

Appendix R

Summary of Public Comments and USFWS Responses on the Draft Comprehensive Conservation Plan and Environmental Impact Statement for Chincoteague and Wallops Island National Wildlife Refuges

Introduction

In May 2014, the U.S. Fish and Wildlife Service (USFWS, we, our) completed the draft comprehensive conservation plan and environmental impact assessment (draft CCP/EIS) for Chincoteague and Wallops Island National Wildlife Refuges (NWR, the refuge). The draft CCP/EIS outlines three alternatives for managing the refuge. Alternative B is identified as the “preferred alternative.”

We initially released the draft CCP/EIS for 60 days of public review and comment from May 15, 2014 to July 14, 2014. In response to public requests, we extended that period another 30 days, to August 15, 2014. We held two public open house meetings in Chincoteague, and additional meetings in Melfa, Virginia and Pocomoke City, Maryland. As part of this public involvement process, USFWS also held a public hearing on June 26, 2014, from 6 p.m. to 9 p.m. at the Chincoteague Center with 28 people formally raising a variety of issues and concerns. We evaluated all the letters and e-mails sent to us during that comment period, along with comments recorded at our public hearing.

This document summarizes the public comments that raised issues and concerns within the scope of this final CCP/EIS and our responses to them. Based on our analysis in the draft CCP/EIS and our evaluation of those comments, we have modified alternative B, which remains our preferred alternative in the final CCP/EIS. Our modifications include additions, corrections, or clarifications of our preferred management actions. We have also determined that none of those modifications warrants our publishing a revised or amended draft before publishing the final CCP/EIS.

There are some important changes in the final:

- We revised alternative B, objective 6.5, to state that the assigned area (consisting of the 1-mile recreational beach, associated parking and new Visitor Contact Station (VCS)) would now be the recreational beach, associated parking and new VCS, then extend south 1 more mile to the terminus of Swan Cove Bike Trail (2 miles total), thus doubling the length of the assigned area.

- We have reconsidered our intent to close the Beach Road causeway across Toms Cove to all public access once other equivalent public access to the new recreational beach is provided (Alternative B, Section 2.5.3, and objectives 6.5 and 6.6). Oversand vehicles (OSV) and hiking access would continue via Beach Road across Toms Cove south to Fishing Point September 16 through March 14. Access for environmental education programs would require a permit. Beach Road would continue to be open to vehicles year-round as far as the vicinity of the South Pony Corral.
- We have revised the area for oversand vehicles (OSV) (Alternative B, objective 6.2). In the draft CCP/EIS, we had proposed expanding the OSV zone from the new recreational beach to Fishing Point on Toms Cove Hook. With the exception of the new ½-mile, year-round OSV zone (to facilitate priority uses) south of recreational beach, the entire OSV would have been immediately closed March 15 to September 15 or until the last shorebird fledged. We now propose to develop the new ½-mile, OSV zone to facilitate the six priority uses (March 15 through September 15) south of new recreational beach, and add this to the new assigned area. We would also continue current management of the Overwash and Hook area for shorebirds until the new recreational beach is established, at which time the March 15 through September 15 closure would go into effect. OSV access from September 16 to March 14 would continue via Beach Road.
- We have changed our strategy on the Toms Cove VCS, managed by the National Park Service (NPS). Instead of closing the Beach Road causeway and demolishing the VCS (to build a new VCS at the relocated beach area), the existing Toms Cove VCS would be open year-round for environmental education programs only, and maintained by NPS until it becomes unserviceable. We would still build and operate with NPS a new VCS at the relocated recreational beach site.
- We have revised our bike to beach access. Instead of eliminating the Swan Cove Trail and pursuing an alternative route north (objective 6.6), we will keep current access open via Swan Cove Trail and include the beach terminus within the new assigned area. We will not propose an alternative route north to the relocated public beach (e.g., from Wildlife Loop to Mallard (C Dike)).
- We have revised our proposal for access north via the Service Road. We will not eliminate all public access on the Service Road north of the new recreational beach; we now propose the Service Road would continue to be open year-round to hikers north to the refuge/National Seashore boundary.
- We modified language for launch viewing under Section 2.5.1. After an unmanned commercial rocket headed for the International Space Station to deliver supplies exploded just after launching on October 28, 2014, the future of access to the recreational beach for launch viewing is yet to be determined. However, the refuge would still like to work with the tourism industry, National Aeronautics and Space Administration (NASA), and the Virginia Commercial Space Flight Authority and Mid-Atlantic Regional Spaceport to provide safe access for public viewing of rocket launches from the NASA-Wallops Island launch complex. Visitor safety at the current recreational beach site during launches is of concern to the refuge, as well as NASA. Alternative viewing sites are available that pose less of a risk to viewers than the current recreational beach parking lot. Those alternatives will be assessed as potential launch viewing sites, in coordination with refuge law enforcement and NASA officials.

- Since release of the draft CCP/EIS, the status of two species of concern has changed. Red knot, a shorebird species, was proposed to be listed as threatened under the Endangered Species Act (ESA) during the planning process, and was finally listed as threatened in December 2014. The Delmarva Peninsula fox squirrel was proposed for delisting from the endangered species list in September 2014, but that action has not been finalized yet.
- Since release of the draft CCP/EIS we committed to a partnership to address coastal resiliency on the Eastern Shore of Virginia through the Mid-Atlantic Coastal Resiliency Institute (MACRI), which is “a multi-disciplinary institution dedicated to integrated climate change research with the goal of helping local and regional leaders make coastal communities and habitats more resilient through scaled science and research informing public policy. Its several partners provide specific expertise in environmental monitoring and forecasting, modeling about coastal vulnerability and risk assessment, and moreover access to climate change space-based data.” The USFWS is committed to exploring the implementation of resiliency strategies informed by the latest science available.
- We combined the compatibility determinations from the draft CCP/EIS for "Research and Studies Conducted by Outside Agencies, Universities, and Others" and "Temporary/Short-term activities conducted by other Federal, State, or local governments" into a single new compatibility determination "Research and Studies Conducted by non-USFWS staff."
- A section of the Affected Environment (chapter 3) on cultural resources was inadvertently left out of the draft CCP/EIS. This section, which has been coordinated with the Virginia Department of Historic Resources, is included in the final CCP/EIS.
- We added a “significant concern” to Section 1.9. “*Public safety and community resilience to storm damage and flooding*” is a concern that arose primarily during the public comment period with release of the draft CCP/EIS.

Our Regional Director will issue a final record of decision (ROD), after

- We provide the final CCP/EIS to interested or affected parties for a 30-day period of review, and
- Our Regional Director reaffirms that the final CCP supports the purpose and need for the CCP, achieves the purposes for which the refuge was established, helps fulfill the mission of the National Wildlife Refuge System (Refuge System), and complies with all legal and policy mandates.

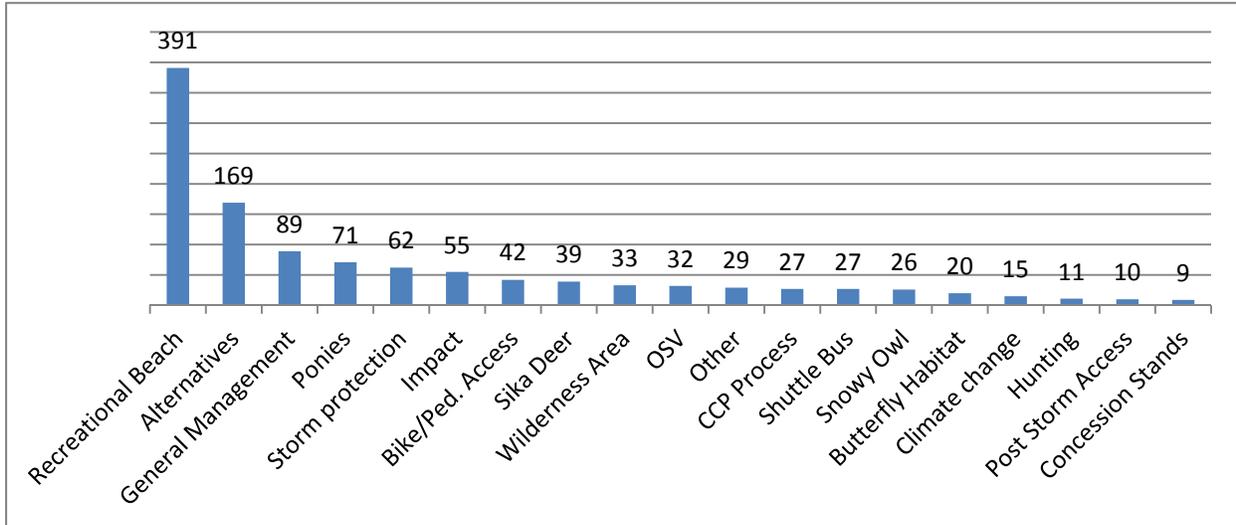
Once she has signed and dated the ROD, we will publish a notice of the availability of the final documents in the *Federal Register*. That notice will complete the planning phase of the CCP process, and we can begin its implementation phase.

Summary of Comments Received

A total of 236 emails and 94 letters were received, including official comments from the Town of Chincoteague, the Chincoteague Chamber of Commerce, The Nature Conservancy, NPS, Environmental Protection Agency (EPA), various departments from the Commonwealth of Virginia, and other local interest groups. In addition, a petition was submitted supporting Alternative “A plus,” an alternative with elements of both alternative A and B, with approximately 600 individuals signing. Another petition supporting the preferred alternative (alternative B) was submitted with

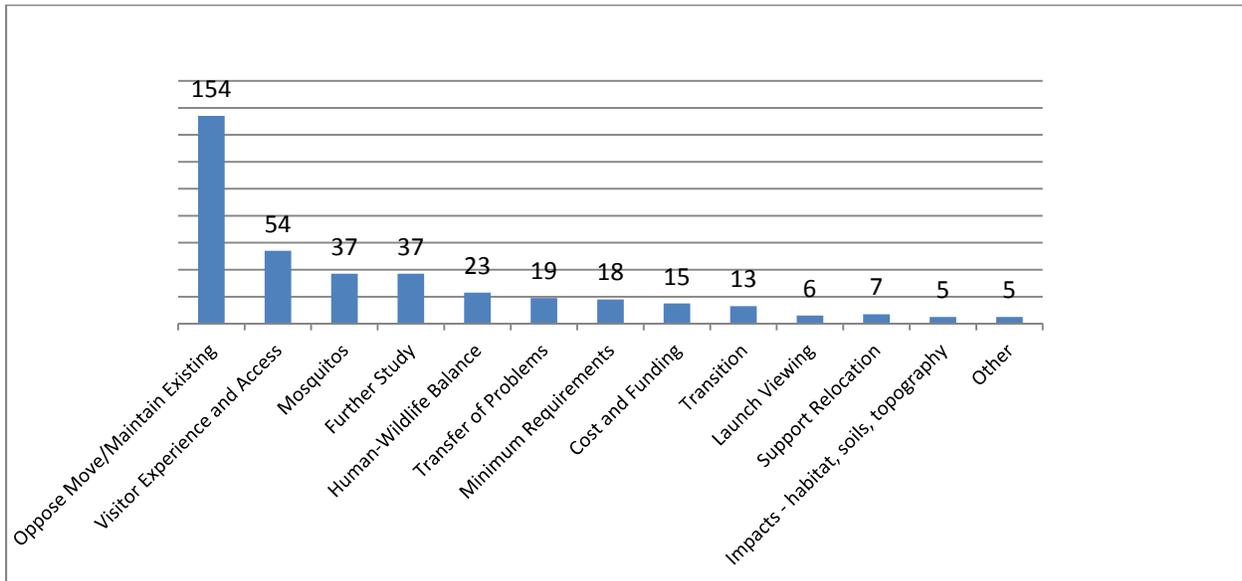
112 individuals signing. Figure R-1 below provides a general categorization of comments received by topic.

Figure R-1: General Categorization of Comments by Topic



The majority of comments received, approximately 391 as seen in Figure R-1 above, were related to the recreational beach. Specific comments were directed at beach access, beach nourishment, timing and funding, along with general questions about the proposed relocated beach. Many comments received were opposed to the proposed beach relocation or requested the beach be maintained at the current location. In addition, numerous comments were received regarding maintaining the overall visitor experience, beach access, and concerns over mosquitoes. Commenters also requested further study, noted their concern with human and wildlife interactions, citing a transfer of problems from the existing recreational beach location to the proposed site, and associated costs. See Figure R-2 below for a breakdown of comments on the recreational beach by sub-topic.

Figure R-2: Tally of Recreational Beach Sub-Topics



While comments in support or opposition to a particular alternative are not considered substantive comments, approximately 120 comments and 712 signatures from petitions were received in support for one of the alternatives. In addition to offering support for an alternative, several specific comments and questions were raised related to the preferred alternative addressing cost, timing of the beach relocation, and visitor experience or requested further study.

