

Chapter 6

Consultation and Coordination



Photograph Courtesy of: Dr. Chuck Summers

Cumberland Gap Winter

Cumberland Gap National Historical Park
Draft General Management Plan/
Environmental Impact Statement

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CHAPTER 6 CONSULTATION AND COORDINATION

PUBLIC INVOLVEMENT

Scoping is an early and open process for determining the scope of a proposed action or project and for identifying issues related to the project. During scoping for this general management plan / environmental impact statement, NPS staff provided an overview of the project, including purpose and need and preliminary issues. The public has been involved and was asked to submit comments, concerns, and suggestions relating to the project and preliminary issues. The notice of intent to prepare an environmental impact statement was published in the *Federal Register* on May 29, 2003.

The public had three primary avenues by which it participated during development of the plan: participation in public meetings, responses to newsletters, and comments on the park's website. Input from the interested public and local, state, and federal agencies was gathered throughout the planning process. At the beginning of the process, both internal and external input was obtained as part of the scoping process. Input gathered during scoping was used to develop the alternatives and assess and compare the effects of available management alternatives.

Internal scoping consisted of initial identification of issues by NPS staff based on what they had encountered with respect to managing park resources and experiences with visitors who have come to enjoy the park. NPS meetings were held at the park during the week of September 22, 2003 to obtain the park's initial input into the process.

The external scoping process provided early identification of concerns, issues, expectations, and values of existing and potential visitors, neighbors, cooperating associations, partners, scientists, scholars, and other government agencies. Public scoping meetings were advertised during May and June of 2004. A newsletter describing the general management plan/environmental impact statement process was prepared and distributed in June 2004 that also announced the public meeting schedule. Also, a scoping letter was mailed to local, state, and federal agency representatives, tribal representatives, and the public in August 2004 (Appendix J). The scoping letter contained information on the function of a general management plan, statements of the park purpose and significance, information on the planning team and the process for planning, and methods available to the public for communicating with the team and participating in the planning effort.

The public was invited to voice issues and suggest ideas for the future of the park at three public scoping meetings held on August 10, 11, and 12, 2004 at the park and nearby venues. Press releases were issued prior to the public meetings, and comment cards and Internet addresses were provided for public use. Also, meetings were held with stakeholders during August and September 2004. These stakeholders included representatives from federal, state and local agencies, local governments, and educational institutions in the region, environmental interest groups, recreation user groups, historical societies and tourism groups. Information regarding the general management planning process was provided at the visitor center and park staff provided information to visitors regarding how to comment as well. Overall, the public scoping comment period was open for 30 days, and 12 meetings were held with the interested public and stakeholders to obtain public comment on the process. Over 500 comments were received during scoping. More than 30 percent of the comments related to education, outreach, and partnering, and nearly 25 percent of the comments were related to access issues. Trails and economic issues each encompassed approximately 10 percent of the comments. Fern Lake, special events, and other issues comprised the remaining comment topics.

A second newsletter was prepared and distributed in October 2005 that described how the management alternatives were developed based on agency and public input, and announced public meetings that were to be held in November, 2005. The alternatives were presented to the interested public during four meetings held at the park on November 29 and 30, 2005. Press releases were issued

prior to the public meetings, comment forms were provided and the public was notified how to comment via the Internet. Many of the public's comments at the meetings were directed at the potential use of Fern Lake and access to Hensley Settlement.

A third newsletter was issued in May, 2009 that provided an update on the plan, and described the alternatives that would be presented in the Draft General Management Plan/Environmental Impact Statement. The newsletter also identified that the next step in the process was issuance of the draft plan, and that public meetings for the draft plan would be announced.

A fourth newsletter will be issued to announce the release of the Draft General Management Plan/Environmental Impact Statement and identify the date and location of public meetings that will be conducted. This newsletter will notify the public how to comment via mail, Internet or in person. All newsletters are available online, as are other documents related to this planning effort.

CONSULTATION

Federal Section 7 Consultation

During preparation of this document, NPS staff coordinated informally with the U.S. Fish and Wildlife Service. The list of threatened and endangered species (see Appendix H) was compiled using available lists from the U.S. Fish and Wildlife Service online database and information received from the U.S. Fish and Wildlife Service.

In accordance with the Endangered Species Act and relevant regulations at 50 Code of Federal Regulations Part 402, the NPS determined that the management plan is not likely to adversely affect any federally threatened or endangered species and sent a copy of this draft management plan to the U.S. Fish and Wildlife Service with a request for written concurrence with that determination. In addition, the NPS has committed to consult on future actions conducted under the framework described in this management plan to ensure that such actions are not likely to adversely affect threatened or endangered species.

