



*Yellow Water Lily, common in the East Everglades*



*Wildlife viewing at Eco Pond*

## CONSULTATION AND COORDINATION

# 6



## PUBLIC AND AGENCY INVOLVEMENT

This *Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement* for Everglades National Park is the culmination of years of work and input by the public and NPS staff.

Consultation with various agencies and entities and with the public and was vitally important throughout the planning process. Primary avenues to participate in development of this document were public meetings, focus group / stakeholder meetings, responses to newsletters, and comments submitted over e-mail or the Internet.

### **PUBLIC MEETINGS, INTERNET, AND NEWSLETTERS**

Public meetings, Internet (GMP webpage link on the park's website) updates, and newsletters were used to keep the public informed and involved in the planning process. A mailing list was compiled of members of governmental agencies, organizations, businesses, legislators, and interested citizens. This list was updated throughout the process. Periodically, postcard and e-mail updates were sent out to inform the public of the project status and upcoming activities.

The public involvement process began with a "Notice of Intent" to prepare an environmental impact statement for the general management plan; this notice was published in the *Federal Register* on October 25, 2002.

The first newsletter, mailed to about 5,000 addresses in January 2003, introduced the planning effort and invited the public to participate. Public open houses were held in January and February of that year in Everglades City, Naples, Key Largo, Miami, Key Colony Beach, and Homestead. Three additional meetings were held to meet with area agencies, and several more meetings with various stakeholder groups were held.

More than 1,800 comments were submitted in this phase of public input. These comments were summarized in Newsletter 2, published in September 2003.

In general, these comments indicated that the public values the park's natural resources and opportunities to learn about the park's special environment and history. The public appreciates that the park offers a refuge of serenity, beauty, and peacefulness in natural surroundings away from the busy pace of nearby urban development, and they indicated support for restoring the ecosystem and protecting the park's unique resources. The public also values the many recreational opportunities the park provides, including boating, camping, paddling, hiking, and fishing, and the public does not want to see these opportunities curtailed. Some expressed concerns over potential closure of parts of the park or restrictions on fishing, while others expressed a vision for providing visitor uses that enhance resource protection and stewardship. As a result of comments received during the scoping process, the park purpose and significance statements were revised and the planning team had direction for the development of the preliminary management alternatives.

To better understand the issues specific to the different management areas of the park and develop more informed preliminary management alternatives, 12 additional meetings with user groups and organizations were held in March and April 2004.

On August 7, 2006, a "Notice of Intent" was published in the *Federal Register* to explain that a wilderness study for the East Everglades addition would be combined with the general management plan effort. A third newsletter on this topic was mailed in July 2006, and a public wilderness scoping meeting was held on August 9, 2006, with about 80 participants. More than 100

comments were received at the meeting and through mail and e-mail correspondence. There were strong and distinct public views on the East Everglades wilderness issue, with constituencies supporting and opposing wilderness designation.

GMP Newsletter 4, presenting the preliminary management alternatives and seeking public comment on those alternatives, was mailed in May 2007. Seven public meetings were held throughout south Florida to receive verbal and written comments on the preliminary alternatives. More than 1,500 people attended the public meetings, and the planning team received more than 1,000 comments from park users and interested citizens. Many comments, particularly by those attending the public meetings, opposed the management alternatives proposed for the park's marine areas. Specifically, concerns were expressed about the zoning restrictions being considered for areas of Florida Bay, the Gulf Coast, and adjacent backcountry areas to protect shallow water ecosystems and increase wilderness opportunities. It was felt that these zones were too large, not based on scientific information, and not reasonable or enforceable given the historic use of the park's marine waters. Some members of the public in the Florida Keys formed an ad-hoc group and proposed a new alternative. The planning team read and analyzed all of the comments and revised the alternatives.

The revised alternatives for the marine waters (Florida Bay and the Gulf Coast) of the park were presented to the public in Newsletter 5. Meetings were held with the public and focus groups in south Florida in March and April 2009. The seven public meetings were attended by about 630 people, and about 250 people attended the 16 stakeholder (focus group) meetings. In addition, the planning team received 600 written comments from individuals and organizations. Public input on the revised alternatives identified common ground for the actions and strategies under consideration. Public input often cited the use of science and defining

zoning options in ways that are manageable and enforceable as the basis for support.

