

Appendices

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Appendix A: Ebey's Landing National Historical Reserve Legislation

NATIONAL PARKS AND RECREATION ACT, 1978, P.L. 95-625 EBEY'S LANDING NATIONAL HISTORICAL RESERVE

Sec. 508. (a) There is hereby established the Ebey's Landing National Historical Reserve (hereinafter referred to as the "reserve"), in order to preserve and protect a rural community which provides an unbroken historical record from nineteenth century exploration and settlement in Puget Sound to the present time, and to commemorate --

 the first thorough exploration of the Puget Sound area, by Captain George Vancouver, in 1792;

(2) settlement by Colonel Isaac Neff Ebey who led the first permanent settlers to Whidbey Island, quickly became an important figure in Washington Territory, and ultimately was killed by Haidahs from the Queen Charlotte Islands during a period of Indian unrest in 1857;

 (3) early active settlement during the years of the Donation Land Law (1850-1855) and thereafter; and

(4) the growth since 1883 of the historic town of Coupeville.

The reserve shall include the area of approximately eight thousand acres identified as the Central Whidbey Island Historic District.

(b) (1) To achieve the purpose of this section, the Secretary, in cooperation with the appropriate State and local units of general government, shall formulate a comprehensive plan for the protection, preservation, and interpretation of the reserve. The plan shall identify those areas or zones within the reserve which would most appropriately be devoted to --

(A) public use and development;

(B) historic and natural preservation; and

(C) private use subject to appropriate local zoning ordinances designed to protect the historical rural setting.

(2) Within eighteen months following the date of enactment of this section, the Secretary shall transmit the plan to the President of the Senate and the Speaker of the House of Representatives.

(c) At such time as the State or appropriate units of local government having jurisdiction over land use within the reserve have enacted such zoning ordinances or other land use controls which in the judgement of the Secretary will protect and preserve the historic and natural features of the area in accordance with the comprehensive plan, the Secretary may, pursuant to cooperative agreement --

 transfer management and administration over all or any part of the property acquired under subsection (d) of this section to the State or appropriate units of local government;

(2) provide technical assistance to such State or unit of local government in the management, protection, and interpretation of the reserve; and (3) make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to such State or local unit of government for the annual costs of operation and maintenance, including but not limited to, salaries of personnel and the protection, preservation, and rehabilitation of the reserve except that no such grant may exceed 50 per centum of the estimated annual cost, as determined by the Secretary, of such operations and maintenance.

(d) The Secretary is authorized to acquire such lands and interests as he determines are necessary to accomplish the purposes of this section by donation, purchase with donated funds, or exchange, except that the Secretary may not acquire the fee simple title to any land without the consent of the owner. The Secretary shall, in addition, give prompt and careful consideration to any offer made by an individual owning property within the historic district to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

Lands and interests therein so acquired shall, so long as responsibility for management and administration remains with the United States, be administered by the Secretary subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in a manner consistent with the purpose of this section.

(e) If, after the transfer of management and administration of any lands pursuant to subsection (c) of this section, the Secretary determines that the reserve is not being managed in a manner consistent with the purposes of this section, he shall so notify the appropriate officers of the State or local unit of government to which such transfer was made and provide for a ninety-day period in which the transferee may make such modifications in applicable laws, ordinances, rules, and procedures as will be consistent with such purposes. If, upon the expiration of such ninety-day period, the Secretary determines that such modifications have not been made or are inadequate, he shall withdraw the management and administration from the transferee and he shall manage such lands in accordance with the provisions of this section.

(f) There is hereby authorized to be appropriated not to exceed \$5,000,000 to carry out the provisions of this section.

Appendix B: Interlocal Agreement for the Administration of the Reserve

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INTERLOCAL AGREEMENT FOR THE ADMINISTRATION OF <u>EBEY'S</u> LANDING NATIONAL HISTORICAL RESERVE

WHEREAS, the Act establishing Ebey's Landing National Historical Reserve, hereinafter called "Reserve", Public Law 95-625 (92 Stat. 3507), authorized the Secretary of the Interior, pursuant to a cooperative agreement, to transfer management and administration of the Reserve to an appropriate unit of local government, and

WHEREAS, the Secretary has found that adequate zoning and land use controls to protect the historic and natural features of the area have been enacted by the state and local governments, and

WHEREAS, the Comprehensive Plan for the Reserve calls for a cooperative agreement between Island County; the Town of Coupeville; the Washington State Park and Recreation Commission (State Parks) and the United States Department of the Interior, acting through the Regional Director, National Park Service, Pacific Northwest Region, for the administration and management of the Reserve, and

WHEREAS, the Interlocal Cooperation Act (Chapter 39.34 RCW) permits local governmental units to enter into joint powers agreements with each other, with State Parks and the National Parks Service, NOW, THEREFORE,

IT IS HEREBY AGREED by Island County; the Town of Coupeville; State Parks and the National Park Service, as follows:

I. ESTABLISHMENT AND ORGANIZATION OF TRUST BOARD

1. A joint administrative board called the "Ebey's Landing National Historical Reserve Trust Board", hereinafter called the "Trust Board", is hereby created in accordance with the provisions of R.C.W. 39.34.030. The Trust Board shall consist of nine (9) members representing each agency as follows:

<u>Island County:</u> Three representatives of Island County residing within the Reserve; One representative of Island County at-large;

 Town of Coupeville: Town of Coupeville;
 Three representatives from the

 State Parks:
 One representative of State Parks; VOL 2450

 National Park Service: National Park Service.
 One representative of the Service.
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H.H. FERRICE, AUDITOR ISLAND COUNTY, WASH. DEPUTY 2. Representatives of Island County shall be appointed by and serve at the pleasure of the Board of Island County Commissioners. Representatives of the Town of Coupeville shall be appointed by and serve at the pleasure of the Town Council. The representative of State Parks shall be appointed by and serve at the pleasure of the Director of State Parks. The representative of the National Park Service shall be appointed by and serve at the pleasure of the Regional Director, National Park Service, Pacific Northwest Region.

 The Trust Board shall select from its membership a Chairman and Vice-Chairman, and such other officers as its members deem necessary to carry out its purposes hereunder.

4. The Trust Board shall adopt rules of procedure, consistent with this agreement, for calling and conducting its meetings and for carrying out its purposes hereunder, including frequency of regular meetings. The proposed rules of procedure for the Trust Board shall not be effective until approved by all parties to this agreement. The Trust Board shall comply with the provisions of the Open Public Meetings Act, Chapter 42.30 R.C.W., as now or hereafter amended.

5. Members of the Trust Board shall be enrolled as Volunteers in Parks (VIP) pursuant to the Act of July 29, 1970 (84. Stat.472). 16 USC Sections 18g-18j, and will perform such duties as assigned by the Regional Director of the National Park Service or his designated representative.

II. POWERS & RESPONSIBILITIES OF THE TRUST BOARD

The Trust Board shall be responsible for management of the Reserve as generally provided in the Comprehensive Plan for the Reserve, and in accordance with the Cooperative Agreement between the Trust Board and the National Park Service.

Administration and protection of sites, facilities and interests in land acquired and retained by the National Park Service and, by mutual written agreement between the Trust Board and a landowner, other lands within the Reserve;

Administration of programs within the scope of the Reserve purposes;

Monitoring and evaluation of compliance with and effectiveness of various conservation measures being used within the Reserve;

Participation in the land use review process of both Island County and the Town of Coupeville, to assure protection of valuable resources of the Reserve;

Cooperation with Town and County departments and staff to assure awareness and protection of valuable resources of the Reserve during routine governmental activities; Entering into contracts to provide necessary materials and services to develop and maintain facilities and enhance and protect the resources of the Reserve;

Entering into contracts with individuals, private organizations, and local community and governmental bodies to protect, research, enhance, document and interpret the resources of the Reserve;

The Trust Board shall have the authority to accept and expend funds from the parties to this agreement and from other public and private sources for activities and purposes related to the operation of the Reserve, subject to the limitations established by the granting authority, organization or individual.

III. TRUST BOARD AUTHORITY TO ACQUIRE, HOLD AND DISPOSE OF PROPERTY

 Real Property - The Trust Board is not authorized to acquire, hold or dispose of real property or real property rights.

2. Personal Property -The Trust Board may acquire, hold and dispose of personal property necessary to carry out its duties and responsibilities subject to funding limitations. The Trust Board in acquiring, holding and disposing of personal property shall comply with all applicable federal laws, rules, Washington State laws, Island County ordinances and Coupeville Town ordinances.

3. Distribution of Personal Property upon Termination of Agreement - Upon termination of this agreement, all personal property held by the Trust Board for the management and administration of the Reserve, unless by grant agreement or other agreement the property must be disposed of another way, shall be transferred to the Secretary of the Interior or unit of local government that will assume the management and administration of the Reserve.

IV. MANNER OF FINANCING THE TRUST BOARD AND ESTABLISHING/ MAINTAINING A BUDGET

The Trust Board shall prepare an annual budget showing proposed revenues and expenditures for each fiscal year. The Trust Board shall observe the fiscal year as defined for the U.S. Government. Budget requests shall be submitted jointly to the Regional Director of the Pacific Northwest Region of the National Park Service, and to the Island County Commissioners not later than July 1st for the fiscal year beginning the following October 1st. Expenditures for each fiscal year shall not exceed amounts provided from all revenue sources. Funds provided to the Trust Board by the parties to this agreement shall be maintained as a separate fund in the County Treasury designated "Operating Fund of the Ebey's Landing National Historical Reserve Trust Board". These funds, pursuant to R.C.W. 43.09.285, will be subject to the same audit and fiscal control as other accounts held by the Island County Treasury. The Secretary of the Interior and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Trust Board regarding the administration of the Reserve for the purpose of making audits, examination, excerpts, and transcripts as provided in OMB Circular No. A-102. State Parks, Island County and the Town of Coupeville shall have similar access to the above described books, documents, papers and records.