Overview of other comments:

- Eighty-nine comments were received that raised concerns or questions related to the general management of the refuge. These included comments related to habitat management, wildlife monitoring, piping plover date closure periods, predator control, and hunting.
- Approximately 62 comments were received requesting that the USFWS maintain dunes at southern Assateague Island in order to provide storm protection to Chincoteague Island. Several comments were received regarding post-storm beach access and questions related to climate change.
- Thirty-three comments were received related to the proposed wilderness area with a majority of those commenters expressing their opposition to the proposed wilderness area while several commenters supported the wilderness area.
- Fifty-five comments were received related to impacts which ranged from concerns related to habitat impacts, to shell fishing impacts or economic impacts as they pertained to the preferred alternative.
- Forty-two comments were received requesting greater access and improved trails for bike and pedestrian use throughout the refuge. In addition commenters also requested specific access to the new recreational beach via a pedestrian only trail.

- Thirty-two comments were received related to OSV use and generally requested expansion or restriction of OSV use on the refuge.
- Twenty-seven commenters were received related to the implementation of shuttle buses on the refuge. The majority of these comments were voicing opposition and a few commenters voiced support for the implementation of shuttle buses.
- The following comments were also submitted: 71 related to ponies, 39 to sika deer, 26 to snowy owls, and 20 to butterflies. These comments ranged from requests to improve habitat for butterflies and the snowy owl to opposition or support for the sika deer reduction component of the CCP. In addition, over 71 comments were received regarding the protection of the pony herd size and requested continued viewing access. 11 comments were also received directly related to hunting on the refuge. These comments ranged from general support or opposition to questions related to refuge access for non-hunters.
- Nine comments were received voicing support or opposition to concession stands at the recreational beach.
- Twenty-nine comments were received that did not fall into the aforementioned categories. These comments ranged from questions related to horseback riding, golf carts, dog access, tour buses, and other miscellaneous questions and comments.

We received a variety of letters from local, State, and Federal governmental agencies, including the following:

- Accomack County Board of Supervisors
- Accomack County Planning and Community Development Department
- Assateague Island National Seashore, National Park Service (NPS)
- Town of Chincoteague
- U.S. EPA, Region III
- Virginia Department Game and Inland Fisheries (DGIF)
- Virginia Department of Conservation and Recreation (DCR)
- Virginia Department of Environmental Quality (DEQ)
- Virginia Department of Forestry
- Virginia Department of Historic Resources
- Virginia Marine Resources Commission (VMRC)

We also received comments signed by representatives from the following organizations:

- Assateague Mobile Sportfishermen's Association
- Chincoteague Chamber of Commerce
- Chincoteague Volunteer Fire Company
- Eastern Shore of Virginia Tourism Commission
- Safari Club International
- The Nature Conservancy (TNC), VA Coast Reserve
- Virginia Eastern Shore Land Trust
- Virginia Society of Ornithology
- Virginia Tourism Corporation

In the discussions below, we address and respond to every substantive comment we received. Substantive comments are those that suggest our analysis is flawed in a specific way. Generally,

substantive comments meet at least one of the following criteria:

- Challenge the accuracy of information presented.
- Challenge the adequacy, methodology, or assumptions of the environmental or social analysis and supporting rationale.
- Present new information relevant to the analysis.
- Present reasonable alternatives, including mitigation, other than those presented in the document.

Our discussion does not include responses to non-substantive comments.

In order to facilitate our responses, we grouped similar comments together and organized them by subject heading. Directly beneath each subject heading, you will also see a list of unique letter identification (ID) numbers. Table R.1 at the end of this appendix relates each letter ID number to the name of the individual, agency, or organization that submitted the comment. The transcript from the public hearing of June 26, 2014, at the Chincoteague Center is also included at the end of this appendix as Attachment R-1.

In several instances, we refer to specific text in the draft CCP/EIS and indicate how the final CCP/EIS was changed in response to comments. The full versions of both the draft CCP/EIS and the final CCP/EIS are available online at: <http://www.fws.gov/northeast/chinco>). For a CD-ROM or a print copy, please contact staff at Chincoteague National Wildlife Refuge:

Chincoteague National Wildlife Refuge
8231 Beach Road
P.O. Box 62
Chincoteague Island, VA 23336-0062
Phone: 757/336 6122

USFWS Responses to Comments by Subject

Agencies

(Letter ID #1)

Comment: The following state agencies indicated they had no comment on the CCP/EIS: DEQ's Tidewater Regional Office Water Protection Permit program, VPDES, VPA, municipal separate stormwater systems (MS4), groundwater, Air Permit Program, and petroleum storage tank and compliance staff. DEQ's Division of Air Programs Coordination indicates that the Chincoteague and Wallops National Wildlife Refuges are in an ozone attainment area. DEQ's Tidewater Regional Office's Air Permit Program staff has no comments.

Response: The USFWS thanks these agencies for reviewing the draft CCP/EIS and will continue to coordinate with each of them on issues within their jurisdiction.

Agency Coordination

Cooperating agencies

(Letter ID #37, 40, 78, 115, 128, 185, 312)

Comment: The Service has not engaged agencies or stakeholders that should have been engaged or did not properly engage agencies that should have had a more formal role in the CCP/EIS process. During the comment period, Accomack County requested designation as a cooperating agency under NEPA. Others noted that the NPS was not a cooperating agency to the CCP/EIS, and some feel there was insufficient public involvement.

Response: The USFWS has worked diligently to engage a variety of agencies and stakeholders throughout the planning process, as documented in chapter 5. Guidance on designating cooperating agency status specifically mentions that the intent of elevating agencies to cooperating agency status is for those agencies with jurisdiction by law or special expertise, and that the most appropriate time for cooperating agency involvement is early in the NEPA process. The guidance also states that cooperating agency status "neither enlarges nor diminishes the decision-making authority of any agency involved in the NEPA process." We found no jurisdictional issues that involve the County. We do have jurisdictional ties to the NPS and the Commonwealth of Virginia. NPS, VMRC and VDGIF were members of the Core Planning Team for the draft CCP/EIS. It has been the practice of the USFWS to involve as many stakeholders as possible in our CCPs, albeit without the formality of cooperating agency status. We provided many opportunities for all governmental entities to share expertise and opinion throughout the NEPA process.

General

(Letter ID #185, 202, 336)

Comment: I urge the U.S. Fish and Wildlife Service to pause the process and reach out to experts in the U.S. Park Service, Army Corps of Engineers, NASA/Wallops' new MACRI, and VIMS to expand the CCP before choosing a new management plan. The final site for beach relocation should be selected with input (if not decision-making authority) from the Corps of Engineers.

Response: We understand that the proposed relocation of the recreational beach requires significantly more detail before it could be implemented, and we plan to conduct another

NEPA analysis regarding the proposed relocation. We have invited local officials to participate closely in any future analysis and design, and have reached out to the agencies mentioned to also participate in that process. The final CCP could be subject to revisions at any time based on new information. At this point, we believe there is far more to be gained from proceeding with this process, and develop specific implementation strategies through another, more focused NEPA process that involves a high degree of public participation.

NASA

(Letter ID#220)

Comment: Of special interest to the CCP and any potential expansion of the authorized boundary is the area to the south of the Wallops facility that lies within current and potential future launch hazard zones. While their reasons differ, the Service and NASA share a common interest in preventing inappropriate development in this area, and the CCP, where appropriate, should emphasize the importance of working together on this front.

Response: We have worked with other governmental agencies to protect land where mutual objectives can be met. One example is working with the Department of Defense (DoD) on the Readiness and Environmental Protection Integration (REPI) Program aimed at preserving DoD's training missions, while also conserving valuable fish and wildlife habitats. While there are no refuge boundary expansions proposed in the CCP, we recognize the need to work with communities and other agencies and organizations to prepare for the loss of existing wildlife habitats due to climate change and other environmental stressors. Any new proposals for expanded land protection will require additional NEPA analysis and extensive public involvement. We will ensure that NASA, any affected communities, and a wide range of partners are consulted and involved in any future land protection proposals.

NPS

(Letter ID#112, 185, 312)

Comment: The CCP should be coordinated with the National Park Service (NPS) General Management Plan for Assateague Island National Seashore. Why are there were no recommendations or input in the Draft CCP/EIS from the NPS regarding relocating the recreational beach? Was the NPS excluded from the CCP/EIS process?

Response: The USFWS has worked closely with the Assateague Island National Seashore staff throughout the CCP/EIS process, as documented in chapter 5. USFWS conducted a 3-day pre-planning meeting with the Seashore staff in December 2007 regarding overlaps between the agencies' respective long-range planning processes, the USFWS's CCP and the NPS's general management plan (GMP). In September 2008, refuge staff participated in the Seashore's GMP kickoff meeting and the Seashore staff participated in the initial meeting of the core planning team for the CCP. NPS submitted comments to the USFWS during the public scoping period in September 2010, and the public comment period on the preliminary alternatives in 2011, and attended public meetings held on the CCP/EIS. The Seashore staff actively participated in all meetings of the core planning team (see Section 5.4) and in other coordination meetings, as described in Section 5.5. Also shown in Section 5.5 are meetings conducted with Seashore staff specifically to address coordination between the CCP and GMP. Finally, the NPS submitted a letter during the comment period on the draft CCP/EIS that acknowledges the long-time partnership of the agencies,

expresses appreciation for the opportunity to be involved in the CCP process, and supports alternative B as the preferred alternative.

Alternative**Not considered**

(Letter ID#407)

Comment: A restoration project to build beach elevations along the Tom's Cove spit and bayside marsh habitat has not been considered as an alternative to the 28-acre impact of relocating all visitor facilities approximately 1.5 miles to the north. The Town requests assurance that responsible federal management actions are maintained at Tom's Cove.

Response: Engineered actions were considered by the USFWS, as shown in Section 2.4.1 of the CCP/EIS. Among the ideas considered was an alternative proposed by the Town of Chincoteague in October 2011 called the "1-2-3 Common Sense Plan" which included installation of snow fencing to build a dune system, transportation and placement of inlet dredge material, and beach nourishment. In response to coastal resiliency for all alternatives considered, as stated on page 2-10 of the draft CCP/EIS, "the refuge would work with the town of Chincoteague to explore potential impacts and identify protective methods to address hazard mitigation, in coordination with others, such as Accomack County, Commonwealth of Virginia, NPS, National Aeronautics and Space Administration (NASA), Federal Emergency Management Agency (FEMA), and USACE. The refuge would also work with partners to explore how best to advance the study, information exchange, and project resources for adaptive management practices that sustain the resiliency of this unique barrier island system including but not limited to Assateague, Wallops, Assawoman, and Metompkin islands in the face of dynamic coastal processes and climate change." We further note that "the refuge has several facilities and resources that may be vulnerable to sea level rise and storm surge, including the NPS recreational beach parking area. To minimize facility damage, maintenance costs, and access disruptions in the future, in all alternatives the refuge would consider potential risks and strategies when making decisions about infrastructure that would last beyond the 15 year period covered by the CCP." This would include the important resources located at Toms Cove.

Not considered

(Letter ID#233)

Comment: Develop a compromise alternative between Alternatives B and C.

Response: The alternatives evaluated in the CCP/EIS represent a range of alternative management strategies, as required by NEPA. Alternative A is the status quo or no action alternative. Alternative B is a balanced approach that would continue many of the established habitat and wildlife strategies and would also pursue additional management activities for both natural resources and public use. Alternative C would direct resources towards maximizing habitat and wildlife management strategies and would reduce public use activities and public access to the refuge.

Not considered

(Letter ID#291)

Comment: One commenter noted that the CCP did not discuss alternative government actions that may reduce the rate of sea level rise, specifically the use of solar radiation management. Furthermore, the commenter notes that the case of *NRDC v. Morton*, 458 F.2d 827 (D.C. Cir. 1972), holds that an EIS must discuss all reasonably available alternatives, whether or not their implementation is within the jurisdiction of the agency proposing the action that is the subject of the EIS.

Response: While the CCP/EIS considers the effects of sea level rise on the refuges, the use of solar radiation management would not address the purpose of the CCP. The purpose of the CCP is articulated in Section 1.3.2 of the CCP/EIS and described in detail in subsequent sections of chapter 1.

Not considered

(Letter ID#69, 289, 312)

Comment: Engineered actions were dismissed from the CCP without factoring in the economic impacts to the community. It is very likely that human intervention on the seashore both north of the Assateague Beach (at Ocean City, MD) and south (at Wallops Island, a Federal facility) might be having an impact on the Assateague Beach. It would seem prudent to conduct engineering studies and probabilistic analyses to prove or disprove this assumption before simply reacting to the storm overwash situations by moving the recreational beach to another location, which in itself might be subject to erosion and overwash in the next 15 years.

