fulfills NEPA requirements for Fort Matanzas to
79 discuss the environmental impacts of a proposed
80 federal action.

81

82 The adaptive management strategies developed
83 within the user capacity framework are not
84 analyzed in the impact analysis. Those adaptive
85 management strategies relating to visitor-caused
86 impacts may be put into place at the national
87 monument regardless of which alternative is
88 adopted, if it is determined that desired conditions
89 are not being met. Although these adaptive
90 management strategies are a suite of tools that
91 could be used in the future, these strategies might
92 require additional planning and compliance with
93 the National Environmental Policy Act if
94 implemented at a later time. The need for
95 additional compliance if some of these strategies
96 need to be implemented in the future is noted in
97 the mitigation measures common to all action
98 alternatives section of chapter 2.

99

100 Concerning available parking spaces, Fort
101 Matanzas has not adopted an indicator and
102 standard relating to the number of parking
103 spaces because only indicators that were
104 considered high priority visitor use-related issues
105 were identified for inclusion in the general
106 management plan. If resource impacts relating to

1 parking availability at Fort Matanzas become a
2 more significant concern in the future, indicators
3 and standards would be identified. The indicators
4 and standards developed within the user capacity
5 section of chapter 2 would be used to adaptively
6 manage impacts specifically caused by visitor use.
7 Indicators are the measureable variables that track
8 visitor-related impacts over time; standards are
9 the minimum acceptable condition for the
10 indicator variables. Standards and adaptive
11 management strategies may vary by management
12 zone to maintain the desired conditions set forth
13 by the alternatives. The impacts from banning
14 beach driving are not included in the plan since
15 this regulation was already in place at the time of
16 plan initiation and is therefore outside the scope
17 of actions included in this general management
18 plan. If the regulation on beach driving needs to
19 be changed in the future, additional planning and
20 compliance would be completed to analyze
21 associated impacts to the change in regulation.

22
23 **CONCERN:** The Environmental Protection
24 Agency recommends that the National Park
25 Service develop indicators that measure changes
26 in protected species populations (such as the black
27 skimmer and least tern) in the face of the recently
28 enacted beach-driving ban. The agency cites that
29 due to the long-term nature of beach driving,
30 changes in species populations would be valuable
31 to collect.

32
33 **RESPONSE:** Fort Matanzas and the National
34 Park Service are committed to thoroughly
35 monitoring and collecting data on protected
36 species. Current wildlife monitoring efforts at
37 Fort Matanzas include but are not limited to
38 Piping Plovers, Wood Storks, the Anastasia Island
39 Beach Mouse, and several listed sea turtles. It is
40 important to note that funding and staffing are
41 unfortunate but realistic limitations for extensive
42 monitoring programs. Routine monitoring at Fort
43 Matanzas is conducted by the NPS Inventory and
44 Monitoring program, Southeast Coast Network.
45 This program coordinates with parks and partners
46 to understand and preserve the many important
47 and unique resources present on the southeast
48 coast. For more information on this program,
49 please visit
50 <http://science.nature.nps.gov/im/units/secn/index.cfm>.

51
52

53 Concerning EPA specific comments about black
54 skimmers and least terns, the national monument
55 routinely monitors nesting sea turtles and nesting
56 sea birds. Least terns nesting within Fort
57 Matanzas are monitored and measures are taken
58 to protect these nests. Although black skimmers
59 have been observed in large numbers resting on
60 sand bars, there have been no nests for this
61 species observed on land managed by Fort
62 Matanzas. Black skimmers typically rest in
63 colonies on bare sand flats above the high tide
64 line, as do least terns. The nesting preferences of
65 these two bird species are also similar; therefore,
66 the measure taken to protect nesting least terns
67 will also benefit any black skimmers that nest on
68 NPS lands. If black skimmers are found to be
69 nesting on NPS lands, additional protective
70 measures and monitoring frameworks would be
71 updated accordingly.

72
73 Concerning the EPA suggestion of developing
74 specific indicators and standards that measure
75 changes in protected populations, at this time the
76 national monument believes the three indicators
77 developed in the GMP/EIS are protective of
78 desired conditions relating to protected species.
79 Indicators and standards are adaptive management
80 techniques that relate directly to impacts caused
81 by visitor use. If a protected species population
82 changes, and the cause is found to be tied to
83 visitor use, the management strategies found in
84 table 2 will be implemented to reduce that impact.
85 The impacts from banning beach driving is not
86 included in the plan since this regulation was
87 already in place at the time of plan initiation and
88 is therefore outside the scope of actions included
89 in this general management plan. If the regulation
90 on beach driving needs to be changed in the
91 future, additional planning and compliance would
92 be completed to analyze associated impacts to the
93 change in regulation.

