



# 5.0 Consultation and Coordination

## Consultation and Coordination

### 5.1 PUBLIC INVOLVEMENT, INCLUDING SCOPING

The public was notified of the National Park Service planning effort via: (1) a *Federal Register* notice of intent, dated June 12, 2008, (Volume 73, Number 114, page 33454) to prepare the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*; (2) distribution of the first newsletter for public scoping in June 2008; and (3) a press release announcing a public comment opportunity, including public meetings held during Summer 2008 to comment on the draft management zones and preliminary alternatives.

Newsletter #1 introduced the concepts of general management plans (GMPs) and environmental impact statements (EISs). It outlined the draft planning issues as defined by the planning team and explained the Memorial's purpose, fundamental resources and values, significance, and interpretive themes. It also contained descriptions of five preliminary alternatives that illustrated how the Memorial might look in the future, and how the draft management zones would apply to each preliminary alternative in different regards. Newsletter #1 solicited public input and participation in the refinement of preliminary alternatives through an attached comment form, by invitation to two public open houses, and via web link to the Memorial's General Management Plan website. Providing a basic timeline for the GMP/EIS planning process, this newsletter was posted on the Memorial's General Management Plan website, published in the *St. Louis Post-Dispatch* on June 19, 2008, and distributed at the public open houses.

A public review and comment on the preliminary alternatives was open from June 18 through July 14, 2008. Public scoping meetings, in an open-house format, were held on June 25 and July 1, 2008, in St. Louis, Missouri. Meetings with the Memorial staff and other National Park Service employees were also held. The primary purpose of the comment period and meetings was to introduce the draft management zones and preliminary alternatives, while gathering suggestions and ideas for their refinement. Approximately 600 people attended the public open houses, and over 700 letters and comment forms (hard copy and electronic) were received as a result of the open houses and Newsletter #1.

Newsletter #2 summarized the public scoping comments. It described the history of the Old Courthouse, laid out the subsequent steps of the planning process, and provided an updated timeline for the planning process. A summary of public comments was posted on the Memorial's website in September 2008. As a result of public comment and further deliberations of the planning team, including environmental analysis, the preliminary alternatives were revised. Prior to the identification of a preferred alternative, a value analysis decision making process, *Choosing By Advantages* (CBA), was undertaken.

A press release on October 21, 2008, announced the preliminary preferred alternative for the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*. The press release provided a basic explanation of the next steps, a timeline for the remaining portion of the planning process, and an announcement that another opportunity for public comment

would occur in Winter 2009 on the plan. Fact sheets for each of the revised preliminary alternatives and the no action alternative were publicly posted on the Memorial's website with the press release. The fact sheets described the elements of each revised preliminary alternative and provided maps detailing the management zones.

Documents related to this planning process are available online at the Memorial's website and the National Park Service Planning, Environment and Public Comment (PEPC) website. These documents include newsletters, public comment summaries, frequently asked questions, letters, and planning updates from the Superintendent.

Public input, probable environmental consequences, and costs of the alternatives were thoroughly considered by the planning team. A preferred alternative was then identified, and the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* was produced and distributed to the public for review. The public input process continues, as review and comments are welcome on this draft plan. *The Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* is also available online (<http://parkplanning.nps.gov/>).

## 5.2 AGENCY CONSULTATION

### Consultation with American Indians

The National Park Service recognizes that indigenous peoples have traditional and contemporary interests and ongoing rights in lands now under NPS management, as well as concerns and contributions to make for the future as part of scoping processes in NPS GMPs and other projects. The need for government to government consultation between the United States and American Indian tribes stems from the historic power of Congress to make treaties with American Indian tribes as sovereign nations. Consultations with American Indian tribes and other Native Americans such as Alaska Natives and Native Hawaiians are required by various federal laws, executive orders, regulations and

policies. For example, such consultations are required to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act.

Historically, the project study area was within the territory of the Illini Confederacy, although the Memorial and potential East St. Louis site were not the sites of villages. Disease and warfare with other tribes devastated the Illini over the course of time, leaving few survivors of the tribe. The annihilation of the tribe that lived near the Memorial and East St. Louis sites, the Cahokia, was so complete that the tribe had ceased to exist by the early 1800s. Any remnant members of the Cahokia intermarried with the Kaskaskia, a tribe which likewise suffered a catastrophic decline and merged, in 1854, with the Peoria Tribe. Today, the Peoria, who number about 2,000, live in Miami, Oklahoma. Consultation with the Peoria and other groups related to the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* is ongoing.

