

INTERIM PROTECTED SPECIES MANAGEMENT PLAN

OCRACOKE COMMUNITY CENTER

OCRACOKE, NORTH CAROLINA

NPS CAPE HATTERAS PUBLIC MEETINGS

FEBRUARY 8, 2006

COURT REPORTER - T.K. TRAVIS

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- EXHIBIT [1] - PROVIDING COMMENTS ON THE INTERIM PROTECTED SPECIES MANAGEMENT STRATEGY/ENVIRONMENTAL ASSESSMENT
- EXHIBIT [2] - NPS UPDATE ON INTERIM PROTECTED SPECIES MANAGEMENT STRATEGY, FEBRUARY 2006, SLIDE SHOW PRESENTATION

KENNY VANCE: I'm glad that this many people showed up. This is quite a treat. Usually, we have maybe ten or fifteen people for the business and civic association meeting, but hopefully all of you are here for a good reason. Once again, I have the honor of having my boss here again for the third civic meeting. He was here December, January and now he's here, Mike Murray, the superintendent of the Cape Hatteras National Seashore, and so some of you that have not had the opportunity to meet him. Also here tonight, we have my boss for the first time, Nora Martinez. She's the chief ranger for the park. And we also have our new LE ranger, Bill Hackett, who has come on. And we have Mike McGee, who is working down in the Everglades. And he's here visiting and hoping to work for us this summer. And we also have Gail Fox here. And we have Shirley Helms here. And so that's all of our crew here.

And so Mike is going to go ahead and get started with his presentation. He's not going to be able to stay with us tonight, so -- he's going to be catching a ferry to head back, so that can be good and that can be bad. But, anyhow, we'll take it for an hour. And then, afterwards, we'll do an update for NPS for the district itself.

MR. MIKE MURRAY: Thank you all for coming. I apologize for the technical difficulty here. But I think that having the slide show for the presentation will be beneficial. What I want to do is give you a brief slide show to summarize the current situation of the Environmental Assessment on the Interim Protected Species Management Strategy, give you an update on how to go about public comments, and then open the floor for questions and comments. We do have a court reporter here tonight, so everything you comment on tonight will be considered on the record in terms of the comment. And I also encourage you to submit the written comments if you wish.

And so the purpose of the meeting tonight is to explain the purpose of the Environmental Assessment, to provide an update on the public comment process. We'll summarize key points of the proposed Alternative D. We'll provide an update on the status of the related processes, and again, hear public comments and respond to questions.

Okay, what is the Interim Protected Species Management Strategy? And it's -- the purpose is to guide management practices for protection of species -- which are nesting shore birds, sea turtles and one threatened plant called seabeach amaranth -- over the next three to four years, while the Park Service and, hopefully, the community work on an off-road vehicle management plan -- it develops regulations for off-road vehicle use.

This Interim Strategy and Environmental Assessment, which I'll refer to now as the EA, was released for public review on January 25th. Copies were mailed to a fairly extensive mailing list of the interested parties that have expressed interest in the past on this issue. Copies are also available at local libraries and park visitor's centers, so see Gail, and she'll want to look at your copy. And, also, it's available online at a website which is called parkplanning.nps.gov/caha, C-A-H-A. The public comment

period will close March 1st. You can submit comments online at the same website, parkplanning.nps.gov/caha, which is an acronym for Cape Hatteras National Seashore.

The EA considers four alternatives. The purpose of the EA is to look at, compare, contrast, and evaluate different options. Alternative A would be a continuation of the 2004 management practices. This is considered a no-action alternative, meaning there would be no specific change of the past practice of 2004.

Alternative B is based in large part on some of the protocols and recommendations from the US Geological Survey, which in some opinions were fairly restrictive or very protective. It's considered to be the environmentally preferred alternative meaning, if it's looked at from the point of view what's the most protective of the environmental values, alternative B is the environmentally preferred alternative in the EA.

Alternative C is called the tailored management focus. And it's a combination of practices and procedures. The -- it would fall somewhere between Alternative B and Alternative D.

Alternative D is titled an Access/Research Component Focus. And that's what the Park Service has selected as our preferred alternative. So I want to talk to you mostly about Alternative D since that is what the Park Service is proposing to do. Key points, it's -- by comparison to some of the other alternatives, it's the most flexible, least restrictive. It relies on increased surveying or observation and other measures to allow for fewer, later, and shorter closures where possible. It provides for the use of alternate routes or bypasses if or when resource closures shut off recreational access to spits and points.