94
95 **CONCERN:** The Florida Department of
96 Environmental Protection notes that the draft
97 GMP/EIS does not include sufficient details about
98 parking lots proposed for expansion. They found
99 it difficult to assess whether future construction
100 would impact wetlands or surface water without
101 clear descriptions of the locations and extents of
102 potential parking lot expansion. They advise that
103 the National Park Service is required to provide
104 detailed plans for construction for proposed work
105 in order for mitigation of impacts to be identified.

1
2 **RESPONSE:** The GMP/EIS does not include
3 specific building “footprints” or detailed locations
4 for facilities that are identified as potential new
5 construction under any alternative. That level of
6 detail would be determined in a future planning
7 process, which would not only identify detailed
8 options for such construction, but would also
9 assess potential impacts and identify mitigation
10 measures for potential actions. The NPS will
11 coordinate with the Florida Department of
12 Environmental Protection in the future on
13 potential construction related impacts to wetlands
14 and surface waters. For clarification, additional
15 explanatory language regarding compliance
16 concerning relevant environmental and historic
17 preservation laws has been added to chapter 1
18 within the purpose of the plan section.

19
20 **CONCERN:** The Environmental Protection
21 Agency identified content that they believe should
22 be expanded on or added to the final GMP/EIS.
23 The agency recommends that further clarification
24 on identified environmental impacts be made.
25 Specifically, they recommend that levels of
26 impact (local, short and long term, direct, adverse,
27 etc.) be defined and explained, specifically in the
28 context of the purpose and significance of Fort
29 Matanzas. The Environmental Protection Agency
30 also recommends that current and future impacts
31 be quantified (i.e., number of acres that currently
32 have invasive species and why that number has an
33 adverse impact).

34
35 **RESPONSE:** The GMP/EIS defines the terms
36 used for levels of impact in chapter 4 under the
37 “Identification of Impacts” section. In the NPS
38 process for creating and writing general
39 management plans, levels of impact are not
40 specifically correlated to potential impacts to the
41 purpose or significance of a park unit. However,
42 table 1 within the GMP/EIS identifies servicewide
43 mandates, laws, and policies that must be
44 achieved in order for the purpose and significance
45 of Fort Matanzas to be accomplished.

46
47 Concerning the EPA recommendation to quantify
48 and analyze future impacts, the GMP/EIS process
49 does not describe how particular actions should be
50 implemented. While the GMP/EIS describes the
51 types of future actions that may occur at the
52 national monument, it does not analyze the
53 impacts of those actions because the details of the

54 action will not be known until future planning
55 efforts determine the specific location, building
56 footprint, and design details of a project. At that
57 time, impacts from the project will be analyzed
58 and any mitigation for adverse impacts will be
59 identified.

60
61 Along the same lines, the impacts of future
62 actions cannot be quantified (such as acres of
63 expected invasive species) as the details of those
64 actions, and therefore their impacts or results, will
65 be determined at a later time. The national
66 monument currently monitors and manages
67 resource impacts such as invasive species.

68 69 **4. Park Operations: Guiding Policies, 70 Regulations, and Laws**

71 **CONCERN:** One commenter suggested that the
72 park consider providing wheelchairs that can be
73 used on sand in order to provide sufficient access
74 for disabled people.

75
76 **RESPONSE:** Fort Matanzas National Monument
77 appreciates suggestions from the public on
78 creative ways that the monument can improve
79 access to visitors. This and other tools will be
80 evaluated by the park and implemented if and
81 where appropriate.

82 83 **5. Cultural and Natural Resources**

84 **CONCERN:** The U.S. Fish and Wildlife Service
85 recognized that expansion of parking areas may
86 occur upon implementation of the draft GMP/EIS
87 and remind the National Park Service of its
88 obligation to consult with their agency before
89 such construction to ensure protection of many
90 species and other natural resources.

91 **CONCERN:** A commenter noted (in support of
92 alternative A) that vehicle use on the beaches
93 could potentially disturb archeological resources
94 as well as result in other environmental impacts.