### U.S. Fish and Wildlife Service

The Endangered Species Act requires in Section 7 (a) (2) that each federal agency, in consultation with the Secretary of the Interior, ensure that any action the agency authorizes, funds, or carries out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. This section of the act sets out the consultation process, which is further implemented by regulation (50 CFR 402).

In October 2008, the National Park Service initiated informal consultation with the U.S. Fish and Wildlife Service to determine the presence of federally listed Threatened and Endangered species within the project study area and the associated effect, if any, of proposed actions to listed species. Prior telephone conversations between NPS staff and U.S. Fish and Wildlife biologists in 2003 indicated that no species were present within the existing Memorial grounds and due to the urban environment and associated disturbances suitable habitat was highly unlikely to be available in the future. With the proposal of inclusion and management of new lands

in East St. Louis and a potential ferry boat operation between East St. Louis, Illinois, and St. Louis, Missouri, the National Park Service requested concurrence on preliminary determinations of effects based on proposed actions. As a result of ongoing consultation and on the ground survey work by the planning team, a listed Threatened species, decurrent false aster, may occur within the East St. Louis floodplain. Copies of the two project newsletters were provided to the agency and a copy of this draft document will be provided for review.

### **U.S. Army Corps of Engineers and U. S. Coast Guard**

Navigation in United States waters is regulated and administered by the United States Army Corps of Engineers (Corps) and United States Coast Guard (Coast Guard). Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) establishes permit requirements to prevent unauthorized obstruction or alteration of any navigable water of the United States. Navigable waters are defined as “those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible to use to transport interstate or foreign commerce” (33 CFR Part 329). Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), commonly referred to as the Clean Water Act, further establishes Corps jurisdiction over navigable waters and prohibits discharge of dredged or fill material into navigable waters without permit.

While a proposed water taxi operation has not been identified as part of the NPS preferred alternative, such an operation was proposed in the range of alternatives considered and analyzed in this document and therefore requires coordination with the Corps and Coast Guard. If a water taxi operation were to be implemented within this section of the Mississippi River, it would require specific designs beyond the conceptual ideas presented in this document and could likely require a Section 10 Corps permit. The National Park Service contacted the Illinois Regulatory Branch of the Corps by telephone in November 2008 regarding a potential water taxi operation and will send copies of this draft

document to both the Corps and Coast Guard for review and comment.

### **Consultation with the Missouri and Illinois State Historic Preservation Officers**

Agencies that have direct or indirect jurisdiction over historic properties are required by Section 106 of the National Historic Preservation Act to take into account the effect of any undertaking on properties listed or eligible for listing in the National Register of Historic Places. The National Park Service officially requested consultation with the Missouri State Historic Preservation Officer (SHPO) in May 2008. By letter, the Superintendent informed both Missouri and Illinois SHPOs of the initiation of this *Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* and invited these offices to participate in the planning process and comment on the draft as it progressed. Copies of the two project newsletters were provided to these agencies and a copy of this draft document will be provided for review. SHPO comments and advice are welcome at any time throughout this planning process for possible decisions regarding the protection and preservation of Jefferson National Expansion Memorial’s significant historic properties. At the appropriate time, Missouri and Illinois SHPO review and comment on this draft plan will be required.

### 5.3 LIST OF AGENCIES OR ENTITIES RECEIVING A COPY OF THIS PLAN OR NOTICE OF AVAILABILITY OF THIS PLAN

#### Federal Agencies

Advisory Council on Historic Preservation  
Federal Executive Board of St. Louis  
Library of Congress  
U. S. Army Corps of Engineers  
U.S. Coast Guard  
U.S. Department of the Interior  
    Fish and Wildlife Service  
    National Park Service  
    Denver Service Center  
    Harpers Ferry Center  
    Midwest Archeological Center  
    Midwest Regional Office  
    Ulysses S. Grant National Historic Site  
U.S. Department of Justice  
    U.S. Attorney's Office  
U.S. Environmental Protection Agency