Under Alternate D, we would survey for bird activity in breeding areas that have been used in the past ten years. We would establish pre-nesting closures or early-season closures in breeding areas used in the past three years. And this generally is in the vicinity of the spits and South Beach. We would designate a 100-foot-wide ORV corridor in these areas to provide access around the pre-nesting closures. We would post the corridor above the wrack line where there's a well-defined wrack line. The wrack line is the organic material that the ocean washes up on the beach sort of at the high tide line. There's often a line of seaweed and other material. And this actually is a really important food source for feeding birds as the season progresses. And so, under this option, the wrack line would be protected, but we would still allow people to walk across it or, if you had to drive through it to get access, they could do that. But we would try to prevent it from being, sort of, ground into the sand by routine driving on it. In areas where the location -- where the corridor is less than 100 feet wide, we have a reduced speed limit. And so, typically, if it's an area with a bird closure nearby, we might have a reduced speed limit, both for safety reasons and to minimize wildlife disturbance.

As the season progresses and the bird breeding

doesn't have any major changes, we would adjust buffer zones or the signs for closures based on parameters defined in the interim strategy. The buffer zones for piping plover are consistent with the Recovery Plan guidance. The Recovery Plan is Fish and Wildlife Service guidance on how to manage piping plover nesting areas. The buffer distances for some other species such as American oystercatcher, colonial waterbirds, et cetera, would be less than that recommended by USGS as the most protective. The US Geological Survey did develop some protocols for the Park Service that recommended the closures for all these species. And, in Alternate D, we would choose to use smaller areas than the most protective ones that were recommended. And again, it would use alternate routes or bypasses around closures to maintain ORV access to spits and to the point, to the extent possible. And there would be no escort system. I think most people felt like the escort system that was tried last summer was not highly successful.

The plan also established parameters for re-opening areas. And so there would be clear guidance and a clear understanding of when areas could be re-opened. One example is, in Alternative D, would be to remove the pre-nesting closures if no bird activity is seen by July 15 or when the area is abandoned for a two-week period, whichever comes later. The idea behind the pre-nesting closures is to give the birds an opportunity to breed. But at some point in the season, if it becomes apparent that they're not using the area, we would reopen it.

Alternative D plan also addresses sea turtles. In general, we would follow the North Carolina Wildlife Resource Commission handbook guidance. From mid-May to the end of summer, we would survey daily for nests. We would relocate nests that are subject to overwash. We would use alternate routes or bypasses if the nest were to close access. As the last resort, we would consider relocating the nest to provide access, but it's contingent upon being permitted by the North Carolina Wildlife Resource Commission. Typically, we can use an alternate route or bypass, but it's conceivable that a nest location might make that difficult.

The USGS protocols recommend restrictions on night driving. Alternative D would have no restrictions on night driving. We would seek funds to study the levels and effects of night driving. There is some literature that suggests that artificial lighting, whether it come from piers or from campgrounds or from vehicle lights or whatever, can confuse sea turtles either when crawling up to nests on the beach or hatchlings from crawling into the water. They apparently orient towards the tide line, which is relatively lighter than the dark water behind it. And so that's the reason for the concern. And we've chosen that we would study that more extensively here to access the level of night driving and other lighting sources to see if we can come up with a plan to manage or mitigate the effects if there are effects. But, again, we would use alternate routes or bypasses to the extent possible.

We have one threatened plant species called seabeach amaranth, or SBA for short. There is no pre-season

closures planned for the plant. The plant could benefit from existing bird pre-season closures. If the plant is found outside of an existing closure, we would create a thirty-foot buffer zone around it. We would survey bird closures for the seabeach amaranth before we reopen them so that we could put that small buffer zone around it. There will be a park-wide annual survey in August, and the areas reopened by September 1 if no plants are found. And let me say that, in the past and in the future, we do not anticipate plant closures to really affect access. They're a fairly small plant that doesn't move around. It's a plant that has kind of a fragile existence on a very small part of the beach. And it is on the threatened species list.

So Alternative D would include smaller, more flexible closures. And that's contingent upon achieving improved compliance with posted closures and restrictions. We have some data and there are some concerns about, if we had smaller closures, would we still have disturbance if people don't comply with the closures. So we're using the educational approach. We're developing a new brochure. And we'll work closely with the community to ensure wide distribution of this information. The target is anyone that might drive on the beach. So we put this information out to real estate companies to put in their information packets for vacation home renters, and tackle shops, we hope, will help us, as well as, you know, park rangers and park users. We'd also have regular law enforcement presence in the key areas. There will not be additional law enforcement staff brought in as occurred last year. I think last year was a unique circumstance, and we do not plan to do that.