95
96 **CONCERN:** The Florida state historic
97 preservation office (SHPO) expressed support of
98 alternative B, noting that the park would complete
99 cultural resource surveys and consult with the
100 SHPO as necessary for specific ground-disturbing
101 undertakings.

1 **CONCERN:** The Florida Department of
2 Environmental Protection noted that several
3 historic resources have been recorded in the park,
4 and that many other unrecorded resources may
5 also be present. They remind the park that cultural
6 resource surveys must be conducted prior to any
7 new construction or excavation on park lands.

8
9 **RESPONSE:** Table 1 of the general management
10 plan identifies the NPS commitment to identify,
11 inventory, document, and protect cultural
12 resources (archeological resources, historic
13 structures, cultural landscapes, ethnographic
14 resources, and museum collections) prior to any
15 ground disturbance, construction, or other
16 potentially adverse actions.

17
18 National Park Service staff would continue to
19 consult with the Florida SHPO, associated tribes,
20 and other concerned parties, as appropriate, with
21 regard to project undertakings that may
22 potentially affect archeological and/or other
23 cultural resources in the park. Consultation would
24 be carried out in accordance with section 106 of
25 the National Historic Preservation Act. As more
26 detailed construction or implementation plans are
27 developed, NPS staff would assess and conduct
28 cultural resource surveys of project areas, as
29 needed, to ensure that should significant cultural
30 resources be identified, they would be adequately
31 protected from project impacts. Data recovery or
32 other mitigation measures would be carried out if
33 avoidance could not be achieved.

34
35 National Park Service staff would also further
36 consult with the U.S. Fish and Wildlife Service
37 under section 7 of the Endangered Species Act
38 and in accordance with provisions of the National
39 Environmental Policy Act regarding future
40 actions that result from implementation of the
41 NPS preferred alternative. Consultation would
42 occur early in the development of implementation
43 planning to avoid or minimize possible impacts to
44 sensitive habitat and threatened and endangered
45 species. Potential future actions that would likely
46 require separate section 7 consultation include
47 expansion of existing parking areas along
48 Highway A1A. In addition to consultation with
49 the U.S. Fish and Wildlife Service, NPS staff
50 would further consult with the Florida Fish and
51 Wildlife Conservation Commission prior to
52 potential habitat disturbance for parking area
53 expansion or other facility improvements, as well

54 as to explore collaborative management and
55 research opportunities.

56 57 **6. Visitor Opportunities and** 58 **Experiences**

59 **CONCERN:** One commenter proposed that an
60 accessible parking lot be built at the north end of
61 the Highway A1A bridge, with an accessible path
62 that leads directly to the inlet beach area in order
63 to accommodate disabled fisherman and other
64 persons.

65
66 **RESPONSE:** Fort Matanzas National Monument
67 is always looking for creative and practical ways
68 to enhance visitor experiences. At this time, the
69 commenter's suggestion may not be feasible
70 because the area in question is highly sensitive
71 habitat for endangered species such as the
72 Anastasia Island Beach Mouse and nesting sea
73 birds, coastal dynamics are constantly changing
74 the distribution of sand on the southern tip of
75 Anastasia Island and the depth and path of the
76 inlet itself, and there would be serious right-of-
77 way and connection questions to be resolved
78 where the bridge would tie into any potential
79 parking area. Finally there would be difficult and
80 expensive engineering questions to be resolved to
81 build a parking area on that sensitive slope.

82
83 **CONCERN:** The Environmental Protection
84 Agency finds that the draft GMP/EIS does not
85 adequately address the larger issue of public
86 access to the beach. The agency acknowledges
87 that the plan recognizes and speaks to increased
88 pressures on parking availability due to expanded
89 development in the area. They recommend that
90 the park develop and measure indicators
91 associated with parking issues and expand
92 discussions in the plan on how regional growth
93 will impact available parking and, in turn, the
94 park itself.

95
96 **RESPONSE:** The GMP/EIS provides guidance
97 for the national monument over the next several
98 years. Part of the guidance in the plan directs Fort
99 Matanzas to "participate in all transportation
100 planning forums that may result in links to parks
101 or impact park resources. Working with federal,
102 tribal, state, and local agencies on transportation
103 issues, the National Park Service seeks reasonable
104 access to parks, and connections to external and
105 alternative transportation systems." This language

1 is contained in table 6 of the GMP/EIS, which
2 lists servicewide mandates and policies pertaining
3 to Fort Matanzas National Monument. As
4 regional and local transportation planning efforts
5 occur, the monument will participate when and
6 however possible.

