

## CHAPTER 5 – CONSULTATION AND COORDINATION

### **BRIEF HISTORY OF PUBLIC INVOLVEMENT**

#### *The Final General Management*

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

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

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

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

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

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

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

### **CONSULTATIONS WITH OTHER AGENCIES AND ORGANIZATIONS**

#### **U.S. Fish and Wildlife Service, Section 7 Consultation**

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

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

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

### **Florida State Historic Preservation Officer, Section 106 Consultation**

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

Under the terms of the 2008 Programmatic Agreement among the NPS, the Advisory Council on Historic Preservation, and the NCSHPO, the NPS will consult with SHPOs on projects reviewed in accordance with the procedures set forth in Section IV of the Agreement.

### **Florida Department of Environmental Protection, Coastal Management Program**

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

- to ensure the wise use and protection of the state's water, cultural, historic, and biological resources,
- to minimize the state's vulnerability to coastal hazards,

- to ensure compliance with the state's growth management laws,
- to protect the state's transportation system,
- and to protect the state's proprietary interest as the owner of sovereign submerged lands.

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

For direct federal activities, the state is required by the Coastal Zone Management Act to complete its review and provide the federal agency with its federal consistency concurrence within 60 days following the receipt of the required information. If the state does not provide the federal agency with its federal consistency concurrence or objection within 60 days, the federal action is presumed to be consistent with the Florida Coastal Management Program. Information for consistency determination is submitted to the Florida State Clearinghouse, which is in the Department of Environmental Protection. The state clearinghouse serves as the single point of contact for the receipt of documents that require federal consistency review. The State Clearinghouse is the only entity legally authorized to accept information and/or materials on behalf of the state that require federal consistency review.

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

### **Tribal Consultations**

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

inviting their participation in the park's GMP process. There was no interest in formal consultations regarding Fort Matanzas National Monument.

## **COMMENTS AND RESPONSES ON THE FORT MATANZAS DRAFT GENERAL MANAGEMENT PLAN / ENVIRONMENTAL IMPACT STATEMENT**

### **INTRODUCTION**

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

During the public comment period, 1,857 pieces of correspondence (including 1,676 form letters from Audubon of Florida supporters) were entered into the Planning, Environment, and Public Comment (PEPC) system, either through direct entry by commenter or uploading hard copy letters or electronic correspondence. While private individuals submitted most of the correspondence, one conservation organization, state government agencies, and federal government agencies also submitted correspondence. 98% of commenters were from Florida, 1.1% from Georgia and the remaining from various states throughout the United States.

### **Summary of Public Concerns**

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

management actions for the national monument to consider.

### **The Comment Analysis Process**

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

1. employing a comment database for comment management
2. developing a coding structure
3. reading and coding public comments
4. interpreting and analyzing the comments to identify issues and themes, which includes drafting concern statements
5. responding to comments
6. preparing a comment analysis and response report

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

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

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

- questions (with a reasonable basis) the accuracy of information presented in the EIS
- questions (with a reasonable basis) the adequacy of the environmental analysis
- presents reasonable alternatives other than those presented in the EIS
- causes changes or revisions in the proposal

As further stated in Director's Order 12, substantive comments "raise, debate, or question a point of fact or policy. Comments in favor of or against the proposed action or alternatives, or comments that only agree or disagree with NPS policy, are not considered substantive." Typically, only those comments considered to be substantive are analyzed and used to create concern statements for NPS response; however, some non-substantive issues were identified for response during this process.

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

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

## Definitions of Terms

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

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

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

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

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

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

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

- questions (with a reasonable basis) the accuracy of information presented in the environmental impact statement
- questions (with reasonable basis) the adequacy of the environmental analysis
- presents reasonable alternatives other than those presented in the environmental impact statement
- causes changes or revisions in the proposal

## Agency Consultation and coordination

Federal and state agencies affirmed their concurrency on the Draft GMP/EIS. The EPA 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.

## 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.

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.

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

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

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

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

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

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

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

**CONCERN:** Commenters argue that Fort 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

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

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

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

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

## 2. New Alternatives or Elements

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

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

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

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

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

## 3. Impact Analysis and Methods Used for the GMP

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 4. Park Operations: Guiding Policies, Regulations, and Laws

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

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

#### 5. Cultural and Natural Resources

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

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

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

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

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

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

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

as to explore collaborative management and research opportunities.