We will continue to conduct targeted predator control near nest sites using humane trapping techniques. And we have funding to develop a local comprehensive predator management plan which will be a public process. And we can go through that plan and the people can comment on it, which makes me comfortable. Right now, I feel like we need to have a little bit better strategy about the effectiveness of predator control.

This next one is fairly standard in bird nesting areas. We will create a little bit of a buffer zone by prohibiting pets, kite flying, ball and Frisbee tossing near the nesting areas; by having a little bit of an area where we don't even allow dogs on a leash. That is a little safety net in case we have, you know, a dog to get off the leash or something like that. And so the intent is to minimize the disturbance of the nesting areas, so we can still stick with these smaller distances. And also kind of as a visitor service, but it serves some resource functions, we plan to provide dumpsters and porta-potties at the major access ramps in your bird nesting areas. And this will enable people to help us a little bit more in bringing all the trash off the beach, in which, if it's not brought off the beach, it can attract predators.

Okay, we have some related processes. The Park Service sent a Biological Assessment to the Fish and Wildlife Service in January. It's available on the Park Service park planning website. The BA basically extracts information

about Alternative D out of the Environmental Assessment. And so it's a summary, really, not a proposed action. And it does provide some analysis of the potential benefits and impacts of it. So that's a related process. Fish and Wildlife Service has a certain amount of time to review it and render a biological opinion as to whether our plan is adequately protective so that there's not any jeopardy to the threatened and endangered species. And -- so we've been working with them on that and we're waiting to hear their opinion.

Okay, Superintendent's Order Number 7, that's the internal Park policy prescribing some of the ORV corridor widths and other parameters. In order for this plan to work effectively, we need to revise Alternative B. For example, it adopts 100-foot minimum width corridor for safety reasons. And, you know, I haven't heard from very many people that thinks it's inherently unsafe if it's less than 100 feet, except in certain tide conditions. And so we're going to prescribe a narrower corridor near these closures; then we need to have the flexibility that if, you know, the corridor is only fifty foot wide, it can be safely passed through, that we can do that. So that's an issue that we will address so that whatever Superintendent's Order 7 says is consistent with this plan.

We will begin public scoping this spring on the Long-Term Off-Road Vehicle Management Plan. Again, the interim plan is to hold us over until the long-term plan can be completed. And, by the end of this month, I expect the Park Service to make a decision about whether to proceed with negotiated rulemaking. Right now, we're waiting for a summary of comments on the proposed list of participants. The comments were submitted by various -- by the public to the Consensus Building Institute, which is a third-party neutral or sort of a mediation firm that is assisting us with the process. We expect to have a decision by the end of the month. We first have to decide do we proceed or not. If we decide to proceed with negotiated rulemaking, the Park Service will publish a list of the proposed participants in the Federal Register.

Other related activities, the Hatteras Spit -- Hurricane Isabelle closed something called the Spur Road, which was an access route to the sound side. And we're evaluating that area to possibly reopen an access route. What it would provide us is a little bit more flexibility and options if a nest were to close the shoreline access on the ocean side. And there is a flatlands issue. We need to consult with the State. We need to be mindful of where bird nesting typically occurs and those types of things. And so the best I can tell you is we're evaluating that. And we'll have to go through another process to do that.

In Buxton Woods or near the Cape Point campground, there is a flooding problem. And apparently because of the man-made berm, in some of the past storms, there's been a lot of water accumulating there. They've asked the Park Service could we use heavy equipment to cut the beach during the year and let the water out. And so it's a primitive flood control system. And I'm not sure exactly

when it occurred, but the State became concerned about that's, you know, basically a water pollution concern -- stormwater, the waste. And we didn't have a permit for it. And so they drafted us to stop releasing the water. And so the burden is on us at this point to come up with a plan of how to do it in a way that's environmentally safe and appropriate. So we're working on that still. But, yeah, it's a complicated issue. But we probably need a permit from at least one agency, if not another. And -- but we're working on that, because it -- what that does is the flooding affects people living in the Buxton and the Cape Point campground opening in the summer. And it also affects several of the key access routes to Cape Point, but, again, it would give us more flexibility if nesting closure restricts access of the vehicle standard route. So these, to me, are related, and they're all pieces of trying to find ways to balance resource protection with recreational access.