V. DUTIES AND RESPONSIBILITIES OF CONTRACTING PARTIES

1. National Park Service

The parties to this agreement recognize that the acquisition of land and construction of interpretive wayside exhibits, highway pull-offs, and viewing platforms may not have been completed at the time this agreement is executed. It is understood that the National Park Service will, as funds are available, continue the acquisition of land and construction of facilities as outlined in the Comprehensive Plan for Ebey's Landing National Historical Reserve.

The National Park Service will use the Comprehensive Plan as a planning tool for the Reserve.

The U.S. Department of the Interior through the National Park Service shall request an appropriation through customary budgetary procedures to defray a portion--not to exceed 50%--of annual operational costs of the Reserve. The remaining costs, which may consist of direct financial contributions or in-kind services, will be provided for from other sources.

The Regional Director of the National Park Service's Pacific Northwest Regional Office will provide advice, information and guidance as needed to the Trust Board. Each year, the Service will conduct an appraisal of the management and operation of the Reserve under the requirements of Paragraph (e), Section 508 of P.L. 95-625.

Island County.

Island County will use the Comprehensive Plan for Ebey's Landing National Historical Reserve as an element of the Island County Comprehensive Plan. The County will annually provide direct and in-kind financial support up to one-half of the operating costs of the Ebey's Landing National Historical Reserve subject to the limitation of amounts annually appropriated in the County's budget.

Town of Coupeville

The Town of Coupeville will use the Comprehensive Plan for Ebey's Landing National Historical Reserve as an element of the Town's Comprehensive Plan. The Town of Coupeville annually will provide in-kind financial support such as maintenance of wayside exhibits located within Town limits, and may provide other direct or indirect financial support.

State Parks

State Parks will use the Comprehensive Plan for Ebey's Landing National Historical Reserve as a planning tool for projects and facilities within the Reserve. State Parks may provide financial assistance through public grants or other financial support, including in-kind contributions to the Trust Board, and shall consult with the Trust Board in exercising its responsibilities and authority within the Reserve.

VI. LIABILITY/CONTRIBUTION/INSURANCE

1. To the extent as provided by law, the parties to this agreement will each contribute equally in payment of any award of damages and/or the costs of legal defense in any legal and/or equitable action brought based upon alleged wrongful acts or omissions of the Trust Board in carrying out the terms of this agreement. The parties may mutually agree to settle a claim and pay sums of money or agree to other relief prior to or after judgment is rendered. Any insurance policies described in paragraph VI(2) below will be subtracted from the total amount due before calculation of the equal portions to be paid by each party.

The liability of the United States shall be determined in accordance with the applicable provisions of the Federal Tort Claims Act, 28 USC, Sections 2671-2680 (1982 ed.).

2.a. The Trust Board and its members will be named as additional insureds by one of the parties to this agreement, or the Trust Board will secure and maintain automobile insurance coverage insuring the Trust Board, its individual members and employees, if any, for automobile liability incurred while carrying out the duties and responsibilities of this agreement, for property damage and bodily injury of not less than \$1,000,000 combined single limit.

b. In addition, the Trust Board and its members will be named as additional insureds by one of the parties to this agreement or the Trust Board will secure and maintain insurance for Comprehensive General Liability including errors and omissions insurance, insuring the Trust Board, its individual members and employees, if any, in the amount of not less than \$1,000,000 combined single limit. c. Any separate insurance policies obtained by the Trust Board shall name the parties to this agreement as additional insureds.

Copies of the insurance policies and declaration page(s) shall be delivered within 120 days of the effective date of this agreement to the parties to this agreement. All renewed or replacement policies shall be delivered to the parties to this agreement within 30 days of issuance.

VII. EARLY TERMINATION OF AGREEMENT

If the Secretary of the Interior or his designated respresentative determines that the Reserve is not being managed in a manner consistent with the purpose of P.L. 95-625, he shall give notice to the appropriate officials and provide for a ninety-day period to make such modifications in applicable laws, ordinances, rules and procedures as will be consistent with such purposes. If upon the expiration of such ninety-day period the Secretary determines that such modifications have not been made or are inadequate, he shall withdraw the management and administration from the parties to this agreement, and he shall manage such lands in accordance. with P.L. 95-625.

VIII. WITHDRAWAL FROM AGREEMENT

Any party to this agreement, upon 90 days written notice to all other parties, may withdraw as a participant in this agreement. The agreement shall continue in full force and effect as to the remaining parties.

IX. DURATION OF AGREEMENT

Except as provided in paragraph VII above, this agreement shall remain in effect from the date that all parties have signed, unless otherwise terminated by agreement of the parties.