Response: Engineered actions were considered by the USFWS, as shown in Section 2.4.1 of the CCP/EIS. However, it was determined that these components would not contribute to achieving the purpose of the CCP and would, in fact, detract from achieving the purpose. The NPS and USFWS do not believe that beach nourishment and engineering strategies would be a responsible and sustainable management tool for use on southern Assateague Island, for the reasons provided in Section 2.4.1. Engineered actions would have a substantial economic impact to the community. The USACE provided an estimate of the scope and cost of beach nourishment for a project this size. The analysis estimated that a beach nourishment project could require an initial estimated investment of \$24 million, with recurring maintenance costs of \$8.3 million necessary every 3 to 7 years, for a total cost of nearly \$49 million over the 15-year life of the CCP, not including wetland mitigation (USACE 2012; Appendix J). This is more than twice the cost of any of the other alternatives, which range in cost over 15 years from \$11.7 to 22.2 million. In addition, USACE policy requires that 35 to 50 percent of planning, implementation, and maintenance costs for beach nourishment be borne by a state or local government partner (USACE, "Continuing Authorities Program"), which would total \$17 to 24 million for the 15-year CCP planning period.

With regard to the effects of other human intervention, activities in a dynamic environment like the coastline frequently have effects on other nearby areas, and it is as likely that the maintenance activities at Assateague Beach affect other areas as vice-versa. The proposed relocation of the recreational beach and associated parking is in response to historic and anticipated impairment to the current recreational beach and parking from natural hazards, such as heavy storm damage to parking lots, overwash events, sea level rise, and the natural movement of barrier beach land forms. The beach relocation site was selected through a careful analysis to provide a sustainable situation in which the longevity of the beach was

one of many factors considered. The relocation is intended to provide a more protected location for the recreational beach and parking.

Not considered

(Letter ID#198)

Comment: Move the existing beach slightly north as the beach drifts, incorporating a new visitor center and increased volunteer staffing.

Response: In Appendix N, as part of a structured decision making analysis to locating the best site for a recreational beach and parking lot, we did consider and evaluate areas slightly north of the current recreational beach. Referred to as Section 2, the area just north of the current beach scored well overall, but not as high as Sections 3 or 4, which was determined to be the best proposed site for alternatives B and C. We understand that the proposed relocation of the recreational beach requires significantly more detail before it could be implemented, and we plan to conduct another NEPA analysis regarding the proposed relocation.

Not considered

(Letter ID#106)

Comment: Select a combination of Alternative A with elements of Alternative B that may benefit existing habitats.

Response: Section 2.5.1 lists existing management actions that would continue under all alternatives, and there are many additional elements that are similar under alternatives A and B. Based on public comments received, elements of alternative A such as maintenance of Swan Cove trail and access via the Service Road have been incorporated into the preferred alternative B.

Not considered

(Letter ID#323)

Comment: The following modification to the beach relocation alternatives (B and C) was suggested: include a wildlife loop type experience with smaller pod parking along the way to spread out visitors along the shoreline rather than squeezing them in one-mile.

Response: The design of the new recreational beach and beach parking has yet to be determined and will be accomplished through a collaborative effort with NPS and other State and Federal agencies, including the USACE, as well as the local community. The refuge would develop and implement a site design plan for parking and access to a new beach location, approximately 1.5 miles north of the existing beach. In comments on the draft CCP/EIS regarding beach access and parking from NPS, we concur that "...8.5 acres is not a limit, but a guideline, that can be changed as needed with the actual design of a facility that provides the required 961 spaces and related facilities as part of a well-thought-out plan." Please refer to Objective 6.5 Recreational Beach Use for more information.

Not considered

(Letter ID#272)

Comment: A petition containing approximately 600 signatures stated that the plan for moving the recreational beach to the north is still not ready and stated support for an alternative that would be based on alternative A, except that it would require actions to build up and maintain the land base necessary to protect the Island from minor storm damage. This plan would allow for a long term transition to alternative B only when studies and design of the relocated recreational beach are approved under an agreement with the National Park Service, Town of Chincoteague and Accomack County. Other comments associated with this petition are addressed as comments on visitor experience, storm protection for the Town of Chincoteague, mosquito control, the size of the relocated beach and parking, balance between wildlife and visitor needs and keeping the beach open after a major storm.

Response: We understand that the proposed relocation of the recreational beach requires significantly more detail before it could be implemented, and we plan to conduct further NEPA analysis regarding the proposed relocation. The current recreational beach would be maintained and operated as it is currently, while we begin to develop and analyze the specific details of relocating the beach and parking to a more sustainable and appropriate location for wildlife and visitors to the seashore. In the draft CCP/EIS we proposed this action for both alternatives B (page 2-50) and C (page 2-74). Other topics stated in the petition are addressed in the response to comments.

Alternative A

General

(Letter ID#279)

Comment: What is the financial and personnel commitment required to maintain the parking lots if Alternative A is selected?

Response: Due to the unpredictability of future storm events and availability of emergency funds, it would be difficult to outline with any certainty the timeline or future annual costs of maintaining the current beach location. However, we do provide in the draft CCP/EIS a summary of past expenses associated to maintenance and repair for the recreational beach parking (pages 3-85 to 3-88). The refuge will continue to share annual maintenance costs with the NPS, of which the refuge's share is approximately \$200,000. Please note that under alternative A, consistent with the 1992/1993 Master Plan and EIS, the refuge would continue to allow NPS to maintain 961 automobile parking spaces (which is currently on approximately 8.5 acres) at the recreational beach as long as a suitable land base directly behind the recreational beach remains, and as long as funding is available. As sea level rise and natural forces reduce the land base capable of supporting current parking, the refuge would reduce the number of parking spaces accordingly, and would work with the town of Chincoteague and the NPS to identify suitable off-site parking and to implement an alternate means of transportation such as a shuttle system.

General

(Letter ID#224)

Comment: Alternative A, or the "Do Nothing" plan, does not address any current issues such as dune replenishment or management of the impoundments for wintering waterfowl. It does nothing which is not an alternative at all.

Response: As noted in Section 2.1 of the CCP/EIS, the regulations for implementing NEPA require the alternatives analysis in the EIS to “include the alternative of no action” [CFR Part 1502.14(d)]. In the case of updating a plan such as the CCP, “no action” is no change from current management direction or level of management intensity. [CEQ Forty Questions, Question 3]. Thus, alternative A is a “no action” alternative. No action is evaluated as a viable alternative and is also used as a baseline to compare against to determine the impacts of the action alternatives, alternatives B and C.

Support

(Letter ID#015, 016, 017, 020, 021, 022, 025, 037, 038, 039, 043, 046, 047, 050, 052, 053, 054, 055, 056, 057, 058, 060, 064, 069, 070, 072, 087, 092, 097, 108, 113, 128, 129, 147, 166, 170, 171, 172, 173, 182, 187, 193, 203, 226, 227, 245, 257, 258, 259, 260, 264, 266, 273, 277, 282, 295, 301, 315, 323, 325, 326, 329, 333, 337, 353)

Comment: Sixty-five individual commenters supported alternative A as described in the CCP/EIS. Others supported alternative A with suggested modifications, including saving the historic Coast Guard Station, a new visitor center and increased volunteer staffing and measures to prevent washovers. The reasons for supporting alternative A include avoiding wildlife and habitat impacts associated with moving the beach, parking is more convenient than in the other alternatives, it provides the best balance for visitors and wildlife, it provides a better visitor experience than the other alternatives, there is no compelling reason for moving the beach, it is more economical and less expensive to maintain than the other alternatives, it is more fiscally responsible, it is safe, and moving the beach would have an adverse economic impact.

Response: In addition to the impacts compared in chapter 4, Table 2-1 in chapter 2 shows that measuring how well the various alternatives can meet the purpose and need of the project has been considered in the process. While the status quo alternative was carried forward for analysis, we believe that alternative B was the best alternative to recommend for implementation.

Alternative A/B

Support

(Letter ID#265, 5)

Comment: One commenter preferred Alternatives A or B because they maintain the existing number of parking spaces and another expressed general support for these alternatives.

Response: Under the preferred alternative, USFWS is committed to maintaining parking for a recreational beach at the current level of 961 parking spaces.

Alternative B

Balance

(Letter ID#155)

Comment: The wilderness designation, endangered species and marine reserves would unbalance alternative B unless the public recreation area is set aside from critical habitat and wild lands.

Response: No new areas are being proposed for wilderness designation under the preferred alternative. A total of 1,300 acres of land within the refuge was recommended for

wilderness designation in 1974; however, no action has ever been taken in regard to the recommendation, and there exist no congressionally designated wilderness lands within the refuge. No marine reserves exist at the refuge, and none are proposed. The refuge has balanced habitat and species management with a public recreational beach for 50 years, and will continue to do so into the future.

Boat Access

(Letter ID#077, 206)

Comment: There is no provision in alternative B for access to the relocated recreational beach by motorized boats. Currently motorized boats have year round access on the bayside of parking lots #3 & 4. Will a boat landing still be allowed in the current year-round locations? What about on the cove side of the hook when no birds are nesting?

Response: Under the preferred alternative B the refuge would allow the landing of motorized or non-motorized vessels along the bay side of Toms Cove from approximately September 16 to March 14. During that period when the Hook area is closed (March 15 to September 15), the landing of recreational vessels would be prohibited along the Toms Cove shoreline for the protection of threatened and endangered species in accordance with statutory mandate.

Cost

(Letter ID#55, 56, 70, 77, 326, 53)

Comment: Six commenters suggested that at \$12 million, alternative B is too expensive, the estimate is too low, and or/the funds may not be available for the relocation. Commenters requested the total cost of alternative B, including costs to build the roads, visitor's centers, shelters, and parking lots and to alter impoundments.

Response: The itemized estimate for alternative B in the draft CCP/EIS was approximately \$22.2 million dollars (Appendix I, page I-2), of which \$6.6 million dollars were non-beach related costs. Continued refinements to the selected alternative, and the subsequent forthcoming analysis, will likely alter the actual cost of the actions when fully implemented. Additional detailed cost estimates will be included in future designs and NEPA documentation.

Further Studies

(Letter ID#054, 057, 053, 082, 115, 191, 215, 224)

Comment: Commenters asked about economic and environmental studies that support alternative B and said further planning and studies are required. Three commenters said alternative B is not supported by adequate economic or environmental analysis and others feel there are too many unknowns. One commenter asked where the Regional Economic Assessment is located.

Response: Appendix M is the "Chincoteague National Wildlife Refuge Economic Analysis in Support of Comprehensive Conservation Plan." While Appendix M (Section 6.0, Analysis of Alternatives) noticeably addresses the potential economic impacts of alternatives A and C, the impacts for alternative B are not as clearly explained in the appendix. The analysis showed that the number of available parking spaces correlated to visitation, and that visitation correlated to economic impact. Since alternative B maintains the same number of

parking spaces as the baseline (961), visitation, and therefore economic impact, is expected to be the same as the baseline assessment. As originally stated on page 4-34 of the draft CCP/EIS, "Alternative B would maintain the 8.5 acres of land for beach parking and relocates the beach approximately 1.5 miles north of the current area (management action 2s). USFWS assumes that visitation would not change as a result of the relocation, as the same number of spaces would be available, and the short-term transition between the locations would be carefully managed outside the peak visitation period.... Therefore, USFWS assumes that there would not be any negative economic impact per year resulting from alternative B compared to the base year of 2009."

NEPA – time frame and cost

(Letter ID#279)

Comment: If alternative B is selected, another NEPA process would be required; is that NEPA study funded? What are the timeframes for those additional NEPA studies?

Response: Future analyses requiring NEPA documentation would be accomplished within existing budgets. Partnership capabilities, level of detail, and scope of the project will better determine the overall timeframe to develop an Environmental Assessment (EA) for a future project. However, we estimate that the EA would require less than 12 months to complete.

Opposed

(Letter ID#028, 109, 127, 129, 157, 160, 227, 298, 056, 204, 218, 239, 251)

Comment: Thirteen commenters expressed opposition to alternative B. Some of those are opposed to relocation of the recreational beach and others do not want to see habitat destroyed to accommodate the beach, parking and other facilities; others state no reason.

Response: As described on page 4-8 of the draft CCP/EIS, relocation of the recreational beach would require some destruction of existing habitat (approximately 27 acres). However, mitigation for these adverse impacts would result from future management of the North Wash Flats area that would cease vegetation removal and allow for the natural vegetation to grow back in an area of approximately 300 acres, improving the habitat for spring and fall migratory neotropical birds. Thus, a net benefit would occur.