In the EA, the thick document, there are some errors. We're recognizing some of them. And certainly readers are recognizing some of them. The Park Service will at some point issue an errata sheet. That's fancy wording for errors. I will also encourage you, if you see anything in there you disagree with, if you think the data is incorrect or misinterpreted, please submit written comments on it, because they will be evaluated and they'll be considered.

Okay, so -- and, again, I want to remind you about how to submit comments. The public comment period closes March 1. The comments may be submitted online at parkplanning.nps.gov/caha. And at the table, Nora has a handout. If you're having difficulty accessing the site -- we know some people that had that. We checked ourselves and we originally had problems ourself. We sent out extra instructions, but we have an instruction sheet. If you don't have a computer, you can submit written comments also either to the Park or there's an address there, I believe, on the sheet. Please do not let the challenge of using the computer limit your ability to comment.

Okay, that's my presentation. I'm really here to listen to what you have to say. I want to set up a couple of ground rules just to help manage the discussion. I'm down here to hear you. I want to give everybody who wants to speak a chance to speak. So we have a good audience here tonight. I'm not here, and I don't think any of us are here, to debate or argue with each other. And so I'd ask you, when you formulate your comments, please direct them to me. I'm the new superintendent. I really want to know what you think about the plan as opposed to directing comments towards people in the audience.

The discussion is being recorded, so, if you would like to speak, what I'd ask you to do is raise your hand, be recognized by me. And the first thing we need to know is your name. If you could speak in a loud, clear voice, you can remain in your seat or stand, if you want. And then that will help us keep track in the recording of who said what. If you could, let's try to focus our comments on the interim strategy, the EA. I'm sure there's lots of other

Park Service issues you might be interested in, but the purpose of this discussion at this moment really is the EA and the interim strategy.

If you make comments tonight, I would also encourage you to submit written comments. These will be transcribed and submitted to evaluate as written comments. But, you know, speaking for myself, I know sometimes I can express myself more coherently in writing. And so, if you feel strongly about it, I encourage you to do written comments as well.

And then, based on the audience, I'm going to give everybody a chance to speak. You know, we have some time constraints. I'd like to set a time limit, but I don't know how much is enough. So, if I could say five minutes or less per speaker. You can ask questions. You can make comments. And I want to give everybody a chance who wants to speak or ask a question a chance to do it first before we go back to repeat questions and comments. So I give you the floor. Anybody have any questions or comments? Sir?

MR. FRED WESTERVET: My name is Fred Westervet. I'm a relatively newcomer. I've only been coming here for forty years. And I want to commend you on what seems to be an almost bend-over-backwards, reasonable interim plan. I may surprise some friends of mine by sounding conciliatory, but I'm very pleased with what I see. What do you see as the most likely to be reversed of the various components of the interim plan as we progress towards something threateningly permanent?

MR. MIKE MURRAY: It's a good question. I don't know. A question that came up in the other meeting we had and which I think relates to what you're asking, this interim plan really focuses on protecting the species involved. And so it focuses on those areas where there's nesting or, you know, plant presence. And so it's not a comprehensive off-road vehicle plan; it affects off-road vehicle use in those areas. When you get into the long-term off-road vehicle plan, that's when it comprehensively is off-road vehicle use and looks at issues like corridor width and other things that could change something that we've said in here. And so it's kind of related. And if something in the long-term plan affects something in here, we'd have to go back and reconsult with Fish and Wildlife. We have to reevaluate whether the new approach would put the threatened or endangered species in jeopardy. But I'm willing to do that. What I would have to say is that, when we get to the long-term plan, we'll have some experience with the short-term plan. If something is not working, we can change it providing we do the consultation, providing looking at the facts. Does that answer your question?

MR. FRED WESTERVET: As well as you can.

MR. MIKE MURRAY: Anybody else? Sure.

MR. KEN GORDON: I'd like to ask you a question. I'm Ken Gordon from Ocracoke. You said on beach closing, July the 15 or after, if there was no activity, you would open it back up?

MR. MIKE MURRAY: Yes.

MR. KEN GORDON: I want to comment on the South

Point. You went down and put the corridor in, but it went all the way to South Point and around about. They blocked off the whole South Point from the dune line, which is a vast area.

MR. MIKE MURRAY: Uh-huh.

MR. KEN GORDON: And there is no activity now or in the fall, but yet it's still blocked.

MR. MIKE MURRAY: Uh-huh.