X. OFFICIALS NOT TO BENEFIT

No member of or delegate to Congress, or resident Commissioner shall be admitted to any part of this agreement or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

ISLAND COUNTY Gordon H. Koetje, Chairmar

Board of Commissioners

Approved as to) Form: Amen tand L Deputy Prosecuting Attorney TOWN OF COUPEVILLE

Dette Coune, Mayor Apphaved as to Form: Town AttBrney

STATE OF WASHINGTON

Jan Tveten, Director

Parks & Recreation Commission

Approved as to Form: For the Attorney General

NATIONAL PARK SERVICE

Charles Odegaard

Regional Director

Contracting Officer

TRUST BOARD

Approved as to Form:

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Alan Hancock Attorney for Trust Board

July 21, 1988

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JULY 18, 19EB

July 18, 1985 Date

24, 15,78

Date

7/22/88

Date

Appendix C: Trust Board Members List

TRUST BOARD (4-year terms) EBEY'S LANDING NATIONAL HISTORICAL RESERVE

Position 1 Vice-Chair	Jack McPherson (Town of Coupeville Representative) Coupeville, WA	10-1-06
Position 2 <i>Chair</i>	Marshall Bronson (Town of Coupeville Representative) Coupeville, WA	10-1-07
Position 3	(Unfilled)	10-1-08
Position 4	George Lloyd (Island County Representative) Coupeville, WA	10-1-06
Position 5	Marilyn Clay (Island County Representative) Coupeville, WA	10-1-07
Position 6 Auditing Officer	Al Sherman (Island County Representative) Coupeville WA	10-1-08
Position 7	Karen Lennon (Island County Representative) Coupeville, WA	10-1-05
Position 8	Ted Smith (Washington State Parks & Rec Commission Representative) Burlington, WA	
Position 9	Hank Florence (National Park Service Representative) National Park Service Seattle, WA	

Appendix D: Vital Signs Workshop Project List

Monitoring Questions from Ebey's Landing Vital Signs Workshop(Revised 10/27/04)

Air/Climate

Monitoring questions:

- What is the spatial and temporal variability in meteorology and climate in the Reserve?
- What are the status and trends of visibility impairment as a result of air pollutants?
- · What are the status and trends of N/S deposition and ozone within the Reserve?
- What are the status and trends of the lightscape?

Water Resources (Freshwater and Marine Aquatic ecology, aquatic vegetation, water quality & quantity)

Monitoring questions:

- Is there a shift in species richness and abundance in intertidal and subtidal (nearshore) habitats, including eelgrass and kelp beds?
- What are the status and trends of the principal structure of the shoreline?
- What are the status and trends of the amount of large woody debris on beaches?
- · Are the species composition, distribution and abundance of freshwater fish changing?
- · Is the species composition and distribution of freshwater invertebrates changing?

Terrestrial Plant Communities

Monitoring questions:

- What are the status and trends of state and federally listed rare plants and species of local concern?
- Are land use cover types-including hedgerows-within the Reserve changing?
- · What are invasive exotic flora population distribution and abundance trends?
- Are levels of native vegetation harvesting changing?
- · Is the status of native plant communities associated with coastal beaches and berms

changing?

- Are the structure and composition of native forests changing?
- · Is recreational use impacting native vegetation?

• What are the status and trends of weedy species at *Castilleja levisecta* (CALE) population sites?

Terrestrial Wildlife

Monitoring questions:

· What are the status and trends of species composition, abundance and distribution of

amphibians?

- What are the status and trends of species composition, abundance, and distribution of breeding birds?
- What are the status and trends of species composition, abundance, and distribution of mammals?
- Are shorebird/wading bird assemblages changing across the annual migration period?
- · Are populations of nesting diurnal raptors changing?
- Are changes in habitat types affecting breeding landbirds?
- · Is the assemblage of plant reproduction-enhancing pollinators changing?
- · Is the distribution and abundance of native and nonnative mammal populations changing?
- · Is the species composition and distribution of terrestrial invertebrates changing?

Geology & Soils / Landscape Processes

Monitoring questions:

- What are the status and trends of soil fertility?
- What are the status and trends of shoreline bluff stability?
- What are the status and trends of prairie soil erosion?

Research Questions from Ebey's Landing Vital Signs Workshop (Revised 10/27/04

Air/Climate

Research questions:

- What component of sea spray influences deposition of chemicals; what are reference values?
- What are the deposition effects of the pulp plant in Pt. Townsend?
- What are reference values for tropospheric ozone?
- · Are airborne toxic substances present in aquatic resources, soils, and biota?

Water Resources (Freshwater and Marine Aquatic ecology, aquatic vegetation, water quality & quantity) <u>Research questions</u>:

- · Are toxic substances present in aquatic resources, soils, and biota?
- Are ground water reserves being depleted?
- Is the ground water impaired?
- To what extent are ground water reserves being contaminated by saline intrusion?
- Is the marine water quality impaired?

- What is the degree of stratification of water in Penn Cove; what is the location and extent of dissolved oxygen zone?
- What is the current distribution and abundance of coastal fish and marine invertebrate species?
- · What is the seasonal and spatial distribution of harbor seals, orcas and gray whales in Penn

Cove?

- · Are the intertidal communities attended by normal use or by catastrophic events?
- Are forage fish spawning on the shores of the Reserve?
- What is the distribution and abundance of nonnative aquatic species?
- Are red tide blooms and algal blooms consistent from year to year?
- Has water quantity changed in relation to changes in land use practices?
- Is the water quality of surface waters impaired?
- Are freshwater systems becoming eutrophic?
- · Is the number and distribution of ponds changing across the landscape?
- What was the historic and prehistoric distribution of streams and ponds?