Support

(Letter ID#006, 012, 018, 026, 029, 032, 034, 036, 084, 100, 112, 117, 118, 192, 214, 220, 228, 230, 232, 234, 256, 261, 262, 263, 263, 284, 288, 290, 306, 316, 321, 327, 330, 332, 348, 354, 401, 402, 408)

Comment: A petition containing 112 signatures and 42 individual commenters express support of alternative B, the Service's preferred alternative. These commenters include the Virginia Eastern Shore Land Trust, the Nature Conservancy, Safari Club International, Assateague Mobile Sport fishermen's Association, Virginia Department of Historic Resources, Virginia Department of Game and Inland Fisheries and National Park Service (NPS). Where they cited a reason, most supporters cited alternative B as a balanced approach that protects habitat while allowing for recreation and other visitor experiences within the refuge. Others cited the need for a sustainable recreational beach and parking area.

Response: Alternative B is the preferred alternative of the USFWS. It provides a balanced approach and would make a positive contribution towards meeting all of the elements of the purpose for the CCP.

Timing

(Letter ID#279)

Comment: Is there a reasonable timeframe for the new beach to be useable?

Response: In the draft CCP/EIS (page 2-68); we originally stated that the complete transition of the recreational beach and associated parking would occur within 8 years. We further stipulated that this timeframe could be sooner if funding is available. This timeframe includes additional design, analysis, outreach, and construction.

Timing

(Letter ID#2)

Comment: It is not yet time to adopt or implement alternative B (Town).

Response: Alternative B represents an approach for managing the refuge over a 15-year time frame, and is comprised of a variety of goals, objectives, and strategies that could be accomplished during the life of the plan. While some strategies could potentially be implemented immediately after the ROD is signed, other actions like beach relocation would require additional analysis and documentation prior to implementation.

Visitor Experience

(Letter ID#067, 104, 182, 190)

Comment: Alternative B will result in a diminished visitor beach experience.

Response: Anticipated impacts on the recreational beach experience are documented in Section 4.13.5, with both adverse and beneficial effects noted. We agree with NPS that in the next phase of planning, the parties can design a beach experience that, while different from the current one, will still engage visitors and provide the kind of recreational opportunity for which the area has justifiably become famous.

Alternative B/C**Opposed**

(Letter ID#50, 64, 072, 102, 104, 111, 145, 182, 187, 190, 293, 323, 325)

Comment: Twelve commenters opposed alternatives B and C. Reasons cited include disturbing additional habitat for roads, parking and beach; disturbing an area of the refuge that is quiet and peaceful; the cost of relocating the beach and related facilities; not wanting to lose access to the existing beach and Tom's Cove; diminished visitor experience; the economic impact of lost tourism, and being generally opposed to the beach relocation.

Response: We have acknowledged that adverse impacts would occur with implementation of alternative B or C, including habitat disturbances and increased costs. However, we do not anticipate any lost tourism or significant economic impact from implementing the preferred alternative, and that the net impacts would generally be positive. We also note that maintaining the status quo (alternative A) would not address the issues and meet the purpose and need as well as alternative B.

Southern land mass

(Letter ID#70)

Comment: If the present recreational beach and the road to it are left to erode naturally, how does USFWS protect the southern land mass which includes Swan Cove and the pony corral area?

Response: There are no proposals within alternative B or C to allow Beach Road to erode naturally. Allowing natural processes to occur does not equate simply to erosion. Natural processes often include erosion and also accretion, as is being observed at the southern tip of Toms Cove Hook. Barrier islands tend to naturally "roll over," often keeping a similar width but moving westward. We expect sea level rise to have an increasing effect on erosion, which is why we discuss sea level rise and climate change implications throughout the document, and propose to work with others to study and respond to these challenges.

Alternative C**Opposed**

(Letter ID#043, 197,224, 245, 271, 329)

Comment: Six commenters expressed opposition to alternative C. The reasons for opposition include reduced parking capacity, a devastating effect on the local economy and that it does not appear to benefit the public or wildlife.

Response: Alternative B, the preferred alternative, was selected over alternative C for various reasons listed in chapter 2. Specifically, it was determined that alternative B would result in a positive contribution in regards to achieving the refuge purpose, mission, and mandates while maintaining and restoring the ecological integrity of the refuge system and achieve our stated goals. In addition alternative B would address significant local concerns including: climate change and sea level rise; regional conservation; a balance between public use and wildlife conservation; public access to the refuge, in particular to the recreational beach; impact to visitor experience; and impact to local economy.

Support

(Letter ID#075, 183, 204, 218, 239, 240, 241, 243, 246, 248, 249, 251, 292, 400)

Comment: Thirteen commenters support alternative C, primarily because it reflects the refuge's stated mission and goals of wildlife and habitat preservation. Others feel it supports balance between wildlife and the six priority public uses or it protects the local economy by having the least impact on the refuge and eliminates recreational vehicles on the beaches.

Response: While alternative C reflects the refuge's stated mission and goals of wildlife and habitat preservation, it is less balanced than alternative B, the USFWS preferred alternative. Due to a reduction by half in the number of parking spaces for the beach, public use and access to the refuge is less than the preferred alternative. In addition, alternative C could have an adverse impact to local economy, as the reduction in beach parking could result in a loss of \$36.3 million, or 32 percent of current annual baseline expenditures in Accomack and Worcester Counties, an impact that is not anticipated as a result of alternative B.

Alternatives A/C

Shuttle system cost

(Letter ID#007)

Comment: Alternatives A and C include a shuttle system, the CCP/EIS should include cost for riders.

Response: Currently, visitors pay per carload (as opposed to per person) at the fee booth. We have not determined any fee structure for any shuttle system. According to Federal law, establishing a new recreation fee (or making changes to existing fees) would require NPS or USFWS to complete a process with public input and participation. There must be advance notice and an opportunity for public involvement, and the agency must publish a notice in the *Federal Register*, local newspapers and other local publications 6 months in advance.

Beach access

Existing

(Letter ID#206, 274, 307)

Comment: Some commenters requested that the current beach be kept accessible with limited parking, even after the beach is relocated.

Response: We have modified the preferred alternative to maintain some accessibility at the current beach, even after it is relocated. Permitted oversand vehicles and hikers will be able to access the current beach via Beach Road from September 16 to March 14. The Toms Cove Visitor Center would be maintained by NPS for environmental education purposes only until it becomes unserviceable.

Handicapped access

(Letter ID#006, 028, 045, 218, 281, 283, 292)

Comment: Handicapped access was discussed by eight commenters. One simply noted that handicapped access needs to be as convenient as possible for the handicapped and elderly to the enjoy the beach experience and another noted that alternative B would work if the parking has designated handicapped spaces close to the shoreline. Information was requested on how far the parking would be from the relocated beach and if it is handicapped accessible and another said the

parking is too far from the beach for the handicapped and elderly. Others requested that the beach not be moved because the beach and views from the car would not be accessible for the handicapped, elderly and families with small children. Still others asked that the beach not be relocated because it would be less accessible to the handicapped and families with small children.

Response: We agree that handicapped accessibility is a key and necessary component for all to enjoy the refuge and beach experience. Under the preferred alternative, we will work with NPS to improve accessibility by increasing accessible spaces at the beach, improve signage and markings, consider wheelchair matting for designated spaces and beach wheelchairs, add removable wheelchair beach ramps, and add seasonal mobility-impaired parking areas and access ramps (dependent on final configuration of parking).

Reduce restrictions

(Letter ID#066, 143, 191, 209, 210, 215, 216, 302)

Comment: Eight commenters called for unrestricted access to the whole of the current beach area, with limitations placed on those areas necessary for breeding by plover, sea turtles, etc., as currently restricted during parts of the year.

Response: The recreational beach in the assigned area managed by NPS will still maintain unrestricted access year-round. Outside of the recreational beach, USFWS will continue to manage the beach and dunes to meet our mandates and goals with protective measures in place for important species and habitats.

Beach closings

Support

(Letter ID#142, 149)

Comment: Keep the south beach closed during nesting times.

Response: Under the preferred alternative, we state that we will continue current management of the overwash and Toms Cove Hook area for shorebirds until the new recreational beach is established, at which time the March 15 through September 15 closure would go into effect.

Beach relocation

Access

(Letter ID#043)

Comment: Moving the only beach access to the location contemplated under alternatives B & C would effectively preclude anyone except oversand vehicle users from accessing the entire beach area south of the current recreational beach/parking area.

Response: We have modified the preferred alternative to maintain some accessibility at the current beach, even after it is relocated. Permitted oversand vehicles and hikers will be able to access the current beach via Beach Road from September 16 to March 14.

Additional information

(Letter ID#007)

Comment: While we recognize that additional NEPA analysis will be conducted for the relocated beach and parking area, it would be helpful to provide additional information about how the beach will be constructed, material used, protection, etc.. Temporary impacts should also be considered.

Response: We have added additional information and analysis appropriate for a long range master plan, including for the relocated beach and parking area. Federal agencies are encouraged to tier their NEPA analysis to avoid repetition of issues and to focus on the issues for decision at each level of review. Tiering is appropriate when the sequence of statements or analyses is from a plan EIS to a site-specific analysis. We have noted that necessary future NEPA analysis will tier to this EIS in accordance with 40 CFR 1508.28, and we will consider all conditions and environmental effects (temporary, long term, and cumulative) described in this EIS, and address any exceptions and whether the determinations are still valid.

Boat access

(Letter ID#47, 134)

Comment: At the proposed non-motorized boat launch parking area, will there be ample parking space for all users? Also, access would be further restricted by the tides, possible only around high tide at the proposed location.

Response: We recognize the proposed non-motorized boat launch area requires significantly more detail and have identified this area as a popular site for many types of visitor activities in addition to kayaking/canoeing including fishing, crabbing, and wildlife observation. It is our intent during the engineering process for this area to plan for an adequate amount of parking for all types of potential uses as well as vessel access during periods of low tide.

Cost

(Letter ID#037, 050, 104, 122, 137, 178, 215, 224, 326, 329)

Comment: The analysis requires a better and more detailed estimate of the cost of relocating the beach and associated facilities, as it is likely more than the estimated \$12 million.

Response: The itemized estimate for alternative B in the draft CCP/EIS was approximately \$22.2 million dollars (Appendix I, page I-2), of which \$6.6 million dollars were non-beach related costs. Continued refinements to the selected alternative, and the subsequent forthcoming analysis, will likely alter the actual cost of the actions when fully implemented. Additional detailed cost estimates will be included in future designs and NEPA documentation.

Fees

(Letter ID#161)

Comment: How much is the beach relocation going to increase the fees to access the beach?

Response: There is no plan to raise beach access fees as a result of relocating the recreational beach. However, beach access fees could be raised for other reasons over the planning period of 15 years, whether the recreational beach is relocated or not.

Funding

(Letter ID#007, 037, 185, 278, 279)

Comment: The following questions about funding beach relocation were asked: Who will be the lead federal agency in attempting to secure funding for the new beach project? What are the steps to secure Fish and Wildlife Service funding for the new beach project? What is the time frame for securing funding for the relocation of the beach? Is the additional NEPA process required currently funded? What happens if alternative B is selected and the funding is not available? Page 2-11 states that refuge management would continue to use a phased implementation of the approved alternative identified in the Final EIS/CCP, which will be dependent upon future budget approvals and available funding. Additional discussion should be included regarding the phasing and prioritization.

Response: The USFWS will take the lead on requesting funding to implement the proposed action, including beach relocation. We expect that the NPS will support our requests and may request complementary funding from their budgetary processes. There are a number of ways that we can work to secure funding to implement alternative B, including direct appropriations via the President's annual budget request to Congress, transportation grants, and climate change adaptation grants. As noted in the CCP, we hope to complete the beach relocation project within 8 years, but this estimate can change in either direction depending on the availability of funds. We are seeking funding to begin the additional NEPA process but as of this date, funding has not been secured. As we seek funding for the additional NEPA analysis, project design, and project construction, we will maintain the current beach location and facilities to the extent possible, with the understanding that storm events, and our ability to secure restoration funds, will influence the degree to which we can maintain the current level of service.

The CCP is a 15-year management plan that provides long-term guidance for management decisions on the refuge and set forth goals, objectives, and strategies needed to accomplish refuge purposes. We also identify our best estimate of future needs. This plan details program levels that are sometimes substantially above current budget allocations and, as such, are primarily for USFWS strategic planning and program prioritization purposes. The CCP does not constitute a commitment for staffing increases, operational and maintenance increases, or funding for future land acquisition. When possible, we often identify time frames for implementation of objectives and strategies within the next 15 years. Refuge management would continue as established by the Final EIS for the Chincoteague NWR Master Plan approved in 1992, with a phased implementation of the approved alternative. Once the Regional Director has signed the ROD and the CCP is complete, the public will be notified in the *Federal Register*, and implementation would begin.

Habitat

(Letter ID#185, 202)

Comment: Accomack County believes that the recreational beach in the Refuge must be improved and maintained as a recreational beach and not as (present or future) habitat and another commenter asked what will happen if Piping Plover relocate to the new beach.