Federal Section 106 Consultation

The NPS contacted the Kentucky, Tennessee, and Virginia State Historic Preservation Offices in August 2004. Scoping letters were sent that advised about the start of the planning process, asked for involvement in the planning process and solicited input on issues and concerns to be addressed by the plan. The State of Tennessee responded by letter stating that the project could affect properties that are eligible for listing on the National Register of Historic Places. Agencies that have direct or indirect jurisdiction over historic properties are required by Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S. Code 470, et seq.) to take into account the effect of any undertaking on properties eligible for listing in the National Register of Historic Places. The park also met with representatives from the State Historic Preservation Offices. To further meet the requirements of 36 Code of Federal Regulations 800, the NPS sent letters to the Kentucky, Tennessee, and Virginia State Historic Preservation Offices and the Advisory Council on Historic Preservation in August, 2009, inviting their participation in the planning process. All offices were also sent the newsletters with a request for comments.

The NPS will consult with the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Offices under the terms of the Nationwide Programmatic Agreement for Section 106 compliance. Based on this consultation, the NPS will determine what actions are programmatic exclusions, and for all other undertakings what actions would be required for review and comment under 36 Code of Federal Regulations 800.

American Indian Tribes

Tribes listed below were sent letters in August, 2004) requesting their input on the general management plan/environmental impact statement. No written responses from the tribes were received. The following tribes were contacted:

Absentee-Shawnee Tribe of Oklahoma
Cherokee Nation of Oklahoma
Chief, Eastern Shawnee Tribe of Oklahoma
Eastern Band of the Cherokee Nation, NC
Shawnee Tribe, OK
United Keetoowah Band of Cherokee Indians, OK

NPS staff also placed follow-up phone calls to each tribal group in 2003 and 2004. The tribes contacted had no immediate concerns and expressed interest in continued communication with NPS staff. The following telephone contacts were made:

May 2003 - Courtesy call and conversation with Lora Taylor, Tribal Cultural Resource Office, Eastern Band of Cherokee.

September/October 2004 - Courtesy calls with all federally recognized tribes, cultural offices.

December 30, 2004 - Update by telephone with Karen Kaniatobe with the Absentee Shawnee Tribe.

June 24, 2009 - Tribal and SHPO Meeting held at Big South Fork NRR TN & KY State Historic Preservation Office representatives attended in person and the following tribes participated via telephone:

1. Robin Dushane, Eastern Shawnee Tribe
2. Karen Kaniatobe, Absentee Shawnee Tribe
3. Tyler Howe, Eastern Band of Cherokee
4. Lisa LaRue-Stopp, United Keetoowah Band of Cherokee Indians.

Other federally recognized tribes were also invited, but were unable to participate.

AGENCIES, ORGANIZATIONS, AND INDIVIDUALS RECEIVING A COPY OF THIS PLAN

Federal Agencies

Advisory Council on Historic
Preservation
Federal Highway Administration
U.S. Army Corps of Engineers
U.S. Department of Agriculture
National Forest Service
Daniel Boone National Forest

Natural Resources Conservation
Service
U.S. Department of the Interior
National Park Service
Big South Fork NRR
Southeast Archeological
Center
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service

U.S. Geological Survey

Office of Surface Mining

American Indian Tribal Governments

Absentee-Shawnee Tribe of Oklahoma

Cherokee Nation of Oklahoma

Chief, Eastern Shawnee Tribe of
OklahomaEastern Band of the Cherokee Nation,
NC

Shawnee Tribe, OK

United Keetoowah Band of Cherokee
Indians, OK**Federal and State Officials**

Lamar Alexander, Office of Senator

George Allen, Senator

Rick Boucher, Representative

Jim Bunning, Senator

Steve Cawood, Representative TN

Becky Coleman, Chief of Staff
Congressmen Rick Boucher

William Frist, Senator

Mr. Michael R. Hidgon, Office of
Congressman Hal Rogers

Benny Kiestler, Representative VA

Terry Kilgore, Representative VA

Ken Lucas, Representative

Mitch McConnell, Senator KY

Daniel Mongiardo, Senator KY

Rick Nelson, Representative KY

Linda A. Ponce, District Director,
Third District TennesseeClarence E. Phillips, Virginia House of
DelegatesHarold Rogers, Congressman U.S.
House of RepresentativesJackie T. Stump, Virginia House of
Delegates

Zach Wamp, Representative TN

William Wampler, Jr., Senator VA

John Warner, Senator

Governors

Phil Bredesen, TN

Ernest Fletcher, KY

Mark Warner, VA

State Agencies

Breaks Interstate Park, VA

Cumberland Falls St. Resort Park, KY

Cumberland Gap Tunnel Authority, KY

Cumberland Trail State Park, TN

Cumberland Trail State Scenic Trails,
TN

Davy Crockett State Park, TN

Dr. Thomas Walker State Historical
Site, KYEast Tennessee Development District,
Department of TourismEast Tennessee Director Heritage &
Community Tourism Development
Division, Tennessee Department of
Tourist DevelopmentKentucky Department of Fish &
Wildlife Resources