As mentioned in the "Development of the Preferred Alternative" section of chapter 2, after the NPS preferred alternative was developed, the NPS reconsidered elements related to commercial services at Flamingo and proposed development at the Gulf Coast NPS site in Everglades City.

Continued scoping and internal review resulted in refinement of the alternatives that reduced proposed one-time facility construction improvements and rehabilitation costs and the long-term operational commitments.

A new public involvement effort took place in January to February 2012 to seek additional public input on the best way to reassess the needed improvements at the Gulf Coast site. As part of this process, a public meeting was held at the Big Cypress Welcome Center in Ochopee, Florida, on January 19, 2012. Comments were accepted by mail and through the NPS Planning, Environment, and Public Comment website. The primary public input received focused on the need for a new, shared NPS and concessioner facility at the current site, which would enhance visitor orientation and understanding to this area of the park; enhance waterfront opportunities for visitors, whether for a boat tour, canoe trip, interpretive program, or a picnic; improvements to the canoe/kayak launch site given the fluctuating tidal conditions; and improve pedestrian and vehicular circulation and travel through the site.

## **CONSULTATION WITH OTHER AGENCIES**

Key consultation letters are included in appendix G.

### **U.S. Fish and Wildlife Service**

During the preparation of this document, NPS staff coordinated informally with the

U.S. Fish and Wildlife Service. A letter was sent to the Vero Beach office of the U.S. Fish and Wildlife Service in 2002 informing them of the initiation of the general management plan process and requesting current information on threatened and endangered species that may occur in the park.

In October 2003, the U.S. Fish and Wildlife Service – South Florida Ecological Services Office (SFESO) became a cooperating agency for the preparation of this management plan / environmental impact statement. The cooperating agency agreement specifies that the National Park Service is the lead agency on the project. The National Park Service is responsible for (a) preparing the environmental impact statement; (b) informing the public about the GMP alternatives, the impacts of those alternatives, and potential ways to mitigate those impacts; (c) providing opportunities at various points during the planning process for the cooperating agency (U.S. Fish and Wildlife Service) to review analysis relevant to the information provided by the U.S. Fish and Wildlife Service; (c) ensuring compliance with federal environmental and other statutes; (d) making the final decision on document content; (e) sharing public comments with the U.S. Fish and Wildlife Service; (f) informing the U.S. Fish and Wildlife Service about schedule changes that could affect its ability to review the document; (g) making the final decisions in the “Record of Decision”; and (h) sharing models, data, and other information relating to affected resources, environmental impacts, and mitigation in the environmental impact statement. The U.S. Fish and Wildlife Service – South Florida Ecological Services Office is the cooperating agency. The U.S. Fish and Wildlife Service is responsible for (a) participating in meetings and reviews related to the environmental impact statement; (b) responding to public comments in areas for which the agency has identified expertise; (c) providing technical assistance and advice in these areas of expertise; (d) participating in review of the draft and final environmental impact statement and the “Record of Decision”; (e) providing documented

information to the lead agency on possible conflicts between the alternatives and approved plans, policies, and controls within USFWS jurisdiction; (f) providing timely written comments or correspondence to the lead agency upon request; (g) providing data and information pertaining to affect resources, environmental impacts, and mitigation; and (h) coordinating and consulting on federal actions in accordance with section 7 of the Endangered Species Act and provisions of the Fish and Wildlife Coordination Act, as necessary.

The U.S. Fish and Wildlife Service – South Florida Ecological Services Office participated in several workshops with the NPS GMP team in 2003 and 2007. The National Park Service sent a second letter to the U.S. Fish and Wildlife Service, South Florida Ecological Services Office, in 2007 in conjunction with release of GMP Newsletter 4. The list of threatened and endangered species (see table 10) was compiled using lists and information obtained from the U.S. Fish and Wildlife Service.