MR. KEN GORDON: Would that be open or could you open it on the back side of the corridor and let it loop around the back side? That -- the back side is a good place to get the bait and also flounder fish, but now you can't get through there.

MR. MIKE MURRAY: Yeah, under Alternative D, there would be the ocean side and sound side access during the pre-nesting period until bird activity may cause buffer zone changes. In the winter or the off-season, there would be some small or interior areas set aside for wintering and migrating birds to use.

MR. KEN GORDON: I know there -- it is a nesting area.

MR. MIKE MURRAY: Right, but the shoreline area would be open. But what you see on the ground today is not reflected, and I'm not sure what that it is exactly, but it's not reflective of the plan. We haven't started to implement the new plan. And so there are some changes in it.

MR. KEN GORDON: Right, thank you.

MR. MIKE MURRAY: Anyone else? Sir?

MR. JOHN FLETCHER: John Fletcher, I live here on Ocracoke. I've lived in our town for thirty-five years. I was wondering if there's any consideration of using natural controls of the predators, such as introducing red wolves in the wintertime. They like cats. You know, kind of bring some red wolves over, a couple, in wintertime, turn them loose, let them prey over here. If the birds come back, we'll take them back.

MR. MIKE MURRAY: It's an interesting idea. And I -- you know, I'm not -- I don't know enough about the natural resources here to know whether the wolf is a native to the Outer Banks. Probably not.

MR. JOHN FLETCHER: They're native to Dare County.

MR. MIKE MURRAY: Yes; sir, we would not introduce predators.

MR. JOHN FLETCHER: Yes, let them sort it out by themselves.

MR. MIKE MURRAY: You make a -- it's a good question from the standpoint of natural controls.

MR. JOHN FLETCHER: Yeah.

MR. MIKE MURRAY: You would want to look at that in the predator management plan, so that whatever, you know, manipulation or trapping we do --

MR. JOHN FLETCHER: I don't have any trouble with steel traps myself, don't worry about that.

MR. MIKE MURRAY: Any other questions or comments? Sir?

MR. SCOTT CHAMBERLAIN: My name is Scott. I

live here. I just have a couple of quick factual questions, I guess. The interim report was developed, I think you said, by the USGS.

MR. MIKE MURRAY: The so-called protocols. The Park Service contracted with US Geological Survey. Let me explain who they are. In the Department of Interior, there are a handful of different bureaus or agencies; The Park Service is one, US Fish and Wildlife is one, USGS is considered a scientific branch of the Department of Interior. That's where many of our researchers are located. The Park Service -- provided we have a few researchers, but most of them are resource management staff, so they're biologists or whatever. But their job is to manage the resources as opposed to doing research in a study group. There's a fine line between the two. But USGS was hired because they're respected as a research agency. And they coordinated a literature review. They looked at all the different studies as it occurred. They compiled that information. They gave sort of management recommendations and presented a range of options. And they were asked to do that. Their focus was, What's the most protective of the -- the ideal way to protect the species. They were not really asked to frame it up in the document in context of what's the best way to balance species protection and recreational use in the recreational areas.

MR. SCOTT CHAMBERLAIN: They got -- didn't they get somebody from another park to do a lot of the research or --

MR. MIKE MURRAY: What I --

MR. SCOTT CHAMBERLAIN: -- wildlife area. I think I read the report last fall?

MR. MIKE MURRAY: They utilize research from several different places. And often what they do is contract with some universities. So I know some folks from Virginia Tech who were involved in it.

MR. SCOTT CHAMBERLAIN: And I guess my question is, and I think you answered it, they didn't -- it wasn't part of their mission. They didn't balance economic and recreational use together. The fact is not considered in the --

MR. MIKE MURRAY: Yeah, I mean, they were aware it's a recreation area, and so their recommendations incorporated that. But the way your question was proposed, it was, you know, the best way to protect the species.

MR. SCOTT CHAMBERLAIN: And my other question was, you mentioned that the Park Service will decide by the end of the month whether to proceed with negotiated rulemaking. You didn't say what the alternative would be if they chose not to.