Kentucky Division of Forestry

Kentucky Environmental Quality
Commission

Kentucky Historical Society

Kentucky Secretary of State

Kentucky State Historic Preservation
Officer, Kentucky Heritage CouncilKentucky State Nature Preserves
CommissionKentucky Tourism Development
Cabinet

Kentucky Transportation Cabinet

Kentucky Visitor Center

Kingdom Come State Park, KY

Levi Jackson Wilderness Road State
Park, KY

Middle East Tennessee Tourism
Council
Natural Bridge State Resort Park, KY
Natural Tunnel State Park, VA
Pine Mountain State Resort Park, KY
Sycamore Shoals State Historic Area,
TN
Tennessee Department of Tourism
Development
Tennessee Department of
Transportation
Tennessee Office of Homeland Security
Tennessee State Historic Preservation
Officer, Department Environment &
Conservation
Virginia Department of Conservation
and Recreation
Virginia Division of State Parks
Virginia Game and Inland Fisheries
Virginia Office of Review and
Compliance
Virginia Secretary of Natural Resources
Virginia State Historic Preservation
Office, Department of Historic
Resources
Wilderness Road State Park, VA

City and County Governments

Counties

Bell County Tourism, KY
Economic Development, Lee County,
VA
Harlan County Tourism–
Harlan County Director of Strategic
Development, KY
Harlan County Tourism, KY
Joseph Grieshop, Judge Executive
Harlan County, KY
Lee County Administrator, VA
Lee County Board of Supervisors, VA
Lee County Economic Development

Ralph E. McClanahan II., District
Judge, Estill, Lee and Owsley Counties,
KY

Virgil Herrell, Claiborne County
Executive, TN

William P. Kelley, Bell County Judge
Executive, KY

Cities

Bill Fultz, Mayor of Harrogate, TN

Bill Haslam, Mayor of Knoxville, TN

Ben Hickman, Mayor of Middlesboro,
KY

Betty Howard, Mayor of Benham, KY
Mayor Pineville, KY

Tom Bennett, Commissioner Frankfort,
KY

Paul Chapman, District Director of
Morristown, TN

John Douglas, Mayor Cumberland
Gap, TN

Honorable Tom Vicini, Mayor of
Lynch, KY

School Districts

Bell County Schools, KY

Claiborne County Schools, TN

Libraries

Blount County Public Library, TN

Harlan County Public Library, KY

Middlesboro-Bell Co. Public Library,
KY

Organizations and Businesses

Abraham Lincoln Museum, TN

Akins Crisp Public Strategies, TN

American Hiking Society, MD

American Hiking Society Pine
Mountain Trail Conference, KY

Bell County 4-H Club, KY

Bell County Historical Society, KY

Bell County Schools, KY	Hiking/Biking Club of Cumberland Gap, TN
Boy Scouts of America, KY	Hines and Fugate PLC
Center for Rural Development, KY	Kentucky Artisan Center
Cherokee Rod & Gun Club, KY	Kentucky ATV
Claiborne County Schools, TN	Kentucky B.A.S.S. Fishing
Coca-Cola Bottling, KY	Kentucky Center for Rural Development
Coffey's Bicycle Sales, KY	Kentucky Coal Mining Museum
Cooperative Ecosystems Study Unit Council, DC	Kentucky Network of Outdoor Women
Cove Ridge Center Foundation & Advisory Board, VA	Kentucky Riders
Crazy Creek ATV Club, KY	Kentucky Ridge Runners
Cumberland County Sportsman Club, KY	Kentucky Tourism Council
Cumberland Tourism Commission, KY	Kingsport Convention & Visitor Bureau, TN
Cumberland Trail Conference, TN	LENOWISCO Planning District, VA
Cumberland Trails United Way, KY	Lincoln Memorial University, TN
Daniel Boone Wilderness Trail Association, VA	Long Distance Trails Group-Salt Lake City, UT
Dixon Educational Consulting, VA	Marcom Corporation, TN
East Tennessee Development District	Middlesboro 4-H Council, KY
East Tennessee State University	Middlesboro ARH Hospital, KY
Eastern Kentucky ATV Association	Middlesboro Rod and Gun Club, KY
Eastern National, PA	Mill Creek Horse Stables, KY
Estes Brothers Construction, VA	Miller Hollow Equestrian Center, TN
Farmers and Miners Bank, VA	Mountain Empire Community College, VA
Fern Lake Fishing Club	National Audubon Society Kentucky Chapter
First Frontier Corridor Committee	National Parks & Conservation Association
First State Bank, KY	National Society of the Daughters of the American Revolution, NC Region, Kentucky Region
Four Wheeling Black Mountain, KY	Netherland Inn, TN
Friends of the Cumberland Trail, TN	P-38 Lost Squadron, KY
Friends of Wilderness Road State Park, VA	Pine Mountain Grotto Inc., KY
Happy Top ATV Trails Inc., KY	Pine Mountain Trail Conference, KY
Harlan County Tourism	Pioneer Village, VA
Heart of Appalachian Tourism Authority, VA	
Henderson Settlement, KY	