Terrestrial Plant Communities

Research questions:

- What are the chemical, physical, and biological characteristics and process-interactions of key wetlands?
- What role do hedgerows play in maintaining species abundance, richness, distribution and biodiversity?
- What are the mechanisms by which fire affects Castilleja levisecta (CALE)?
- What are the rates at which individual native shrub species are encroaching on populations of CALE and the degree to which each species influences the presence and/or vigor of CALE?
- What are effective methods of controlling competing vegetation without negatively affecting CALE?
- To what extent and by what species is herbivory negatively affecting CALE populations?
- What are the critical aspects of CALE biology, and what are the population dynamics?
- What is the nature and distribution of genetic variation within CALE populations?
- What is the pollination biology of CALE, including the necessity of cross-fertilization, and the pollinators of CALE, including their habitat requirements?
- Using standardized rare plant search methods, identify and search potential habitat for undiscovered CALE populations, and conduct a systematic inventory, including a spatial database that documents negative searches as well.
- What necessary baseline information, including site characteristics and environmental processes, is necessary for the successful establishment of new CALE populations?

• Determine whether, and/or under what circumstances, CALE requires a host plant to survive/reproduce.

Terrestrial Wildlife

Research questions:

- What are natural ranges of variation in amphibian community composition and abundance?
- · What species or groups of amphibian taxa can be used as indicators of degradation?
- What are the long-term trends of amphibian populations, health, and distribution?
- How do long-term trends of amphibian populations correspond to climatic variation and other environmental factors?
- How do ground-dwelling invertebrates contribute to soil health?
- · What impacts do eastern cottontail rabbits have on native vegetation and crop species?
- How are land use practices affecting the suite of native mammal species?

Geology & Soils / Landscape Processes

Research questions:

- How is land use changing within the Reserve?
- If soil quality is changing, can changes in soil quality be tied to land use?
- Where are the prairies? (locate the delineation of the prairies by soil survey and land form mapping)

In what areas is soil erosion (sheet, rill and concentrated flow) and compaction caused by agricultural practices and recreation?

Appendix E: Analysis of Boundary Adjustment and Land Protection Criteria

Analysis of Boundary Adjustment and Land Protection Criteria

As one of the provisions of Public Law 95-625, the National Parks and Recreation Act of 1978, Congress directed that the National Park Service consider, as part of a planning process, what modifications of external boundaries might be necessary to carry out park purposes. Subsequent to this act, Congress also passed Public Law 101-628, the Arizona Desert Wilderness Act. Section 1216 of this act directs the Secretary of the Interior to develop criteria to evaluate any proposed changes to the existing boundaries of individual park units. Section 1217 of the act calls for the NPS to consult with affected agencies and others regarding a proposed boundary change, and to provide a cost estimate of acquisition cost, if any, related to the boundary adjustment.

The NPS management policies (3.5 Boundary Adjustments) state that the NPS will conduct studies of potential boundary adjustments and may make boundary revisions for the following reasons:

- to include significant resources or opportunities for public enjoyment related to the purposes of the park
- to address operational and management issues such as boundary and identification by topographic or other natural features
- to protect park resources critical to fulfilling park purposes

National Park Service policies instruct that any recommendation to expand park boundaries be preceded by determinations that the added lands will be feasible to administer considering size, configuration, ownership, cost, and other factors, and that other alternatives for management and resource protection have been considered and are not adequate.

The following is a review of the criteria for boundary adjustments as applied to Ebey's Landing National Historical Reserve. This analysis is included as supporting documentation for the Alternatives B (Preferred Alternative) and Alternative C of the GMP/EIS, which include recommendations for boundary changes to the national historical reserve. Three land areas, involving 20 parcels, are proposed for addition to the Reserve boundary.

- · Smith Prairie, Au Sable Institute (nonprofit)—one parcel, 19 acres
- · Outlying Landing Field, U.S. Navy (federal government)—eight parcels, 469.80 acres
- · Crocket Lake wetlands—six parcels, 147.2 acres

Four parcels in the Crockett Lake wetlands area are owned by Island County. Another parcel, the Outlying Landing Field (OLF), is owned by the United States and managed by the U.S. Navy as part of the operations of the Naval Air Station—Whidbey. All property owners proposed for inclusion in the Reserve boundary have been notified in advance and consulted prior to the public release of draft general management plan. This proposed boundary change would require congressional legislation to authorize a revision to the Reserve boundary.

Significant Resources or Opportunities for Public Enjoyment Related to the Purpose of Ebey's Landing National Historical Reserve

The boundary addition achieves several purposes that greatly benefit the Reserve, its protection of resources and increased opportunities for public use and enjoyment. The addition of the four parcels at the east end of Crockett Lake would help provide for the complete protection of Crockett Lake and its wetlands. The addition of the remainder of the non-profit Au Sable Institute property provides for additional protection of some rapidly vanishing and pristine prairie ecology at the north end of Smith Prairie. Only a portion of the U.S. Navy Outlying Landing Field (OLF) is now within the boundary of the Reserve. The proposed boundary change would modify this oversight, and place the entire OLF within the Reserve. Certainly no change to Navy operations at the OLF is proposed, but being within the Reserve provides the future assurance of continue public stewardship of this valuable open space and resource within Smith Prairie should the U.S. Navy ever declare the OLF excess to their needs.