## 6. Visitor Opportunities and Experiences

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

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

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

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

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

## 7. Suggested Changes/Additions to the GMP

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

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

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

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

## 8. Suggested Park Management Strategies and Actions

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

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

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

**RESPONSE:** The National Park Service has a robust climate change analysis and adaptation program. For more information on the climate change program visit their website: <http://www1.nrintra.nps.gov/climatechange/planning.cfm>. In addition to the climate change program, the NPS Inventory and Monitoring Network specifically monitors environmental vital signs in park units to track the effects of climate change. Vital signs include topics such as sea level rise along shorelines and in salt marshes, as well as changes in wildlife presence and diversity over time. Concerning partnerships, the national monument is always interested in exploring potential partnership opportunities and welcomes suggestions from the public at any time.

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

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

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

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

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

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

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

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

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

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

mitigation measures relating to vegetation would also benefit protected species at Fort Matanzas.

The control and eradication of nonnative and nuisance species is an ongoing effort at Fort Matanzas. Table 1 in the GMP/EIS contains current laws and policies that the monument staff follows. To clarify the commitment of the monument staff to the control and eradication of nonnative and nuisance species, additional language has been added to table 1 under the topic of nonnative species that provides additional guidance and reference to the monuments efforts.

**CONCERN:** Audubon Florida suggests that the National Park Service seek authority for adjacent nearshore sovereignty of submerged lands from the State of Florida. They feel that doing so would address water-based activities that negatively impact park resources.

**CONCERN:** The National Oceanic and Atmospheric Administration (NOAA) recommends that the final GMP/EIS include a section on essential fish habitat. They find that the prevalence of beach, marsh, and intertidal habitat within the national monument warrants this inclusion.

**RESPONSE:** The possibility of seeking authority for submerged lands adjacent to Fort Matanzas has been considered by staff of the national monument. Due to a lack of interest and response from the State of Florida, NPS is no longer considering this option. Because the monument does not oversee any submerged lands, there is currently no suitable habitat for fish. Therefore, NOAA's recommendation of including a section on essential fish habitat is currently out of scope of the GMP/EIS planning area.

**CONCERN:** The Florida Fish and Wildlife Commission recommends that the final GMP/EIS express support for the reestablishment of the Matanzas Inlet Critical Wildlife Area (CWA). They feel that by expanding the CWA boundaries to include portions of Fort Matanzas, the two entities can work together to restrict public access to certain habitat areas.

**RESPONSE:** Subsequent to the release and public review of the draft GMP/EIS, park staff met with representatives of Florida Fish and

Wildlife Commission to discuss this topic. Fort Matanzas already posts and restricts access to the least tern nesting areas in conjunction with the commission each year. Expanding the boundary of the critical wildlife area involves a lengthy process and considerable effort, which does not result in a practical gain of protection. The commission stated that they would investigate the possibility of creating an amendment to the current critical wildlife area that would expand current coverage without having to do an official redesignation. In the meantime, all public access to the least tern nesting area, whether within the current CWA boundary or not, is restricted for the duration of the nesting season in order to protect this species.

**CONCERN:** One commenter suggests that Fort Matanzas place camouflaged composting or vault toilets near the beach parking areas to reduce impacts to beach dunes and improve visitor experience by decreasing the presence of human waste.

**RESPONSE:** The national monument recognizes the merits of this suggestion as a possible way to lessen the number of human waste incidents in the beach dunes. This suggestion, along with any others received from the public, will be considered by the monument. Fort Matanzas appreciates this suggestion and invites the public to provide feedback and suggestions to the monument at any time.

Table 18 on the following page provides a summary of the number of comments for each of 22 comment codes that were developed to facilitate the public comment analysis. The codes correspond to descriptions that indicate the subject and nature of the comment. (Note: The total number of comments is greater than the number of individuals who commented because many correspondences addressed multiple subjects and thus multiple codes.)

**TABLE 18. CONTENT ANALYSIS REPORT**

<b>Code</b>	<b>Description</b>	<b>Number of Comments</b>
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