Response: The recreational beach in the new assigned area, managed by NPS under agreement with USFWS, will allow unrestricted access year-round. Outside of the

recreational beach, USFWS will continue to manage the refuge, beach, and dunes to meet our mandates and goals with protective measures in place for important species and habitats. In Section 1.14.6 of the Draft CCP/EIS, we discussed the relationship between NPS and USFWS mandates in managing beach recreational activities within refuge boundaries. We have a cooperative relationship with the NPS for management of the recreational beach, defined in a series of agreements dating back to 1966; all of which have assigned certain management responsibilities to each of the two agencies. The agreements have evolved over time, reflecting changes in management goals as well as legislative changes to agency authority and administrative requirements. USFWS has primary responsibility for managing the wildlife resources within the entire refuge, including the “assigned area.” This agreement is necessary for the two agencies to comply with various public laws. In order to comply with what we believe was the intent of Congress in passing P.L. 85-57, USFWS has conveyed primary jurisdiction for beach use and recreation within the “assigned area” to the NPS. We have worked with them to minimize adverse impacts to the refuge, and developed a Memorandum of Understanding (MOU) to document operating procedures and respective responsibilities. In addition, the proposed location for the recreational beach was chosen based on a number of factors, including less habitat impacts and occurrences of threatened and endangered plants and animals, including piping plovers. In the unlikely event that a piping plover relocates to the new recreational beach, we would still operate under conditions set forth in the Biological Opinion (Appendix F). This would occur under USFWS or NPS jurisdiction.

Human-wildlife balance

(Letter ID#009, 020, 036, 051, 052, 125, 131, 134, 162, 175, 181, 183, 185, 194, 202, 215, 255, 267, 289, 322, 323, 325, 343)

Comment: Commenters remarked on the balance (or perceived imbalance) between a one-mile recreational beach and the area of beach that are preserved for wildlife use. Some commenters simply asked for balance without taking a view point. Others stated that access to the beach is as critical for humans as it is for wildlife, that Congress intended to address both these priorities in PL 85-87, or that there are plenty of other areas for the birds on the refuge and the Eastern Shore coastline. Some commenters asked for an expansion of the recreational beach and some stated that in the past, the NPS managed 5 miles of beach (others said 4 miles) and that it should be restored or expanded to that size.

Response: Chincoteague NWR was established in 1943 to provide habitat for migratory birds. Since that time, objectives have been expanded to protect and manage threatened and endangered species and other wildlife, and provide for wildlife dependent public use. Since designation of the Assateague Island National Seashore in 1965, we have been committed to preserving access to the refuge, including by personal vehicle, and provide a destination recreational beach that supports the tourism economy of the town of Chincoteague. The refuge has continually sought to balance wildlife and recreational use, and with our preferred alternative, would enhance and expand some public use opportunities, as well as construct a new joint USFWS and NPS visitor contact station. The recreational beach managed by the NPS has been 1 mile since adoption of the master plan over 20 years ago, although the assigned area of the Toms Cove Hook area managed jointly by USFWS and NPS has been periodically modified to accommodate law enforcement, species protection, oversand vehicle management, or staffing. The draft CCP/EIS (alternative B and C) would have maintained approximately the same size assigned area, but shifted north 1.5 miles. Based on comments received, we now propose (alternative B and C) to expand the assigned

area an additional mile south; thus, the assigned area would be increased from approximately 1 mile of shoreline to 2 miles.

Impacts - habitat

(Letter ID#007)

Comment: Page 2-77 states that the relocated beach parking for alternative C will be in a less sensitive area for wildlife habitat. Is this true for the parking area for alternative B as well? They appear to be in the same location on the maps.

Response: Parking for alternatives B and C are in the same location; however, the parking area for alternative C is smaller and this would result in a less habitat impact than alternative B. The reference to relocation of the parking refers to a difference from alternative A and that will be revised in the final CCP/EIS.

Impacts - parking

(Letter ID#046, 052, 119, 126, 127, 128, 141, 142)

Comment: Opposed to anything that would reduce parking or reconfigure it from the accessible way it is now.

Response: Alternative A assumes that the refuge would lose a significant number of beach parking spaces due to the projected intensity and frequency of coastal storms and sea level rise. The NPS surveyed the current recreational beach and determined that there will likely be sufficient area to provide for 400 parking spaces over the next 15 years, but the remaining 561 spaces currently available may lose their landbase over time. Under the preferred alternative B, the number of parking spaces, and the size of the parking lot(s), will not be less than what currently exists, although the exact configuration will be further designed and analyzed in a future document.

Impacts - soils, topography

(Letter ID#006)

Comment: Preliminary discussions regarding the relocation of the recreational beach alternatives and the management of the dunes, both immediately adjacent to the 1-mile recreational beach, but also on either side of the beach, were discussed. This would likely have impacts to both soils and topography, which do not appear to be included in this analysis.

Response: Recontouring dunes and topography in the area of the proposed recreational beach, and adjacent lands, would have impacts to resources including geology and soils. Although we will work closely with NPS and the USACE in designing and evaluating these changes, we include additional information on potential effects in the final CCP/EIS.

Impacts - wetlands/aquatic resources

(Letter ID#007)

Comment: Page 3-87 states that "each time a strong coastal storm hits Assateague Island; the island rolls over on itself, moving the island in a westward direction. This is a normal barrier island response to coastal storms and sea level rise. When this happens, the bayside wetlands immediately adjacent to the island are covered with sand that has washed across the island; this provides a new

upland site on which to rebuild the parking lots that were destroyed. However, a new wetland/upland boundary has to be determined so the new parking lot is aligned with the new upland." Please consider all appropriate regulations to protect aquatic resources and sensitive buffer areas. Also, the EIS states that there will be wetland impacts resulting from the relocation of the recreational beach and parking area for alternatives B and C. Efforts should be made to avoid and minimize impacts to natural resources. Information should be provided about these habitats and impacts.

Response: We will consider all appropriate regulations to protect aquatic resources and sensitive buffer areas, and we will avoid and minimize impacts to refuge wetlands and other natural resources whenever possible. The USFWS remains committed to working closely with Federal and State resource agencies, prior to and during any future project construction associated with this CCP, to continue monitoring and collection of additional environmental data, provide relevant supplemental information as needed, and to apply adaptive management and best management practices as appropriate.

Please refer to the Structured Decision Making in Appendix N to better understand the process to determine the least environmentally damaging strategy for the relocation of the beach and beach parking area. Furthermore, additional analysis will be conducted through the step-down NEPA process associated with the planning of the new recreational beach and parking area. Please refer to 4.5.2 Impacts on Vegetation in Alternative B for more information.

Impacts-further study

(Letter ID#105, 120, 128, 129, 131, 138, 175, 185 191, 194, 197, 202, 206, 215, 224, 258, 295, 298, 301, 312, 329)

Comment: Commenters said additional studies need to be conducted prior to relocating the beach. These studies include: evaluating sustainability/stability of land mass at the beach relocation site and identifying impacts of the beach relocation on other land masses, including the south hook/Toms Cove; the change in the visitor experience and the impact of that on visitation and the local economy. Additional plans needed before relocating the beach include a Storm Damage Reduction Plan and a Site Plan. Details such as the elevation of the beach, retention or non-retention of dunes, and beach maintenance by nourishment (if necessary and funded) should be included in the Plan.

Response: We understand that the proposed relocation of the recreational beach requires more study and detail before it could be implemented, and we plan to conduct another NEPA analysis specific to the proposed relocation. We have added additional information and analysis appropriate for a long range master plan, including for the relocated beach and parking area. Federal agencies are encouraged to tier their NEPA analysis to avoid repetition of issues and to focus on the issues for decision at each level of review. We have invited local officials to participate closely in any future analysis and design, and have reached out to other agencies to participate in that process. Furthermore, our economic analysis shows that visitation, and therefore economic impact, is expected to be the same as the baseline assessment. In other words, we do not anticipate any significant change in visitation or the local economy based on relocating the beach and related infrastructure (roads, parking, and visitor facilities) north 1.5 miles.

Launch viewing

(Letter ID#066, 128, 194, 209, 210, 215)

Comment: Several commenters requested that the existing recreational beach be maintained for space launch viewing, saying the view of launches the view would not be as clear and not be visible at takeoff from the relocated beach.

Response: The future of access to the recreational beach for launch viewing is yet to be determined. Visitor safety at the current recreational beach site during launches is of concern to the refuge, as well as NASA. Alternative viewing sites are available that pose less of a risk to viewers than the current recreational beach parking lot. Those alternatives will be assessed as potential launch viewing sites, in coordination with refuge law enforcement and NASA officials. Please refer to 2.5.1 Existing Management Actions That Continue Under All Alternatives for more information.

Management

(Letter ID#006)

Comment: Page 2-68, Objective 6.5, Strategies: In the very preliminary discussions about the future management of this new recreational beach, USFWS and NPS have considered manipulation of the artificial dunes to allow for a more naturalized and broader beach area. A decision to manipulate the dunes will likely come only after additional study. Should this possibility be mentioned here as a potential strategy?

Response: Modifications and designs to manipulate the dunes at the new recreational beach site will be further informed through the next NEPA process which will involve local, state, Federal parties, partners, and other cooperating agencies. The USACE and USGS will be important scientific collaborators who will assist in the analysis to ensure that we provide a sustainable recreational beach while at the same time maintains the current level of visitor satisfaction.

Minimum requirements

(Letter ID#006, 009, 037, 043, 046, 051, 112, 124, 155, 181, 185215, 259, 267, 277, 279, 312, 3,11,,)

Comment: NPS looks forward to the opportunity to work with USFWS, local governments and the public to further define the new recreational beach location. In this follow-on planning, NPS believes that the parties can design a beach experience that, while different from the current one, will still engage visitors and provide the kind of recreational opportunity for which the area has justifiably become famous. Careful attention to the design of parking for cars, RVs and buses, boardwalks, accessibility, changing stalls, rinse-off facilities, vault toilets, shelter areas, dune management and other related needs can ensure a quality experience at the new beach location. Critical to the success of the new plan will be finding an appropriate balance between visitor experience and resiliency from future storms. NPS noted that in order to provide the high quality visitor experience that USFWS, NPS, the Town of Chincoteague and Accomack County envision for the recreational beach, sensitive design will be required. NPS and several others stated that they hope that the 8.5 acres is not a limit, but a guideline, that can be changed as needed with the actual design of a facility that provides the required 961 spaces and related facilities as part of a well-thought-out plan. It needs to accommodate horse trailer parking, bicycle parking and OSV parking. One commenter noted that a recreational beach & parking area relocated approximately 1.5 miles north of the current location in accordance with alternatives B or C would accommodate

significantly fewer users because the beach there is much narrower. The relocated beach should be the same length as the existing beach and further study should be conducted to accommodate all the people and uses on the existing recreational beach.

Response: We concur with the comments from NPS that "...8.5 acres is not a limit, but a guideline, that can be changed as needed with the actual design of a facility that provides the required 961 spaces and related facilities as part of a well-thought-out plan." The 8.5 acres related to the current parking lot size, the 961 car spaces, and the 1-mile recreational beach, are all necessary in this EIS at this point to effectively compare and contrast the potential impacts of the no action alternative to the other alternatives. These numbers allow us to determine that if the beach is relocated, how many acres at the current site we can expect to reclaim as habitat (rather than as parking lots), and what is the potential footprint of impacts at the proposed site. Because USFWS is committed to working with NPS and others to future design, refine and analyze beach relocation infrastructure in a separate NEPA document, if the actual footprint becomes larger, then it can more appropriately be considered at that stage.

Mosquitos and other biting insects

(Letter ID#036, 037, 043, 045, 046, 051, 061, 062, 063, 070, 094, 118, 124, 128, 134, 144, 145, 148, 155, 156, 158, 160, 174, 181, 198, 202, 207, 212, 213, 245, 274, 277, 280, 294, 303, 307, 406,)

Comment: Several commenters expressed their concern with the proposed beach location and biting insects, including black flies, ticks, green flies and mosquitos. Several questioned what control measures would be taken should the beach be relocated. In addition, several commenters specifically requested Adulticide and other active controls be used should the beach be relocated.

Response: The most recent directive from the USFWS's headquarters regarding mosquito control on lands of the Refuge System is included as an attachment to Appendix C. When a public health authority advises the USFWS of a threat to health and safety of the public from mosquitoes arising from a refuge, we will work with the public health authority to allow them to reduce the public health risk on the refuge, as long as the activities are in full accordance with our regulations, policies and permitting procedures. Please refer to Objective 6.5 Recreational Beach Use for more information.