MR. MIKE MURRAY: Yeah, under Park Service regulations, and under the protective order, any National Park area that allows off-road vehicle use is supposed to promulgate a special local regulation to authorize it and define the parameters for managing it. And so a number of park systems never got around to doing that. Cape Lookout and Cape Hatteras are two of those. And so the alternative to negotiated rulemaking is the Park Service assumes

responsibility to develop the regulation ourselves. And it would be for a public process. We'd have meetings to hear the people contribute to that. And we would publish a draft regulation that people could comment on. Now, in my experience with this issue in other locations, I think the negotiated process is better because it brings together a lot of different points of view and tries to find common ground that everybody thinks can work. And so it ends up being -- even if the regulations are almost the same as what we could come up with, there's better ownership in the long run. And it's probably more effective. Any other questions? You are a very kind audience tonight. I really appreciate the civic association giving me time tonight. Sorry for the technical difficulty. I set this up at work this morning. But I appreciate it. If you want, we can end this session, if we're done. If you want me to give you a few minutes, I'd be happy to entertain any questions about other Park issues while you've got me. Let me just ask, final call, any questions or comments about -- Larry?

MR. LARRY HARDHAM: Well -- I'm Larry Hardham. I live at Buxton. And the -- there is an official comment -- in other words, the Environmental Assessment is a 300-page document?

MR. MIKE MURRAY: Yes.

MR. LARRY HARDHAM: What has been submitted to US Fish and Wildlife for approval is a different set of papers, a lot smaller, and it's only Alternate D, just an explanation? There is a comment period on the large document, but not on the one that's going to Fish and Wildlife for approval?

MR. MIKE MURRAY: Yes.

MR. LARRY HARDHAM: I don't understand why we're not allowed to comment on what you're ultimately going to be governed by.

MR. MIKE MURRAY: The Biological Assessment, the BA, the part that was sent the Fish and Wildlife is considered a formal consultation process, so it's the agency -- Fish and Wildlife Service has jurisdiction over threatened and endangered species. So whether it's our Park Service or Bureau of Land Management, Farm Service, if we're doing something that may impact the endangered species, we have to do this Biological Assessment consultation with Fish and Wildlife. It's not considered a public process with public comment documented. What I suggest, though, is the BA should accurately reflect Alternative D. And you can comment on Alternative D in the EA process. And, if you see inconsistencies, you can comment on that. But, typically, the BA is the formal consultation between the agency and Fish and Wildlife Services. It's not considered a public comment-type document.

MR. LARRY HARDHAM: Yet, if we see an error in the EA --

MR. MIKE MURRAY: Uh-huh.

MR. LARRY HARDHAM: -- and make a comment on it that applies to Alternative D which is in the BA --

MR. MIKE MURRAY: Yeah.

MR. LARRY HARDHAM: -- will that correction be

made in red print or in bold print or something and sent to US Fish and Wildlife, so that what they are evaluating reflects the corrected information?

MR. MIKE MURRAY: Yes, but here's what I think the process and the timing would be; as the public comments come in, normally we wait until the comment period closes and then we evaluate all the comments. And then we would consider -- if there is any errors and we need to change something in the EA, then we also need to change what we sent to the Fish and Wildlife Service, because part of this is a timing thing. Normally, we go through the EA first and then the BA shortly thereafter, because we are always on a compressed schedule.

MR. LARRY HARDHAM: After the corrections are made?

MR. MIKE MURRAY: Right, yeah; and so, if we change anything in the EA or change our plans based on the public feedback, we would have to change the BA to reflect that. Does that answer your question?

MR. LARRY HARDHAM: Yeah, it does, but if there are gross errors in what has been sent to the US Fish and Wildlife --

MR. MIKE MURRAY: Uh-huh.

MR. LARRY HARDHAM: -- is there a way to get that corrected?

MR. MIKE MURRAY: Yes, but I guess what I would suggest is that you submit comments on what the errors are through the EA comment process. And then we'll check them out. If we agree with you and see a correction is needed, then we have to correct the BA. So we would notify Fish and Wildlife of the corrections.

MR. LARRY HARDHAM: The sooner the better then as far as --

MR. MIKE MURRAY: No, the --

MR. LARRY HARDHAM: -- you sending --

MR. MIKE MURRAY: Now their timing is -- they have longer to review the BA than we do to finish the EA, so the BA is going to be not finally approved until after the EA is approved. So I think the timing allows for the corrections. Good question. Any other thoughts? Yes, sir.

MR. JOHN FLETCHER: I have one I want to ask. John Fletcher. Is there any provision in the National Park Service as it exists to develop a portion of the Park for recreational fields, such as ball field or anything like that?

MR. MIKE MURRAY: I'd be happy to answer that. Right now, let's -- if we can close, are there any final questions or comments on the EA? I take it there are not. And so thank you for your attention. We can stop the court reporter.

(The proceedings concluded at 7:55 P.M.)