Operational and Management Issues related to Access and Boundary Identification by Topographic or other Natural Features

With the exception of the OLF, which is already in Federal fee title ownership, none of the parcels or areas proposed for inclusion in the Reserve boundary would be recommended for fee title purchase by the National Park Service. The acquisition of conservation easements or other protective measures on these lands would present minimal management or operational issues to the Trust Board or the National Park Service. There would be some staff time needed to monitor any easements that may be acquired in the future. However, the time and cost of easement management of these additional parcels taken in context to the entire Reserve area would be expected to be nominal.

Protection of Park Resources and Fulfillment of Park Purpose

The protection of scenic, open space, prairie habitat and the protection of wetland areas, which are represented by the proposed additions to the Reserve boundary under Alternatives B and C, help to fulfill the purposes of the national historical reserve. The future protection of the areas also assists the Trust Board and the National Park Service in meeting the resource protection goals of the general management plan and the intent of the enabling legislation. If these areas are added and protection of these areas is forthcoming, the Reserve will enhance its ability to secure more of the valued cultural landscape of the Reserve for future generations. In addition, two of the OLF parcels are part of one of the original Donation Land Claim parcels. This is the only historic Donation Land Claim parcel outside the existing Reserve boundary. (Refer to Figure 3, Cultural Landscape Features, for delineation of original Donation Land Claim parcels.)

Feasibility to Administer the Lands Added through Boundary Adjustment

It is feasible for the National Park Service/Trust Board to administer the land parcels being proposed for addition to the Reserve boundary. Most of the parcels would be proposed for protection via the acquisition of conservation easements. No extensive operational commitment would be required by Reserve or NPS staff to administer and manage these conservation easements. There would not be a need for any Trust Board staff to be specifically assigned to these lands or public facilities located on these lands. Therefore, the addition of the proposed land areas to the Reserve boundary would be feasible to administer.

Protection Alternatives Considered

If the areas proposed for addition to the Reserve boundary were not included, they would continue to be subject to the land use regulatory process of Island County. While zoning and subdivision regulations of the County do provide for some protection of land, the private lands proposed for addition are in zoning classifications that allow for residential building lots of five to ten acres in size with the exception of the OLF, which is federal land and therefore not zoned by Island County. These local land use protections, taken alone, would not provide for the protection of agricultural and other lands. Additional measures, such as the acquisition of conservation easements by local land trusts would need to augment county protections if these valued cultural landscapes and lands with high open and scenic character were to be protected. Also, since these lands are not now within the boundary of the Reserve, that would preclude local land owners of having the option of conveying a conservation easement interest to the NPS and Reserve.

If the remainder of the OLF were not included in the boundary and the U.S. Navy determined at some point in the future that these lands were excess to their needs, special legislation would then be required to transfer U.S. Navy managed federal lands to the NPS. Lacking this legislation, the lands would then likely go into surplus disposition by the General Services Administration, and there would be no guarantee concerning their future disposition. If transferred to the NPS, these lands would be managed with the protection of the natural resources and landscape of the Smith Prairie and the central Whidbey Island aquifer as stewardship priorities. The NPS would seek Congressional action to authorize transfer of the remainder of the OLF lands to the Reserve.

Proposed Additions to the Park Boundary and Other Adjustments

Under Alternative B (Preferred Alternative) and Alternative C, approximately three areas totaling approximately 631.52 acres, involving 15 parcels of land, would be added to the boundary of the Reserve. Regarding property tax revenue implications to Island County, four of the parcels are already in county ownership, the OLF is in federal ownership, and one is owned by a private non-profit institution. The goal of the Trust Board for these lands would be to secure a conservation easement and not fee title purchase. Thus, the private lands proposed for inclusion in the Reserve boundary would remain in private ownership and continue to pay property taxes to Island County based upon their valuations as agricultural land with the easement restrictions limiting the development potential of the land.

Appendix F: Letters for 106 Compliance (National Historic Preservation Act)



United States Department of the Interior

NATIONAL PARK SERVICE Columbia Cascades Support Office 909 First Avene Scattle, Washington 98104-1060

IN REPLY REFER TO:

H30(CCSO-CR)

JAN 27 2003

Ms. Jane Crisler Histroic Preservation Specialist Advisory Council on Historic Preservation 12136 West Bayaud Avenue, #330 Lakewood, Colorado 80226

Dear Ms. Crisler:

In accordance with our responsibilities under the National Historic Preservation Act of 1966 and the amended Programmatic Agreement between the National Park Service, the National Conference of State Historic Preservation Officers, and the Advisory Council on Historic Preservation, this letter is to inform you of the National Park Service's intent to prepare a General Management Plan (GMP) for Ebey's Landing National Historical Reserve (Reserve) on Whidbey Island in Washington state.