Opposed

(Letter ID#015, 021, 050, 071, 074, 080, 081, 090, 093, 096, 099, 103, 104, 106, 107, 115, 123, 128, 130, 133, 139, 142, 144, 146, 148, 150, 151, 155, 158, 163, 164, 175, 178, 187, 188, 189, 207, 208, 209, 210, 211, 216, 226, 244, 280, 287, 293, 298, 302, 305, 308, 309, 320, 322, 329, 336, 337)

Comment: Commenters expressed their opposition to moving the recreational beach to the north. Several of these commenters requested that the beach be improved and maintained at the current location. Some of these called relocating the beach an unnecessary expense that would result in habitat impacts.

Response: Recent repeated coastal flooding and over wash caused by nor'easters and tropical hurricanes have resulted in damage to beach access and parking. The USFWS investigated beach nourishment during the early stages of developing potential alternatives for the CCP, and contacted the USACE to obtain an estimate of the scope and cost of beach nourishment for a project this size. The analysis estimated that a beach nourishment project could require an initial estimated investment of \$24 million, with recurring

maintenance costs of \$8.3 million necessary every 3 to 7 years, for a total cost of nearly \$49 million over the 15 year life of the CCP, not including wetland mitigation (USACE 2012; Appendix J). This is more than twice the cost of any of the other alternatives, which range in cost over 15 years from \$11.7 to 22.2 million. In addition, USACE policy requires that 35 to 50 percent of planning, implementation, and maintenance costs for beach nourishment be borne by a state or local government partner (USACE, "Continuing Authorities Program").

NEPA requires alternatives to be reasonable from a technical, economic, and common sense perspective, and compared to other alternatives evaluated, an alternative that includes the beach nourishment and coastal engineering element is not reasonable from an economic or common sense perspective. In light of these considerations, the NPS and USFWS do not believe that beach nourishment and engineering strategies would be a responsible and sustainable management tool for use on southern Assateague Island. In addition, the proposed location for the recreational beach and access road were chosen based on a number of factors, including factors that limit habitat impacts. The proposed location was found to have the least occurrences of threatened and endangered plants and animals and also exhibits the least amount of shoreline movement, providing the most long-term solution to providing a recreational beach.

Parking

(Letter ID#288)

Comment: Locate a portion of the new parking in a location to ensure sufficient parking in the event of storm damage. Work with the Town to identify an offsite parking facility within close proximity to the refuge and existing Town bike trails, noting this would ensure that parking would be able to be maintained in the event of closures due to storm damage.

Response: Alternatives A and C both considered the use of off-site parking and a shuttle service to supplement parking when limits are exceeded or during closures. However, as a compromise to address public concerns, and in recognition that relocation of the beach and associated parking will greatly reduce risks to both, a voluntary shuttle with associated off-site parking was removed from the preferred alternative. The intent of relocating the recreational beach is to provide facilities that are less vulnerable to storm damage and therefore provide more reliable parking and beach access.

Public input

(Letter ID#407)

Comment: Several commenters requested that public input be considered during planning for the new beach.

Response: Relocation of the recreational beach will be addressed in detail in a subsequent planning and NEPA process. The USFWS will invite the public to participate in that process similar to the way the public was invited to participate in the CCP/EIS process, as documented in chapter 5.

Support

(Letter ID#006, 100, 204, 218, 240)

Comment: The NPS stated that they concur with the proposed plan to relocate the beach, noting it will ensure this recreational opportunity is provided to the public over the long term. Other commenters also expressed their support for the proposed beach relocation, noting that it will provide a sustainable future for the beach and wildlife.

Response: The USFWS thanks the NPS and other commenters for supporting the preferred alternative.

Timing

(Letter ID#279)

Comment: Are there any projections or time horizons that suggest when the current parking levels at the existing beach would be reduced to less than 500 parking spaces?

Response: The USFWS and NPS are unable to reliably predict at what point in the future period (15 years) that the parking lot spaces would be lost. We are also unable to predict whether the parking lot losses would all occur due to a single storm event or whether they would be lost incrementally over a period of years. In conjunction with the NPS, we surveyed the current recreational beach area and determined that the landbase directly behind parking lots 1 and 2 will likely have sufficient area to provide for 400 parking spaces over the 15-year planning period covered by the CCP, but they will require constant rebuilds as strong coastal storms will erode and/or wash them away. These lots lie immediately north and south of Beach Road. However, the fates of parking lots 3 and 4, which represent the southernmost parking areas, are less certain. These lots have a combined current capacity of 561 parking spaces and it can be projected that the landbase for these parking lots may be partially or fully lost over time. For the purposes of analysis, the effect of losing these lots and the potential corresponding impact to visitation (and economics) are compared directly to the base year of the analysis without adjustment. From an economic standpoint, a conservative estimate was made comparing a situation in which all 561 are lost to the base year of 2009.

Transfer of problems

(Letter ID#046, 047, 050, 078, 089, 112, 118, 121, 128, 129, 131, 187, 190, 221, 254, 265, 308, 312, 333)

Comment: The new beach will face the same issues as the existing beach. If the management strategy is the same for the relocated beach, the same issues will be present once the beach is relocated. For example, what is the effect of placing the new parking lot behind a pond that is below sea level?

Response: The relocation of the 1-mile recreational beach and parking is in response to historic and anticipated impairment to the current recreational beach and parking from natural hazards, such as heavy storm damage to parking lots, overwash events, sea level rise, and the natural movement of barrier beach land forms. The proposed location for the new recreational beach, parking and access road were chosen based on a number of factors, including that it exhibits the least amount of shoreline movement, thus providing the most long-term solution. While the specific details and configuration of the proposed parking lot have yet to be fully designed, we anticipate the lot will be protected in part by a berm, and that the elevation of the lot would not be less than the existing lot.

Transition

(Letter ID#271)

Comment: Improve NPS management of the current recreational beach to provide increased storm damage resiliency until such time as the site design, the economic analysis, and a storm damage reduction plan by the USACE are completed and approved for relocation of the existing visitor facilities.

Response: The current recreational beach will be managed by the NPS until the new beach area is designed, approved, and completed, and transition from one beach location to the other will not have any loss of access. We will continue to address storm damage resiliency and storm damage reduction with our partners, including the USACE, through the transition period, which incorporates all design and construction. The economic analysis is included in Appendix M, and discussed in chapter 4.

Transition

(Letter ID#006, 037, 181, 185, 187, 191, 215, 356, 407)

Comment: A transition plan is required to ensure that the visitor experience is maintained throughout the process of recreational beach relocation if alternative B is selected. Will the current level of commitment to the current beach parking lot (in terms of financial and personnel) be maintained to respond to storm events when the parking lots are covered/buried by sand until the new beach proposed by alternative B is complete? Any changes should be made slowly in order to minimize strain on the ecosystem, economy, and visitor experience.

Response: We are committed to ensuring that visitor experience is maintained as much as possible throughout any transition process. As discussed in Section 3.8.1, NPS is the principal Federal agency charged with the restoration and rehabilitation of the recreational beach parking lots located at Chincoteague NWR. In the past, NPS has relied on supplemental Emergency Relief for Federally Owned Roads (ERFO) funds to perform emergency storm damage repairs and routine parking lot maintenance. We cannot guarantee that future emergency funding would be available, but to the extent possible, we will work with NPS to respond to storm events until the beach is relocated to its new proposed location. We fully understand that storm events, and our ability to secure restoration funds, will influence the degree to which we can maintain the current level of service. For transition, we state in the CCP/EIS that “the refuge in consultation with NPS would provide management strategies for maintaining the current beach in the interim until the newly located recreational beach is ready for visitor use. The refuge would provide a transition plan for moving from the current beach location to the new beach location, including proposed processes and management strategies to ensure access to a recreational beach is available for visitors.”

Visitor experience

(Letter ID#037, 135, 154, 155, 161, 178, 185, 202, 244, 245, 311, 328)

Comment: The new recreational beach would not provide the same visitor experience the existing beach offers and there are no studies to prove that the visitor experience would be the same. The mayor requested that the NPS have the right to do whatever they want in a designated beach area to provide for the past visitor experience.

Response: While we have noted that the current recreational beach and the proposed recreational beach location do not provide identical visitor experiences, we believe that the overall visitor experiences would be very similar, with pros and cons associated with each site. The beach relocation site was selected through a careful analysis to provide a sustainable situation in which the longevity of the beach was just one of many factors considered. The recreational beach in the new assigned area, managed by NPS under agreement with USFWS, will allow unrestricted access year-round. In Section 1.14.6 of the draft CCP/EIS, we discussed the relationship between NPS and USFWS mandates in managing beach recreational activities within refuge boundaries. USFWS has primary responsibility for managing the wildlife resources within the entire refuge, including the assigned area. USFWS has also conveyed primary jurisdiction for beach use and recreation within the assigned area to the NPS. We have worked with them to minimize adverse impacts to the refuge, and developed a MOU to document operating procedures and respective responsibilities.

Visitor experience - ponies

(Letter ID#45, 55, 93, 145)

Comment: Commenters noted that the relocation of the recreational beach would limit viewing of the ponies and shorebirds while driving to the beach.

Response: Many pony viewing opportunities will remain despite the proposed route to the new recreational beach and parking area. Pony viewing will still be available along Beach Road as it has been. The location of the new parking area and associated beach will offer additional opportunities to see ponies that inhabit the North pony unit. The revised alternative B will still allow access on foot for shorebird viewing in Swan Cove pool. Please refer to Appendix N, Structured Decision Making process, for more information.

Visitor experience - ponies

(Letter ID#034)

Comment: The Friends Group Policy cuts off the regular bus tours on the Service Road. The new beach access road would stop 1.5 miles south of the northern pony area and visitors will have no access to the 100 ponies in the northern enclosures. Visitor access to the area is requested where the ponies are visible.

Response: The revisions to alternative B will keep the Service Road open year-round to hikers, and allow for the Chincoteague Natural History Association bus tours to continue. Visitor experience will be improved as a result.

Wildlife closure

(Letter ID#118)

Comment: Will the new beach be subject to closure for migrating birds, as the current beach is?

Response: The current recreational beach has never been closed for nesting/migrating birds. Furthermore, we do not expect a closure to occur at the new recreational beach site due to nesting/migrating birds. The location for the new recreational beach and parking area was chosen specifically because of the low probability of use by nesting shorebirds. Therefore, it is unlikely that the beach will have to be closed. Please refer to Appendix N,

Structured Decision Making process, for more information on this subject. In the unlikely event that endangered or threatened species were to nest on the new recreational beach, strategies are in place to continue to allow recreational use of the beach to continue while still protecting nests.

Storm evacuation

(Letter ID#338)

Comment: Would the few planned narrow and lengthy walkways to the parking lot be sufficient to safely evacuate the beach of 3000 people in the event of a sudden and powerful storm?

Response: Safety of the visiting public is very important, and Goal 7 of the CCP specifically identifies safety. Having well-maintained visitor facilities is important for encouraging and welcoming visitors, and reflects on our responsibility to spend taxpayer dollars effectively and efficiently. It is also important to protect public safety and refuge resources, both of which can be directly impacted or compromised when facilities deteriorate, or emergencies arise. In addition, the refuge is committed to incorporating universal access and Americans with Disabilities Act standards into all new facilities. Any necessary walkways from parking lots to the proposed beach will be further considered, designed, and analyzed, with our partners, in the subsequent NEPA process and document.

Bike/Pedestrian access

Alternative B

(Letter ID#128)

Comment: In alternative B, hiking, biking and off road vehicle use would be more limited.

Response: Revisions to alternative B retain or expand existing recreational opportunities, including hiking access up the Service Road, and hiking or biking to Swan Cove. Seasonal OSV access will continue to be provided via Beach Road under the revised alternative, as well as the new one mile OSV route south of the new recreational beach.

Dedicated facilities

(Letter ID#014, 050, 083, 126, 134, 152, 153, 168, 183, 200, 267)

Comment: Several commenters voiced their support for separate bike and pedestrian facilities to access the beach, noting this provides a unique visitor experience. Currently, biking on the wildlife loop is now car free until 3 pm, which will no longer be the case with beach traffic using it to get to the new northern beach. What is planned to provide dedicated bike facilities? The final CCP should show no net loss of bike and pedestrian trails. Bike trails should reach both the public beach and a separate beach, as it is now, to provide an incentive to bicycle to the island rather than drive a vehicle. Please include extensive bike trails and access at more than one point in your plan.

Response: Planning of the new access road/bike trail is anticipated to begin shortly after the release of the final CCP. Since the planning will require a step-down NEPA process, which will involve a public comment period, recreational users of the refuge will have the opportunity to provide comments on the proposed design. We support the use of bicycles to access many areas of the refuge and currently provide approximately 7 miles of paved bike trails, which will increase nearly 10 miles under the revised alternative B. Revisions to

alternative B would allow continued use of the Service Road for hiking, and additional biking opportunities will be available due to the addition of the recreational beach and parking lot 1.5 miles north of the beach/parking lot. In addition, cyclists' use of Swan Cove trail will remain unchanged under the revised alternative B.