#### U.S. Senators and Representatives

##### MISSOURI

Honorable Christopher Bond, Senator  
Honorable Claire McCaskill, Senator  
Honorable William Lacy Clay, House of Representatives

##### ILLINOIS

Honorable Richard Durbin, Senator (presently vacant), Senator  
Honorable Jerry Costello, House of Representatives

#### State Agencies

##### MISSOURI

Missouri Department of Natural Resources  
Missouri Department of Transportation  
Missouri Division of Tourism  
Missouri State Archives  
Missouri State Historic Preservation Officer

##### ILLINOIS

Illinois Department of Transportation  
Illinois Division of State Parks  
Illinois State Historic Preservation Officer

#### State Officials

##### MISSOURI

Honorable Matt Blunt, Governor of Missouri  
State Representative Robin Wright Jones  
State Senator Maida Coleman

##### ILLINOIS

Honorable Rod R. Blagojevich, Governor of Illinois  
State Representative Wyvetter H. Younge  
State Senator James F. Claybourne, Jr.

#### American Indian Tribes

Osage Nation  
Peoria Tribe

#### Local and Regional Government Agencies

City of East St. Louis-Mayor  
Metro East Parks and Recreation District  
Great Rivers Greenway District  
Madison County Transit  
City of St. Louis Board of Aldermen  
Alderwoman Phyllis Young  
City of St. Louis Fire Department  
City of St. Louis Office of the Mayor  
City of St. Louis Office of Planning  
City of St. Louis Office of Special Events  
City of St. Louis Parks and Recreation  
City of St. Louis Police Department  
City of St. Louis Port Authority  
City of St. Louis Street Department  
St. Louis County Office of the Executive  
St. Louis County Parks and Recreation

#### Organizations and Businesses

American Institute of Architects-St. Louis  
American Society of Landscape Architects-St. Louis  
Archdiocese of St. Louis  
Basilica of St. Louis, King (Old Cathedral)  
Audubon Missouri  
Audubon St. Louis  
Canteen Services  
Celebrate St. Louis  
Chouteau's Landing Association  
Coalition of Concerned National Park Service Retirees  
Confluence Greenway  
Danforth Foundation  
Downtown St. Louis Partnership

Dred Scott Foundation  
East-West Gateway Coordinating Council  
Fontbonne College  
Forest Park Forever  
Gateway Center of Metro St. Louis  
Gateway Foundation  
Grace Hill Settlement House  
Green Center  
Harris-Stowe University  
Jefferson National Parks Association  
Laclede's Landing Redevelopment Corporation  
Landmarks Association of St. Louis  
Lindenwood University  
Maryville University  
Mercantile Library  
Metro  
Mississippi River Trail, Inc.  
Missouri Baptist College  
Missouri Coalition for the Environment  
Missouri Historical Society  
National Audubon Society (St. Louis chapter)  
National Park Conservation Association  
National Tour Association  
National Trust for Historic Preservation Library  
Nature Conservancy  
Open Space Council  
Smithsonian Institution of Libraries  
Southern Illinois University-Carbondale  
Southern Illinois University-Edwardsville  
Southwest Illinois College  
St. Louis Community College  
St. Louis Community Foundation  
St. Louis Convention and Visitors Commission  
St. Louis County Library-Main Branch  
St. Louis Public Library-Main Branch  
St. Louis Public School District  
St. Louis Regional Commerce and Growth Association  
St. Louis University  
Terminal Railroad  
Trailnet  
Trust for Public Land  
University of Missouri-St. Louis  
Washington University  
Webster University

#### Media

Associated Press (Local)  
Belleville News Democrat  
KMOV-TV (CBS)  
KMOX-AM Radio

KPLR-TV (CW11)  
KSDK-TV (NBC)  
KTRS 550 Radio  
KTVI-TV (FOX)  
KWMU 90.7 (Radio-University Missouri-St. Louis)  
South County Times  
Southwest County Journal  
St. Louis American  
St. Louis Beacon  
St. Louis Business Journal  
St. Louis Post-Dispatch  
Suburban Journals of Greater St. Louis Headquarters  
United Press International (Local)

#### Individuals and Adjoining Property Owners

There are more than 200 individuals to whom copies of this plan were sent or notification as to the availability of this plan was sent. A complete list of these names is on file at the Memorial Headquarters.