The GMP will set forth the basic management philosophy for the Reserve and will provide strategies for addressing issues relevant to natural and cultural resources management, visitor use, and interpretation of those resources. We invite your office to attend any or all of the meetings of the planning team preparing the GMP.

Enclosed is a copy of the draft project agreement proposed for the GMP. It was prepared by the Park Planning and Partnerships team within the Columbia-Cascades System Support Office, in conjunction with the Trust Board of Ebey's Landing. The Trust Board is the unit of local government that manages the Reserve for the NPS. Any comments you have on this draft agreement are welcome at this time.

The NPS held public scoping meetings in the Central Whidbey Island area and Seattle during June 2000 and is in the process of developing alternatives. This plan will be particularly challenging given the nature of this non-traditional park unit: the Reserve is managed by a Trust Board that represents a partnership of local, state, and federal governments which will all need to adopt this plan into their comprehensive planning processes to ensure adequate implementation.

We encourage your involvement in this important planning process. If you have any questions, please do not hesitate to contact me at 206-220-4104. We look forward to working with you and your staff on this endeavor.

Sincerely,

when

Keith Dunbar Chief of Planning

Enclosures 3

cc:

Rob Harbour, EBLA Reserve Manager Rory D. Westberg, Superintendent, CCSO Gretchen Luxenberg, NPS Liaison to EBLA Trust Board, CCSO



United States Department of the Interior

NATIONAL PARK SERVICE Columbia Cascades Support Office 909 First Avene Seattle, Washington 98104-1060

IN REPLY REFER TO:

H30(CCSO-CR)

JAN 27 2003

Dr. Allyson Brooks State Historic Preservation Officer Office of Archaeology and Historic Preservation P.O. Box 48343 Olympia, Washington 98504-8343

Dear Dr. Brooks:

In accordance with our responsibilities under the National Historic Preservation Act of 1966 and the amended Programmatic Agreement between the National Park Service, the National Conference of State Historic Preservation Officers, and the Advisory Council on Historic Preservation, this letter is to inform you of the National Park Service's intent to prepare a General Management Plan (GMP) for Ebey's Landing National Historical Reserve (Reserve) on Whidbey Island in Washington state.

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Sincerely,

Dule

Keith Dunbar Chief of Planning

Enclosures 3

cc:

Rob Harbour, EBLA Reserve Manager Rory D. Westberg, Superintendent, CCSO Gretchen Luxenberg, NPS Liaison to EBLA Trust Board, CCSO

Appendix G: Letters for Section 7 Consultation (Endangered Species Act)



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Western Washington Fish and Wildlife Office 510 Desmond Dr. SE, Suite 102 Lacey, Washington 98503

Dear Species List Requestor:

Due to reductions in staffing, we will no longer be able to respond to your requests for species lists for individual projects. We ask that you obtain your species list on our web site at <u>http://westernwashington.fws.gov/se/SE List/endangered Species.asp.</u>

To assist you in evaluating the effects of your project, site-specific information of listed species occurrences in Washington State may be obtained from the Washington Department of Fish and Wildlife Priority Habitat and Species Program at (360)-902-2543, or their website www.wdfw.wa.gov/hab/phspage.htm and the Washington Department of Natural Resources Natural Heritage Program at (360) 902-1667 or their website at www.dnr.wa.gov/nhp/.

When you submit a request for section 7 consultation, we request that you include your downloaded species list, and the date it was downloaded, as an attachment. This will document your compliance with 50 CFR 402.12 (c).

We apologize for any inconvenience this may cause. If you have any questions regarding this issue, please contact Tami Black at (360) 753-4322 or John Grettenberger (360) 753-6044.

Sincerely,

Kén S. Berg, Manager Western Washington Fish and Wildlife Office





June 8, 2004

Theo Chargualaf National Park Service Pacific West Region 909 First Avenue – Fifth Floor Seattle WA 98104-1060

SUBJECT: Ebey's Landing National Historic Reserve – General Management Plan and EIS (Portions of T32N R01W; T32N R01E; and T31N R01E)

We've searched the Natural Heritage Information System for information on rare plants and high quality native wetland and terrestrial ecosystems in the vicinity of your project area. A summary of this information is enclosed. In your planning, please consider protection of these significant natural features. Please contact us for consultation on projects that may have an effect on these rare species or high quality ecosystems.

The information provided by the Washington Natural Heritage Program is based solely on existing information in the database. There may be significant natural features in your study area of which we are not aware. These data are being provided to you for informational and planning purposes only - the Natural Heritage Program has no regulatory authority. This information is for your use only for environmental assessment and is not to be redistributed. Others interested in this information should be directed to contact the Natural Heritage Program.

The Washington Natural Heritage Program is responsible for information on the state's rare plants as well as high quality ecosystems. For information on animal species of concern, please contact Priority Habitats and Species, Washington Department of Fish and Wildlife, 600 Capitol Way N, Olympia WA 98501-1091, or by phone (360) 902-2543.