Dedicated facility

(Letter ID#176)

Comment: Include plans to keep the current bike access trail as it is, and to not move the path to a location putting its terminus at the same location as the car parking area. Please keep it in its current form!

Response: Based on feedback during the public comment period, we will maintain the Swan Cove Bicycle Trail, and will no longer pursue "an alternative bicycle trail from Wildlife Loop north to the south end of the relocated recreational beach, near the OSV zone entrance" as was proposed in the draft CCP/EIS. The terminus of the trail at the beach would also be included in the new assigned area under NPS jurisdiction.

Impact - hunting

(Letter ID#283)

Comment: With expansion of hunting opportunities will there be more/frequent/longer trail closures? (Objective 6.1) This would correspond to a reduction in hiking and biking opportunities.

Response: Changes in hiking and biking access during hunting season has yet to be determined. The refuge will continue to prioritize wildlife-dependent recreational use, which includes hunting, while at the same time providing multi-use groups with a safe and rewarding refuge experience. Please refer to 1.9.3 Balance Between Public Use and Habitat and Wildlife Conservation for more information.

Service Road

(Letter ID#014, 083, 126, 143, 283, 301)

Comment: Several commenters requested the refuge support and encourage hiking and biking on the Service Road, noting this allows for wildlife observation in a remote area.

Response: Under the revised alternative B, hiking will continue on the Service Road. Under objective 6.6, we note that we will include bicycle lanes on the new access road to the relocated public beach. Visitors will continue to have opportunities to bike on over 9 miles of paved trails on the refuge.

Service Road access - support

(Letter ID#034, 066, 091, 139, 191, 209, 210, 215, 226, 294, 302)

Comment: Several commenters requested that the Service Road remain open for hiking and biking, noting this road provides unique wildlife viewing opportunities. Several commenters also requested the Refuge continue the tradition of allowing vehicle access on the Service Road one time each year at Thanksgiving.

Response: Under the revised alternative B, hiking will continue on the Service Road. Once repairs are completed on the Service Road, access for Waterfowl Week will resume (held during the week of Thanksgiving).

Service Road/Swan Cove

(Letter ID#006)

Comment: NPS notes that the relocation of the recreational beach would necessarily cause the relocation or elimination of certain recreational activities, including bay access, and some hiking opportunities especially those on the Service Road and on the Swan Cove Trail. Perhaps there is an opportunity to replace these experiences with other similar or new ones outside of the refuge, possibly owned and operated by the Town of Chincoteague, Accomack County, or the State of Virginia. We note that if the local and state governments would like to pursue this option, technical assistance to help them do so may be available from NPS or the Department of the Interior.

Response: Under the revised alternative B, hiking will continue on the Service Road and there will be no change to Swan Cove bike trail access. Also under revised alternative B, access to Toms Cove for environmental education programs held by the NPS and Chincoteague Bay Field Station will continue.

Swan Cove Trail

(Letter ID#031, 250, 284)

Comment: Please keep the Swan Cove Trail open for biking and hiking, noting that this provides for birding and wildlife viewing. One commenter asked if there would be a replacement for this trail.

Response: Based on feedback during the public comment period, we will maintain the Swan Cove Bicycle Trail in the preferred alternative. There is no replacement trail now proposed. The terminus of the trail at the beach would be included in the new assigned area under NPS jurisdiction.

Wildlife Loop Trail

(Letter ID#033, 047, 156, 167, 179)

Comment: Several commenters requested that the wildlife loop or similar beach access be provided for biking and hiking. One commenter noted that increasing the distance to a different beach for biking and hiking would be a hardship for some. In addition, the bike and pedestrian beach access should be away from the beach that allows fishing and OSV use to ensure an undisturbed beach experience. Several commenters also voiced their concern with the proposed plan, stating that utilizing the wildlife loop for the new beach access would disturb wildlife habitat.

Response: We determined through the Structured Decision Making process that relocating the beach 1.5 miles north to the proposed location would be the least impactful alternative. Current bike access to Swan Cove will remain unchanged and the bike trail that was proposed between Swan Cove and the new recreational beach is no longer being considered.

Bus tours

Support

(Letter ID#014, 083, 301)

Comment: Maintain the bus tours as they presently are. The schedule and nominal fee meet the needs of the visiting public because the tour provides access for all ages and for those with physical limitations who would otherwise never be able to experience Assateague Island and the ponies. The bus tour helps alleviate casual hiking into the north portion of the Refuge to see the ponies.

Response: The revisions to alternative B will keep the service road open year-round to hikers and allow for the Chincoteague Natural History Association bus tours to continue. Visitor experience will be improved as a result.

Butterfly habitat**Create barrier**

(Letter ID#061, 062, 063, 094, 143, 144, 158, 174, 191, 207, 212, 213, 215, 216, 274, 280, 287, 294, 303, 307)

Comment: The Refuge should create an artificial barrier that can be utilized by butterflies to prevent them from being swept into the ocean.

Response: Our initial plan is to establish annual temporary fencing from August to October at locations to be determined that would best benefit monarch butterfly nectaring and roosting. Decisions for monarch butterfly management will be driven by the latest and best science available. While our current strategies primarily involve vegetation management, we will consider all viable alternatives available to benefit monarch butterflies. Please refer to alternative A and B, Objective 1.2, under Management Strategies for more information.

CCP process**Impacts - cumulative**

(Letter ID#271)

Comment: The draft EIS for Chincoteague NWR does not meet the high standard set by a NASA/Wallops Flight Facility draft EIS, and will not allow for evaluation of cumulative federal impacts from either the proposed Wallops Programmatic EIS, or the National Park Service draft GMP due to be released in the next 6 to 9 months.

Response: The cumulative effect analysis considers the impacts on the environment which results from the incremental impact of our proposed actions when added to other past, present and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions. We have worked closely with both NASA and NPS to understand potential and reasonably foreseeable actions, whether or not those actions have been published in a public document. Furthermore, those agencies have provided input into this long-range master plan for the refuge, and will likely consider our proposed actions in their cumulative effects analyses.

Public and stakeholder involvement

(Letter ID#029, 112, 125, 131, 132, 133, 187, 191, 202, 215, 227, 255, 271, 285, 311, 316, 317, 327, 331, 407)

Comment: Several commenters requested that the Refuge work with the community in a collaborative and transparent manner, with many commenters stating they felt as though public input was not considered in the CCP process. One commenter noted that the Refuge should not be allowed to expand without a majority of residents agreeing.

Response: The USFWS has worked diligently to engage a variety of agencies, stakeholders, and the community throughout the planning process, as documented in chapter 5. It has been the practice of the USFWS to involve as many stakeholders as possible in our CCPs, and we provided numerous opportunities for the community to provide input throughout the NEPA process. As a result of comments received from the public during the scoping process, as well as other deliberations among the refuge and the planning team, we developed and updated draft alternatives. Further changes and refinements, based on input from the community, are noted in this appendix and in the final CCP/EIS.

CCP/EIS process

Comment period appendices

(Letter ID#020, 128, 201, 215, 279)

Comment: Extend the comment period to at least August 15. Certain appendices were omitted and that the USFWS should make those available in a separate document prior to closing the comment period. What would happen if the public involvement process revealed issues or concerns?

Response: The comment period on the draft CCP/EIS was extended from 60 days (May 15 to July 14, 2014) to 90 days, and the deadline for comments was extended from July 14, to August 15, 2014. All of the Appendices to the draft CCP/EIS have been made available since the beginning of the comment period on the refuge website at http://www.fws.gov/refuge/Chincoteague/what_we_do/draftccp.html and on the CD-ROMs that were available with paper copies of the draft CCP/EIS. The USFWS addresses substantive issues and comments raised during the draft CCP/EIS comment period in the final CCP/EIS.

Concepts/ Policies

(Letter ID#271)

Comment: The concepts and policies contained in the CCP such as BIDEH, Wilderness and Endangered Species critical habitat should not be uniformly applied to barrier islands. These policies should be modified for the unique differences between Assateague Island National Seashore and the Southern Barrier Island group NWR (Assawoman, Metompkin, and Cedar Islands).

Response: These policies are mandated at the national level and listed in the CCP/EIS to guide management practices. The refuge will work to ensure that management practices are modified to accommodate the difference between the various barriers islands.

Climate change

Climate change

(Letter ID#077, 220, 338)

Comment: With regard to climate change, one commenter asked, if the Service is committed to using the best climate science and adaptive management strategies available to inform management actions resulting from sea level rise, why move the present visitors' beach access area? Others commended the Service on addressing these issues, including the Virginia Department of Historic Resources, which noted that the Service explicitly addresses the need for working with partners on hazard mitigation actions consistent with refuge goals. The Nature Conservancy greatly appreciates that the Service is both committed to building and sustaining coastal resilience at the refuge, and to working with the community to reduce risk of coastal hazards caused by climate change.

Response: The USFWS is committed to using the best climate science available to inform its management with regard to climate change and sea level rise. Appendix G and Appendix H of the CCP/EIS discuss the most current accepted thinking on global climate change and its specific effect on the mid-Atlantic seaboard of the eastern U.S., which is experiencing among the highest rates of sea level rise on earth. The Background section of Appendix N of the CCP/EIS provides a detailed description of the reasons that the recreational beach facilities must be moved, and chief among these reasons is the increasing rate of erosion of the existing recreational beach. In other words, the ocean is washing away the current recreational beach and parking lots. The NPS and the USFWS believe due to historic and expected changes to the shoreline, and the cost of continuously rebuilding and maintaining these facilities, they are not sustainable in their current location.

Climate change

(Letter ID#007, 161, 220, 220, 220, 287, 291, 316, 316, 320, 400)

Comment: There were a number of comments on sea level rise. One commenter denied that sea level rise is taking place, but most comments were concerned with the actions taken to address sea level rise. EPA requested that Page 2-73 text be expanded to discuss other areas that may be impacted by climate change and sea level rise in addition to the beach parking and related facilities. The Nature Conservancy recommends that the Service consider using more recently published reports and scientific literature to support predictions of sea level rise, rates of coastal erosion, and storm intensity and frequency and supplied some sources for such information. The Conservancy also recommends that the Service eliminate any references to a specific predicted annual rate of sea-level rise because rate at which rise is taking place is very difficult to predict. It suggested an alternative way of addressing the rate. One commenter asked if the southern end of the Refuge would eventually be underwater and another requested that the ocean water not be allowed to come through to the wildlife loop. DCR supports the inclusion of data gathering efforts to measure and monitor the effects of climate change and sea level rise for all alternatives. The Nature Conservancy recommends the USFWS expand and link protected lands to improve the size, heterogeneity, connectivity, and resiliency of critical habitats along a full elevation gradient that includes natural shorelines, tidal salt marshes, scrub shrub, riparian and upland forests and isolated wetlands.

Response: Barrier island biologic and geologic systems are dynamic processes, even without the anticipated impacts from sea level rise and climate change. Climate change is widely recognized in the scientific community and beyond as a growing issue of concern. Specific rates of rise used in the CCP are based on scientific studies, which may vary over time based on the actual rate of sea level rise and climate change progression. While the entire project area and facilities are subjected to impacts of climate change and sea level rise, much of our discussion in this CCP is focused on the beach and related infrastructure as

storms and events have historically affected these refuge resources the most. Recent guidance published in *Planning for Climate Change on the National Wildlife Refuge System* (USFWS 2014) states that all CCPs should identify climate change as an issue affecting resources on and around refuges. CCPs should call for actions, plans, studies, monitoring, modeling, outreach, or related efforts toward climate change adaptation, mitigation, and engagement. In addition to being scientifically defensible, this approach will ensure consistency among Refuge System planning documents and public outreach efforts. Refuge leadership will utilize the best climate change science and adaptive management strategies available to inform any proposed management actions for coastal environments. The USFWS is currently engaged in numerous partnerships to address coastal resiliency on the Eastern Shore of Virginia, including Mid-Atlantic Coastal Resiliency Institute (MACRI), which is “a multi-disciplinary institution dedicated to integrated climate change research.” For more information on climate change and sea level rise, please refer to 1.9.1 Climate Change/Sea Level Rise; 1.10.3 Climate Change and Sea Level Rise Studies; 1.14.7 Climate Change and Sea Level Rise; 3.2.5 Climate Change and Sea Level Rise; 4.16.4 Climate Change; and Appendix G Some Notes on Sea Level Rise and Projected Impacts on Chincoteague National Wildlife Refuge.