Powell Valley National Bank, VA
Ramada Inn, Harrogate, TN
Rocky Mount Museum, TN
Save Our Cumberland Mountains, TN
Scott County Regional Horse Association, VA
Sharps ATV Riding Range Inc., KY
Sierra Club Cumberland Chapter, KY
Sierra Club Tennessee Chapter
Southeast Community College, KY
Southern and Eastern Kentucky Tourism Development Association
Southern Appalachian Initiative of the American Hiking Society, TN
Southern Appalachian Man and the Biosphere, TN
Southern Highland Craft Guild
Southwest Virginia Museum
Student Conservation Association
Tennessee Citizens for Wilderness Planning
Tennessee Civil War National Heritage Area, Middle Tennessee State University
Tennessee Clean Water Network
Tennessee Environmental Council
Tennessee Trails Association
Tourism Development East Kentucky Corporation
The Trust for Public Land, TN
Thomas Walker Civic Club, Ewing, VA
Union College, KY
University of Georgia, Department of Geography
University of Kentucky
University of North Carolina, Asheville
University of Tennessee, Archeology Research Center
Upper Cumberland Grotto, TN

Vaughn & Melton Engineers & Architects, KY
Virginia Institute of Technology Department of Urban Affairs and Planning
Virginia Living Museum
Western Kentucky Recreation Association Inc.
Wilderness Road Council Girl Scouts, KY
The Wilderness Road Company, KY
Wilderness Trail Association
Wilderness Inquiry, MN

News Organizations

Associated Press, KY
Claiborne County Progress, TN
The Coalfield Progress, VA
Courier Journal, KY
Daily News, KY
The Dickenson Star, VA
Editor Kentucky Explorer, KY
Harlan Daily Enterprise, KY
Kingsport Times News, TN
Kingsport Times News, VA
Knoxville News Sentinel, TN
Lexington Herald Leader, KY
Mountain Advocate, KY
Norton Press, Inc., VA
Pineville Sun, KY
Powell Valley News, VA
The Post, VA

Radio

WFSR Radio, KY
WFXY Radio, KY
WHLN Radio, KY

TV Channels

WYMT-TV, KY

Chamber of Commerce

Bell County Chamber, KY

Claiborne County Chamber of
Commerce, TN

Lee County Chamber of Commerce,
VA

Scott County Chamber of Commerce,
VA

Angie Cook, Environmental
Scientist/Geologist

John Martin, Senior Transportation
Planner (Retired)

Diane Rhodes, Cultural Resources
Specialist

Timberley Belish, Environmental
Scientist

Bai Tian, GIS Specialist

Kathy Rowland, GIS Specialist,
Environmental Scientist

Judy Shumake, Graphic Artist/Word
Processing

Drew Getty, Associate Planner

LIST OF PREPARERS

Cumberland Gap National Historical Park

Mark Woods, Superintendent

Christopher Phillips, Assistant
Superintendent

Mary Collier, Asst. Superintendent
(Retired)

Ries Collier, Chief of Resource
Management Division (Retired)

Jenny Beeler, Resource Division
Manager

Charlie Chadwell, Chief Park Ranger

Carol Borneman, Chief of
Interpretation

Will Spencer, Information Technology
Specialist

Deanna Phillips, Administration

Bill Brumbach, Maintenance Division
Manager

Dirk Wiley, Ranger Activities Division
Supervisor

Carol Burkhart, Cultural Resources
Manager

**National Park Service Southeast Regional
Office**

Rich Sussman, Chief of Planning
(Retired)

David Libman, Park Planner

Parsons

Alyse Getty, Technical Director

Steven Bach, Project Manager

THE NEXT STEPS

After the distribution of the Draft General Management Plan/Environmental Impact Statement, there will be a 60-day public review and comment period, after which the NPS planning team will evaluate comments from other federal agencies, tribes, organizations, businesses, and individuals regarding the draft plan and incorporate appropriate changes into a final general management plan/environmental impact statement. The final plan will include letters from governmental agencies, any substantive comments on the draft document, and NPS responses to those comments. Following distribution of the final general management plan/environmental impact statement and a 30-day review period, a record of decision approving a final plan will be signed by the NPS regional director. The record of decision documents the NPS selection of an alternative for implementation. With the signing of the record of decision, the plan can then be implemented.

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