7 **7. Suggested Changes/Additions to** 8 **the GMP**

10 **CONCERN:** A number of commenters identified
11 editorial items that need to be updated in the plan.
12 Topics included clarifications of how specific
13 species use the park's beach for migration and
14 wintering habitat, updating Latin names of species
15 listed in the plan, and mentioning the red knot in
16 portions of the plan that discusses wildlife found
17 in the park.

18
19 **RESPONSE:** The national monument appreciates
20 the effort that went into identifying the needed
21 changes and has updated the final GMP/EIS
22 accordingly.

23
24 **CONCERN:** The Environmental Protection
25 Agency suggested that the final GMP/EIS include
26 the topics of the natural environment's health and
27 the challenges of partnering. The agency
28 recommends that discussions on issues and
29 concerns raised during public meetings be
30 addressed in the alternatives section of the plan as
31 well.

32
33 **RESPONSE:** In chapter 1 of the GMP/EIS, the
34 planning issues/concerns section describes the
35 issues the planning team has received from the
36 public during scoping for this planning process.
37 The issues raised during the scoping process
38 directly shaped how the alternatives were
39 developed in the draft GMP/EIS. Substantive
40 issues that were gathered during the public
41 comment period for the GMP/EIS have been
42 analyzed. Any changes to the document that
43 resulted from public input have been made. This
44 public comment analysis report describes the
45 issues (concern statements) gathered from the
46 public and how the national monument has
47 replied.

49 **8. Suggested Park Management** 50 **Strategies and Actions**

51 **CONCERN:** One commenter recommended that
52 the national monument explore partnership
53 opportunities as a way to alleviate issues such as
54 access to fishing areas. The commenter suggested
55 that the National Park Service partner with St.
56 Johns County to connect NPS trails to the
57 Southeast Intracoastal Waterway Park as a way to
58 provide additional parking for and access to the
59 monument.

60
61 **RESPONSE:** Fort Matanzas has previously
62 discussed this option. While the park supports this
63 idea, there are some logistics that may make such
64 a connection difficult. Private property separates
65 the Southeast Intracoastal Waterway Park and
66 Fort Matanzas; however, it may be possible to
67 connect the two over a narrow strip of NPS land
68 along the Matanzas River. However, such a
69 connection would have to be a boardwalk placed
70 over wetlands that are not in the Fort Matanzas
71 boundary; therefore, the park could not contribute
72 financially to such a project. If such a connection
73 were to occur, parking issues may not be
74 alleviated due to limited parking at the Southeast
75 Intracoastal Waterway Park; however, the
76 connection could be a great partnership
77 opportunity.

78
79 **CONCERN:** The Environmental Protection
80 Agency suggests that the National Park Service
81 consider developing partnerships around the issue
82 of climate change. The agency suggests that
83 partnerships could include monitoring and
84 research to assess the impacts of climate change
85 as well as identify adaptive management and
86 mitigation strategies.

87
88 **RESPONSE:** The National Park Service has a
89 robust climate change analysis and adaptation
90 program. For more information on the climate
91 change program visit their website:
92 <http://www1.nrintra.nps.gov/climatechange/planni>
93 [ng.cfm](http://www1.nrintra.nps.gov/climatechange/planni). In addition to the climate change
94 program, the NPS Inventory and Monitoring
95 Network specifically monitors environmental vital
96 signs in park units to track the effects of climate
97 change. Vital signs include topics such as sea
98 level rise along shorelines and in salt marshes, as
99 well as changes in wildlife presence and diversity
100 over time. Concerning partnerships, the national
101 monument is always interested in exploring
102 potential partnership opportunities and welcomes
103 suggestions from the public at any time.

1
2 **CONCERN:** Commenters, including the Florida
3 Department of Environmental Protection and the
4 Florida Fish and Wildlife Conservation
5 Commission, encouraged the National Park
6 Service to develop a fire management plan for
7 Fort Matanzas. Commenters noted that the
8 National Park Service requires such plans of all
9 park units. Commenters also noted the positive
10 effects to species, such as the Florida scrub-jay,
11 that fire management will have.