In subsequent communications, park staff sought advice from the U.S. Fish and Wildlife Service regarding how to fulfill NPS responsibilities for complying with section 7 of the Endangered Species Act. On August 18, 2010, the two agencies discussed whether or not a separate biological assessment (BA) should be prepared in association with this general management plan. On August 19, 2010, the U.S. Fish and Wildlife Service – South Florida Ecological Services Office representative confirmed that a separate biological assessment would not be required; instead the *General Management Plan / Environmental Impact Statement* for the NPS preferred alternative would serve that purpose for the overall direction provided in the plan. A general management plan is broad and strategic in nature (rather than a major construction activity, which is the usual trigger for preparation of a biological assessment). Details about many individual proposals mentioned in the GMP alternatives, such as specific locations or details

regarding facility improvements, have not yet been determined; project specifics that allow more meaningful impact assessment will be available in the future. The National Park Service will continue to consult with the U.S. Fish and Wildlife Service in the future on a project-by-project basis concerning the need for additional section 7 consultation.

The environmental consequences portion of this document (chapter 5) provides, to the extent possible, a *general* analysis of potential impacts on federally listed species and critical habitat for all alternative, and a determination of effect. The U.S. Fish and Wildlife Service had advised the Park Service that the environmental impact statement analysis fulfills the requirement for a biological assessment and for informal consultation under section 7 of the Endangered Species Act.

On several occasions between May and August 2010, national park staff met with a USFWS representative to discuss the NPS preferred alternative and the resulting preliminary threatened and endangered species determinations under section 7 of the Endangered Species Act. The USFWS staff also reviewed preliminary drafts of this plan and tentatively affirmed the section 7 determinations in this draft plan. In addition, the National Park Service has committed to consult on future actions conducted under the frame work described in this management plan to ensure that such actions are not likely to adversely affect threatened or endangered species.

If any elements of this plan are modified in the future, consultation with the U.S. Fish and Wildlife Service should be reinitiated.

## **National Marine Fisheries Service**

The National Park Service sent a copy of this draft management plan, in place of the biological assessment, to the National Marine Fisheries Service for review related to essential fish habitat and threatened and endangered species under their jurisdiction, including five species of sea turtles and the smalltooth sawfish. In addition, the National Park Service has committed to consult on future actions conducted under the frame work described in this management plan to ensure that such actions are not likely to adversely affect threatened or endangered species.

If any elements of this plan are modified in the future, consultation with the National Marine Fisheries Service should be reinitiated.

## **Florida Department of Environmental Protection**

### *Coastal Zone Management*

The Florida Coastal Management Program is based on a network of agencies implementing 23 statutes that protect and enhance the state's natural, cultural, and economic coastal resources. The goal of the program is to coordinate local, state, and federal agency activities using existing laws to ensure that Florida's coast is as valuable to future generations as it is today. The Florida Department of Environmental Protection is responsible for directing the implementation of the statewide coastal management program.

The federal Coastal Zone Management Act, through the federal consistency provisions, gives the state the ability to require that all federal activities within the state be consistent with the statutes contained in the Florida Coastal Management Program. The Florida Coastal Management Program manages the Florida State Clearinghouse, which distributes and consolidates state

agency comments on all projects and plans. Local governments are also given the opportunity to determine whether these activities are consistent with their goals and policies. Copies of the draft management plan were sent to the Florida State Clearinghouse for distribution to affected state agencies and for consistency review by the Florida Coastal Management Program.

Consistent with this act, in developing this general management plan the National Park Service identified desired conditions and strategies that support NPS and park-specific laws and policies. Most specific to this plan, enhanced protection of marine resources, including submerged marine wilderness, plants, and animals, through management zoning and other programs and actions have been identified in this plan. Examples include poll/troll zones, the boater education program, and additional marine navigation aids. The authority for designating management zones within national parks is outlined in chapter 2, in the “Management Zones” section.

In August of 2012, the National Park Service consulted with the U.S. Fish and Wildlife Service to discuss marine area management. The National Park Service will continue to work cooperatively as the plan moves forward.