Please visit our internet website at <u>http://www.dnr.wa.gov/nhp</u> for more information. Lists of rare plants and their status, as well as rare plant fact sheets, are available for download from the site. Please feel free to call me at (360) 902-1667 if you have any questions, or by e-mail at sandra.moody@wadnr.gov.

Sincerely,

Sandy Suge Mody

Sandy Swope Moody, Environmental Review Coordinator Washington Natural Heritage Program

Enclosures

Asset Management & Protection Division, PO Box 47014, Olympia WA 98504-7014 FAX 360-902-1789

> 1111 WASHINGTON ST SE II PO BOX 47000 II OLYMPIA, WA 98504-7000 TEL: (360) 902-1000 II FAX: (360) 902-1775 II TTY: (360) 902-1125 Equal Opportunity/Affirmative Action Employer

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Appendix H: Federal Consistency–Washington State Coastal Zone Management Program (Coastal Zone Management Act)



United States Department of the Interior

NATIONAL PARK SERVICE Pacific West Region 909 First Avenue, Fifth Floor Seattle, Washington 98104-1060



IN REPLY REFER TO: File code D18

July 15, 2005

Loree Randall Federal Consistency Coordinator SEA Program Department of Ecology P.O. Box 47600 Olympia, WA 98504

Dear Ms. Randall,

Enclosed is a copy of the *Ebey's Landing National Historical Reserve DRAFT General Management Plan/Environmental Impact Statement, Volume I.* The purpose of a General Management Plan is to set the management direction for the Reserve for the next 15-20 years. Preparation of this plan is consistent with legislation creating the Reserve and the National Park Service Organic Act of 1916, providing for protection of the Reserve's natural and cultural resources while inviting appropriate visitor use. Three alternatives have been developed by the National Park Service (NPS), Reserve staff, and Trust Board as part of this planning effort.

Alternative A constitutes the No Action alternative and assumes that existing programs, facilities, staffing, and funding, would generally continue at their current levels. The NPS would dispose of NPS-owned and managed farms within the Reserve to the private sector after placing conservation easements on them.

Alternative B is the NPS Preferred Alternative. The Reserve's Trust Board, and the NPS, in cooperation with partners, would enhance existing programs and resources management, as well as administrative, maintenance, and visitor services within the Reserve. To maintain and protect the rural landscape, the NPS would continue to purchase conservation easements on priority properties based upon a new Land Protection Plan. The NPS would exchange NPS-owned farms to private farm owners for additional protection on other properties within the Reserve. Historic buildings would be rehabilitated to the Secretary of the Interior's Standards. The county is encouraged to develop a zoning overlay for the Reserve to aid in land use control. In addition, a minor boundary adjustment would be recommended. To orient and inform the visitor about the Reserve, three gateway kiosks would be developed along State Route 20 and a visitor center/contact station would be sited in an historic building in Coupeville or within the historic district. Three development concept plans for three sites are included at the end of this alternative.



Alternative C changes the management structure of the Reserve from a Trust Board of volunteers to a paid Commission structure. Many actions are similar to Alternative B but with some distinctions. Approximately five acres of NPS-owned land at Farm II would be retained for administrative and maintenance use before exchanging the remaining farmland to a private farm owner for additional protection on other properties within the Reserve. One of the three gateways would be in a historic building in the north of the Reserve. The Reserve would partner for a visitor contact facility at a proposed marine science center.

None of the actions proposed in the Preferred Alternative B impact the coastal zone within the Reserve and central Whidbey Island. Alternative B does propose a state or county designation to protect coastal waters adjacent to the Reserve. This plan will meet the Washington State Coastal Zone Management Program requirements for compliance with the Coastal Zone Management Act to the fullest extent possible.

As Federal Consistency Coordinator for the Washington State Department of Ecology, we would appreciate your review of this document.

Sincerely,

Rory D. Westberg Deputy Regional Director

Appendix I: Supplemental Bibliography

Supplemental Bibliography

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Appendix J: Acronyms

Best Management Practices	BMP
Code of Federal Regulations	CFR
Community Supported Agriculture	CSA
Department of Ecology	DOE
Ebey's Landing National Historical Reserve	Reserve
Environmental Impact Statement	EIS
Environmental Protection Agency	EPA
General Management Plan	GMP
Integrated Pest Management	IPM
Island County Noxious Weed Control Board	ICNWCB
Island County Public Transportation Benefit Area Transit or Island Transit	PTBA
Land and Water Conservation Fund	LWCF
National Ambient Air Quality Standards	NAAQS
National Park Service	NPS
Naval Air Station	NAS
Non-governmental organizations	NGOs
North Coast and Cascades Network	NCCN
Northwest Air Pollution Authority	NWAPA
Outlying Landing Field	OLF
Recreation Vehicle	RV
The Nature Conservancy	TNC
Threatened and Endangered Species	T&E
Total Suspended Particulates	TSP
Trust for Public Land	TPL
United State Department of Agriculture	USDA
Urban Growth Areas	UGA
Volunteers in the Park	VIP
Washington State Department of Fish and Wildlife	WDFW
Washington State Department of Natural Resources	DNR
Washington State Department of Transportation	WSDOT
Washington State Ferries	WSF