12
13 **RESPONSE:** Based in part on the findings of a
14 completed study (at Cumberland Island National
15 Seashore) of the role of natural fire in sustaining a
16 southeastern barrier island ecosystem, Fort
17 Matanzas National Monument would consider the
18 use of prescribed fire and/or mechanical thinning
19 to restore coastal scrub habitat that has become
20 overgrown in recent years. In conformance with
21 NPS management policies and other authorities,
22 Fort Matanzas staff would consider the use of
23 prescribed fire in partnership with other resource
24 management agencies.

25
26 Although Fort Matanzas National Monument
27 currently has a fire management plan, the plan
28 only addresses fire suppression activities. The
29 park relies primarily on the local fire department
30 for suppression assistance. The current fire
31 management plan does not allow prescribed
32 burning as a vegetation or resource management
33 tool. However, because of the documented
34 benefits of prescribed fire for improving
35 ecosystem health and for other considerations
36 such as structural and visitor safety, NPS
37 managers would consider the controlled use of
38 prescribed fire. Prior to the decision to implement
39 a prescribed fire program, Fort Matanzas staff
40 would assess the anticipated environmental,
41 socioeconomic, and other effects associated with
42 prescribed fire as part of vegetation resource
43 stewardship and/or other planning efforts.

44
45 **CONCERN:** The Audubon Florida encourages
46 the park to determine why Wilson's plovers
47 currently have poor nesting productivity at Fort
48 Matanzas. Further, they suggest the park manage
49 for potential causes of poor nesting productivity
50 such as predation.

51
52 **RESPONSE:** Wilson's plovers are one of the
53 main species monitored at Fort Matanzas. In the

54 past two years alone, nest and chick numbers have
55 more than doubled (for example: 5 fledglings in
56 2011, 15 nests in 2012). These numbers are
57 comparable with other areas of nesting in Florida.
58 The park will continue to monitor these species
59 and encourage their nesting.

60
61 **CONCERN:** The Audubon Florida encourages
62 the park to undertake management actions that
63 will encourage the black skimmer to rest on the
64 beach. They state that such efforts would help
65 support the conservation efforts for this species
66 throughout the state of Florida.

67
68 **RESPONSE:** Least terns nesting within Fort
69 Matanzas are monitored and measures are taken
70 to protect these nests. Although black skimmers
71 have been observed in large numbers resting on
72 sand bars, there have been no nests for this
73 species observed on land managed by Fort
74 Matanzas. Black skimmers typically nest in
75 colonies on bare sand flats above the high tide
76 line, as do least terns; therefore, the measures
77 taken to protect nesting least terns will also
78 benefit any black skimmers that nest on NPS
79 lands. If black skimmers are found to be nesting
80 on NPS lands, additional protective measures and
81 monitoring frameworks would be updated
82 accordingly.

83
84 **CONCERN:** The Florida Department of
85 Environmental Protection and the Florida Fish
86 and Wildlife Conservation Commission both
87 encourage the National Park Service to continue
88 surveying and monitoring listed species
89 populations (such as the Anastasia Island beach
90 mouse and least terns) in Fort Matanzas and to
91 continue efforts to protect those species.

92
93 **RESPONSE:** Fort Matanzas National Monument
94 and the National Park Service are committed to
95 monitoring and protecting listed species
96 populations. Within the GMP/EIS, the mitigation
97 measures common to all action alternatives
98 section of chapter 2 addresses this topic. Under
99 the specific category of threatened and
100 endangered species and species of concern, the
101 GMP/EIS outlines strategies that would be taken
102 to protect such species before and during any
103 construction activities. This section describes key
104 mitigation measures, including conducting
105 surveys for rare, threatened, and endangered
106 species, that serve to protect these species. The