The National Park Service has begun the process of consultation with the State of Florida to ensure that the general management plan is consistent with the Coastal Zone Management Act.

### **State Historic Preservation Office (Section 106 Consultation)**

Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.) requires that agencies with direct or indirect jurisdiction over historic properties consider the effect of any undertaking on properties eligible for listing in the National Register of Historic Places.

To meet the requirements of the Advisory Council’s Regulations (36 CFR 800), the National Park Service sent letters to the Florida state historic preservation officer and the Advisory Council on Historic Preservation on November 20, 2002, inviting them to participate in the planning process. All the newsletters from this planning process were sent to both offices with a request for comments.

The Florida state historic preservation office participated in a 2003 agency scoping meeting and has received plan newsletters through the planning process for this plan.

### **Consultation with American Indian Tribes**

The National Park Service recognizes that indigenous peoples may have traditional interests and rights in lands now under NPS management. Related American Indian concerns are sought through tribal consultations. The need for government-to-government consultation with associated tribal governments stems from the historic power of Congress to make treaties with tribes as sovereign nations. Consultations with federally recognized tribes are required by various federal laws, executive orders, regulations, and policies. They are needed, for example, to comply with section 106 of the National Historic Preservation Act of 1966, as amended. Implementing regulations of the Council on Environmental Quality for the National Environmental Policy Act also require tribal consultation.

Letters were sent to the following American Indian groups in November 2002 and January 2003 to inform them of the general management plan process and to invite their participation: the Miccosukee Tribe of Indians of Florida, the Seminole Tribe of Florida, the Seminole Nation of Oklahoma, and the Independent Traditional Seminole Nation of Florida. Government-to-government consultation meetings related to the general management plan were held with

representatives of the Miccosukee Tribe of Indians of Florida in March 2003, August 2006, and March 2007. In addition, a meeting with the Independent Traditional Seminole Nation of Florida was held in February 2003.

## **AGENCIES, ORGANIZATIONS, AND INDIVIDUALS RECEIVING A COPY OF THIS DOCUMENT**

### **Federal Agencies**

Advisory Council on Historic Preservation  
Department of Agriculture  
    U.S. Forest Service  
    Natural Resources Conservation Service  
Department of Commerce  
    Atlantic Oceanographic and  
    Meteorological Laboratory  
    Florida Keys National Marine Sanctuary  
    National Marine Fisheries Service  
Department of Defense  
    Army Corps of Engineers  
Department of the Interior  
    Bureau of Indian Affairs  
    National Park Service  
        Big Cypress National Park  
        Biscayne National Park  
        De Soto National Memorial  
        Dry Tortugas National Park  
        Southeastern Archeological Center  
U.S. Fish and Wildlife Service  
    South Florida Ecological Services  
    Office  
    Florida Panther National Wildlife  
    Refuge  
    Crocodile Lake National Wildlife  
    Refuge  
    Ten Thousand Islands National  
    Wildlife Refuge  
    South Florida Ecosystem Restoration  
    Task Force  
    U.S. Geological Survey  
U.S. Environmental Protection Agency  
Department of Transportation  
    Federal Highway Administration  
    Eastern Federal Lands Highway Division  
Department of Justice  
    U.S. Attorney's Office—Southern District  
    of Florida

### **State of Florida**

Office of the Governor  
Department of Agriculture and Consumer  
    Services  
Department of Community Affairs  
Department of Environmental Protection  
    Office of the Secretary  
    South District Office  
    State Clearinghouse  
    John Pennekamp Coral Reef State Park  
    Biscayne Bay Aquatic Preserve  
    Rookery Bay Aquatic Preserve/National  
    Estuarine Research Reserve  
Department of Transportation  
    District Six Office  
Fish and Wildlife Conservation Commission  
Florida Division of Historical Resources  
South Florida Water Management District  
    Executive Director  
    Governing Board Members