1 mitigation measures relating to vegetation would
2 also benefit protected species at Fort Matanzas.
3
4 The control and eradication of nonnative and
5 nuisance species is an ongoing effort at Fort
6 Matanzas. Table 1 in the GMP/EIS contains
7 current laws and policies that the monument staff
8 follows. To clarify the commitment of the
9 monument staff to the control and eradication of
10 nonnative and nuisance species, additional language
11 has been added to table 1 under the topic of
12 nonnative species that provides additional
13 guidance and reference to the monuments efforts.
14
15 **CONCERN:** Audubon Florida suggests that the
16 National Park Service seek authority for adjacent
17 nearshore sovereignty of submerged lands from
18 the State of Florida. They feel that doing so would
19 address water-based activities that negatively
20 impact park resources.
21
22 **CONCERN:** The National Oceanic and
23 Atmospheric Administration (NOAA)
24 recommends that the final GMP/EIS include a
25 section on essential fish habitat. They find that the
26 prevalence of beach, marsh, and intertidal habitat
27 within the national monument warrants this
28 inclusion.
29
30 **RESPONSE:** The possibility of seeking authority
31 for submerged lands adjacent to Fort Matanzas
32 has been considered by staff of the national
33 monument. Due to a lack of interest and response
34 from the State of Florida, NPS is no longer
35 considering this option. Because the monument
36 does not oversee any submerged lands, there is
37 currently no suitable habitat for fish. Therefore,
38 NOAA's recommendation of including a section
39 on essential fish habitat is currently out of scope
40 of the GMP/EIS planning area.
41
42 **CONCERN:** The Florida Fish and Wildlife
43 Commission recommends that the final GMP/EIS
44 express support for the reestablishment of the
45 Matanzas Inlet Critical Wildlife Area (CWA).
46 They feel that by expanding the CWA boundaries
47 to include portions of Fort Matanzas, the two
48 entities can work together to restrict public access
49 to certain habitat areas.
50
51 **RESPONSE:** Subsequent to the release and
52 public review of the draft GMP/EIS, park staff
53 met with representatives of Florida Fish and

54 Wildlife Commission to discuss this topic. Fort
55 Matanzas already posts and restricts access to the
56 least tern nesting areas in conjunction with the
57 commission each year. Expanding the boundary
58 of the critical wildlife area involves a lengthy
59 process and considerable effort, which does not
60 result in a practical gain of protection. The
61 commission stated that they would investigate the
62 possibility of creating an amendment to the
63 current critical wildlife area that would expand
64 current coverage without having to do an official
65 redesignation. In the meantime, all public access
66 to the least tern nesting area, whether within the
67 current CWA boundary or not, is restricted for the
68 duration of the nesting season in order to protect
69 this species.
70
71 **CONCERN:** One commenter suggests that Fort
72 Matanzas place camouflaged composting or vault
73 toilets near the beach parking areas to reduce
74 impacts to beach dunes and improve visitor
75 experience by decreasing the presence of human
76 waste.
77
78 **RESPONSE:** The national monument recognizes
79 the merits of this suggestion as a possible way to
80 lessen the number of human waste incidents in the
81 beach dunes. This suggestion, along with any
82 others received from the public, will be
83 considered by the monument. Fort Matanzas
84 appreciates this suggestion and invites the public
85 to provide feedback and suggestions to the
86 monument at any time.
87
88 Table 18 on the following page provides a
89 summary of the number of comments for each of
90 22 comment codes that were developed to
91 facilitate the public comment analysis. The codes
92 correspond to descriptions that indicate the
93 subject and nature of the comment. (Note: The
94 total number of comments is greater than the
95 number of individuals who commented because
96 many correspondences addressed multiple
97 subjects and thus multiple codes.)

TABLE 18. CONTENT ANALYSIS REPORT

Code	Description	Number of Comments
AL6000	Supports Alternative B- No Driving with possible parking expansion	1,748
AL8000	Does not support driving	1,730
WH4000	Wildlife And Wildlife Habitat: Impact Of Proposal And Alternatives	1,703
SG1000	Suggested park management strategies/actions	1,688
AL7100	Does not support Alternative C- Consider driving with larger parking expansion	1,687
IV100	ISSUES - Visitor use or experience issues	32
AL8100	Supports driving	26
AL5000	Supports No Action Alternative	20
AL7000	Supports Alternative C- Consider driving with larger parking expansion	16
PO1000	Park Operations: Guiding Policies, Regs And Laws	10
AL4000	Alternatives: New Alternatives Or Elements	9
GA3000	Impact Analysis: General Methodology For Establishing Impacts/Effects	7
CC1000	Consultation and Coordination: General Comments	7
SE4000	Socioeconomics: Impact Of Proposal And Alternatives	6
ED1000	Editorial	5
CR4000	Cultural Resources: Impact Of Proposal And Alternatives	3
TE4000	Threatened And Endangered Species: Impact Of Proposal And Alternatives	2
WQ4000	Water Resources: Impact Of Proposal And Alternatives	2
AL6100	Does not support Alternative B- No driving with possible parking expansion	1
NR1000	Impacts to natural resources and processes	1
VR4000	Vegetation And Riparian Areas: Impact Of Proposal And Alternatives	1
AL5100	Does not support No Action Alternative	1