### **County and Local Governments**

Broward County  
Collier County  
City of Everglades  
City of Florida City  
City of Homestead  
City of Islamorada  
City of Key Colony Beach  
City of Key West  
City of Layton  
City of Marathon  
City of Marco Island  
City of Miami  
City of Miami Beach  
City of Naples  
Miami Dade County  
Miami Dade County Department of  
    Environmental Resource Management  
Miami Dade County Parks and Recreation  
    Department  
Miami Dade County Planning and Zoning  
    Department  
Miami Dade Metropolitan Planning  
    Organization  
Monroe County  
Palm Beach County  
South Florida Regional Planning Council



Town of Cutler Bay  
Town Manager  
Village of Palmetto Bay

### **American Indian Tribes**

Miccosukee Tribe of Indians of Florida  
Seminole Nation of Oklahoma  
Seminole Tribe of Florida  
The Independent Traditional Seminole  
Nation of Florida

### **Florida Congressional Delegation**

U.S. Senate  
Senator Bill Nelson  
Senator Marco Rubio

U.S. House of Representatives  
U.S. Representatives (South Florida  
Delegation)

### **Florida State Legislature**

Florida Senate  
State Senators (South Florida Delegation)

Florida House of Representatives  
State Representatives (South Florida  
Delegation)

### **Organizations, Businesses, and Universities**

1000 Friends of Florida  
Airboat Association of Florida  
Audubon of Florida  
CCA Florida  
Citizens for a Better South Florida  
Conservancy of Southwest Florida  
Coopertown Airboats  
Dade County Farm Bureau  
Defenders of Wildlife  
Earthjustice  
Earthwise Productions  
Environmental Defense Fund

Everglade Airboat Tours  
Everglades Alligator Farm  
Everglades Area Chamber of Commerce  
Everglades Association  
Everglades Bicycle Club  
Everglades Coordinating Council  
Everglades for Everyone  
Everglades Foundation  
Everglades International Hostel  
Everglades Safari Park  
Fairchild Tropical Botanical Gardens  
Federation of Fly Fisherman  
Florida Atlantic University  
Florida Bay Outfitters  
Florida Biodiversity Project  
Florida Guides Association  
Florida Keys Fishing Guides Association  
Florida Power and Light  
Florida Trail Association  
Florida Wildlife Federation  
Friends of the Everglades  
Gator Park  
Greater Miami Chamber of Commerce  
Harbor Branch Oceanographic Institute, Inc.  
Homestead/Florida City Chamber of  
Commerce  
Homestead Main Street  
Islamorada Chamber of Commerce  
Izaak Walton League of America - Florida  
Key Largo Chamber of Commerce  
Key Largo Fishing Guides Association  
Mote Marine Laboratory  
Naples Pathways Coalition /  
River of Grass Greenway  
National Audubon Society  
National Parks Conservation Association  
National Wildlife Federation  
Natural Resources Defense Council  
Ocean Conservancy  
Sierra Club – Broward County  
Sierra Club – Miami Dade County  
South Dade Anglers  
South Florida Fly Fishing Club  
South Florida National Parks Trust  
Tropical Anglers  
Tropical Audubon Society  
Tropical Everglades Visitor Association  
Urban Environment League  
West Palm Beach Fishing Club  
Wilderness Society  
Women’s Club of Homestead

World Wildlife Fund

### **Libraries**

Public libraries in Broward, Collier, Miami-Dade, Monroe, and Palm Beach Counties will be provided with copies of the draft plan.

### **Concessioners and In-Park Businesses**

Everglades Boat Tours

Flamingo Boat Tours

Shark Valley Tram Tours

Yankee Freedom Concession

[\*In addition, there are about 400 business partners operating in Everglades National Park under the Commercial Use Authorization program. Each CUA holder will be notified of the availability of the draft plan.]

### **Newspapers and Magazines**

There is an extensive list of local, state, national, and international publications that will be notified of the availability of the draft plan.

### **Radio and Television Stations**

There is an extensive list of local, state, national, and international broadcast stations that will be notified of the availability of the draft plan.

### **Individuals**

There is an extensive list of individuals that will be notified of the availability of the draft plan.