Climate change/sea level rise

(Letter ID#220)

Comment: Without more explanation of barrier island inlet processes and support from scientific literature, statements in section 1.14.7 are misleading and oversimplify the situation. Barrier island segmentation is a worst case scenario dependent on many factors such as sediment supply and tidal inlet dynamics in addition to the rate of sea level rise and impacts of extreme storms. We submit that while sea level rise certainly poses significant threats to refuge resources, the Service needs to communicate the ecological consequences of these threats with more attention to the ecological context and processes involved.

Response: Some of the CCP content pertaining to climate change and sea level rise began development in 2008. We will update to reflect advances in climate change science and predictions made since the draft was written. The Coastal Resiliency Tool currently under development by TNC, will be useful in determining the ecological consequences of sea level on refuge habitats. With predictive models still under development, it is difficult to predict how refuge habitats will change as a result of sea level rise, but we acknowledge that significant ecological changes including barrier island fragmentation and increased overwash conditions will likely occur as a result of the combination sea level rise and the effects of strong storms. Sea level rise and climate change sections of the draft CCP will be carefully reviewed with the intent of clarifying the predicted geological processes and ecological consequences of sea level rise and extreme storms on refuge habitats. For more information, please refer to 1.9.1 Climate Change/Sea Level Rise; 1.10.3 Climate Change and Sea Level Rise Studies; 1.14.7 Climate Change and Sea Level Rise; 3.2.5 Climate Change and Sea Level Rise; 4.16.4 Climate Change; and Appendix G Some Notes on Sea Level Rise and Projected Impacts on Chincoteague National Wildlife Refuge.

Concession stands

Opposed

(Letter ID#100, 131, 143, 149, 175, 190, 197, 209, 210)

Comment: Some commenters are opposed to the Refuge allowing concession stands at the beach and others want them allowed.

Response: The refuge currently has no plans to enter into concession contracts for services on the recreational beach. However, future evaluation of the use of concessions could occur to maintain or enhance a high quality visitor experience.

Cultural Resources

Archaeological surveys

(Letter ID#402)

Comment: DHR would like to call the attention of the USFWS to a prehistoric site eroding out of the shoreline on [exact location omitted]. Although [not located on the refuge], the site does illustrate both the potential for prehistoric resources and the threat of erosion to the cultural resources on the Refuges. DHR encourages the USFWS to consider funding archaeological surveys as a part of the CCP, as funding levels allow. It would be advisable to identify and monitor these resources, which are already under threat

Response: We recognize the value of the refuge's cultural resources and strive to protect these resources. We agree that a survey of refuge lands would be valuable from an inventory and protection standpoint and will take your comment into consideration.

La Galga

(Letter ID#095, 286)

Comment: Discuss the shipwreck La Galga in the CCP noting that the public should have an opportunity to comment on this historic resource. One commenter requested the status of an application regarding the National Register determination for the La Galga shipwreck, noting that the final CCP would be incomplete if this finding is not finalized. Appendix D-7 incorrectly quotes material from *The Hidden Galleon* about the origin of the horses, regarding that the ponies on Assateague were "eradicated" in the 1749 storm. Please make this correction in the final CCP.

Response: A section of the Affected Environment (chapter 3), on cultural resources was inadvertently left out of the draft CCP/EIS. This section, which discussed the La Galga, is included in the final CCP/EIS. Determination of eligibility for the National Register is a separate issue from the CCP/EIS, and will be addressed as necessary. The USFWS will follow procedures set forth in 36 CFR 60 to nominate identified significant historic properties.

Appendix D is the 2013 Interim Chincoteague Pony Management Plan, and will be updated in coordination with the Chincoteague Volunteer Fire Company after completion of the CCP. In future documents when referring to this event as discussed in *The Hidden Galleon*, we will properly state that there was a great storm in 1749 that flooded the coast. On the north end of Assateague, only 1 horse survived out of 60 and only 5 cattle survived out of 500.

Dog access

Support

(Letter ID#192)

Comment: Allow dogs on the beach or trails during on or off-season.

Response: In order to ensure for the enjoyment of our substantial number of visitors as well as to meet our statutory mandate to protect the refuge's wildlife, we currently have no plans to allow pets of any type, including dogs, to access the refuge.

Emergency planning**Community resiliency**

(Letter ID#311)

Comment: There should be a community resiliency plan in the CCP

Response: The refuge will work with the Town of Chincoteague to explore potential impacts and identify protective methods to address hazard mitigation, in coordination with others. For more information on this particular topic, please refer to 2.5.1 Community Resiliency, and Objective 5.3 Community Resiliency.

Errata**Wildlife**

(Letter ID#401)

Comment: The narrative describing the legal status of sea turtles that occur in Virginia should be reworded to clarify that the state status is the same as the federal status for each species.

Response: Thank you for your comments. The recommended changes have been incorporated into the final CCP/EIS.

Wildlife

(Letter ID#401)

Comment: The Virginia Department of Game and Inland Fisheries (DGIF) noted on pages 2-21 and 2-22 regarding Breeding Species; the list of species that may breed in the Refuge-owned salt marsh habitats should also include willets, black ducks, and possibly black-necked stilts.

Response: Thank you for your comments. The recommended changes have been incorporated into the final CCP/EIS.

Wildlife

(Letter ID#401)

Comment: The Virginia Department of Game and Inland Fisheries (DGIF) noted that the American oystercatcher is defined as a species of concern in Virginia on page 2-22 in the CCP. It is actually a Tier II Species of Greatest Conservation Need, indicating that it is a species which has a high risk of extinction or extirpation (DGIF 2005). On page 2-22 of the CCP, it should be clarified that oystercatchers nest on topographical high spots in low salt marsh islands.

Response: Thank you for your comments. The recommended changes have been incorporated into the final CCP/EIS.

Wildlife

(Letter ID#401)

Comment: The Virginia Department of Game and Inland Fisheries (DGIF) noted that Whimbrels are described as an important local wintering species, when in fact they only occur in Virginia during spring and fall migration.

Response: Thank you for your comments. The recommended changes have been incorporated into the final CCP/EIS.

Existing beach

Maintain

(Letter ID#028, 039, 052, 056, 066, 068, 070, 071, 076, 077, 079, 080, 081, 085, 088, 100, 104, 105, 106, 107, 118, 119, 121, 123, 124, 125, 127, 128, 129, 133, 135, 137, 143, 145, 147, 150, 155, 157, 159, 164, 169, 175, 178, 179, 187, 188, 189, 190, 191, 193, 211, 215, 219, 221, 224, 226, 245, 254, 263, 276, 277, 280, 287, 295, 301, 305, 308, 312, 319, 320, 325, 329, 334)

Comment: Seventy-three commenters think that it would be more cost effective to periodically replace dunes and repair and enlarge the existing beach rather than move the beach to the north. Several commenters requested that the Refuge leave the beach where it currently is and rebuild the dunes, install snow fence, and plant grasses at the existing beach, noting that this practice was utilized in the past and protected the beach from storm damage.

Response: Section 2.4, Appendix I, and Appendix J all discuss costs and cost effectiveness of various beach alternatives. To compile a summary of dune management records at Chincoteague NWR, annual narratives from the years 1963 through 2003 were reviewed and information about dune management was extracted. Between 1981 and 2003, dune management activities were recorded by the refuge more frequently, either as a result of an increased amount of dune management efforts (due to creation of dunes or repairs from storm damage) or a more consistent effort by the administrative staff responsible for writing annual narratives. During this time, a repetitive pattern seemed to develop in the fate of the man-made dunes. As the dunes were built, overwhelmed by storms and knocked down, and then rebuilt, it became obvious to park and refuge managers that the artificial dune system failed to prevent significant facility and infrastructure damage. In addition, it was evident that the recreational beach had begun to narrow, restricting the area available for beach use, especially during high tide. NPS and USFWS, using research and experiences at several national seashores along the Atlantic coast, have come to the conclusion that continually building and maintaining artificial dunes can actually accelerate ongoing erosion, rather than protect against it. "A high, continuous, artificial dune designed to prevent overwash may actually exacerbate erosion of the foreshore" (Godfrey and Godfrey, 1976). This probably happens because "dunes interfere with the energy dissipation process and thus accelerate the rate of beach erosion. During extreme events a high dune becomes vertically scarped; this impenetrable barrier to storm waves forces the runoff seaward and may actually reflect the waves" (Leatherman, 1979). Evidence also suggests that artificial dunes could threaten the island's stability and resistance to narrowing and breaching, a threat to Toms Cove, its fishery, and ultimately to Chincoteague Island. Dunes prevent overwash, which bring sand to the bayside (thereby supporting the creating and maintenance of salt marsh) and to an island's interior (thereby elevating the island and increasing its sand supply). "Thus, islands held in one place become lower and narrower and inherently less stable" (Godfrey and Godfrey, 1976). Recently, NPS and USFWS have set

the berm and parking lots at an elevation that prohibits overwash during normal lunar high tides and minor nor'easters but allows for overwash during larger storms. With this compromise, NPS and USFWS hope to limit monthly parking lot repair from high tides and storms while still allowing the overwash that is crucial to keeping the island stable. However, permanent, higher dunes risk the narrowing and risk of breaching that could unintentionally threaten Toms Cove and Chincoteague Island, and the island has not yet widened enough to allow for the creation of tall dunes.

Maintain

(Letter ID#106)

Comment: Fill the bay side of Tom's Cove in order to protect the existing beach parking lot.

Response: Filling the bay would irreversibly damage marine resources that currently thrive there (please refer to section 2.4.1 Beach Nourishment for more information on this topic). In regards to protecting the existing beach parking lots, the current recreational beach will be managed by the NPS until the new beach area is designed, approved, and completed; thus, transition from one beach location to the other will not have any loss of access. We are committed to ensuring that visitor experience is maintained as much as possible throughout any transition process. We are committed to maintaining the existing beach and beach parking lots as resources and supporting land base are available. Please refer to sections 2.5.2 and 2.5.3 for more information.

Fees**Fees**

(Letter ID#173, 190)

Comment: One commenter recommended charging non-residents a fee for crossing the bridge and allowing residents to have a windshield sticker to raise revenue. Another commenter noted that increased fees could be used to restore the existing parking lot.

Response: The refuge has a well-established recreational fee program that raises funds to maintain refuge visitor facilities and programs. Consideration has been given to increasing entrance fees but no final decision has been reached.

Fishing**Restrictions**

(Letter ID#197)

Comment: Prohibit fishing from prime swimming areas during the summer months for safety reasons.

Response: Fishing is one of the priority uses of the Refuge System and is to be facilitated when compatible. The NPS currently prohibits fishing in a portion of the recreational beach patrolled by NPS lifeguards. This prohibition remains in each of the proposed alternatives.

General**MOU**

(Letter ID#271)

Comment: The MOU revised in 2012 was completed without public review, (Appendix E of the CCP) and does not represent a worthy effort. Furthermore, the CCP should be revised to increase NPS management authority for coastal beach management within a larger 'assigned area'.

Response: While there is no legal requirement for public review for MOU between cooperating agencies, we will reach out to the public as the next MOU is developed. We currently enjoy a very productive cooperative relationship with the NPS in the management and maintenance of the recreational beach and parking area, formally known as "the assigned area." The assigned area will move 1.5 miles north with the new recreational beach and parking area. For decades, our partnership with the NPS has successfully provided a quality recreational beach experience and parking for visitors. The USFWS has no additional plans to further expand the spatial extent of the assigned area beyond what is now described under the revised Alternative B. Please refer to 1.14.6 Visitor Services.

General

(Letter ID#294)

Comment: Provide more enforcement and ban kayaking from the refuge as they park and walk along the shoreline in areas they aren't supposed to.

Response: As part of the CCP process we have attempted to identify opportunities for increased recreation that is still appropriate and compatible for the refuge. In our view kayaking provides a unique opportunity to engage in priority wildlife-dependent recreation including wildlife observation, fishing and photography. We will continue to enforce refuge regulations to the maximum extent possible with available staff and funding.

General

(Letter ID#007)

Comment: Page 2-63 should include additional information about the lifeguard housing on Wallops Island NWR.

Response: We recognize that the availability of housing for the USFWS and the NPS seasonal workers in the area is an issue. There are no specific plans (blueprints, etc.) developed at this time to share, but the strategy proposed under alternative B is to revise the use agreement, with environmental compliance, within 3 years. Please refer to Objective 5.4 Federal Interagency Collaboration and Facility Management for more information.

Horseback riding

Support

(Letter ID#020, 226, 265)

Comment: A commenter requested that horseback riding be continued on the Refuge including the beach.

Response: Horseback riding will continue under our preferred alternative, please see section 2.5.3.

**Hunting
Impacts**

(Letter ID#204)

Comment: Several commenters noted their concern with increased hunting where it would disturb wintering American Black Ducks, a priority resource of concern for the refuge, citing the 2011 Habitat Management Plan. It seems unavoidable that the new route to the beach would result in more traffic close to the impoundments causing further impacts to this species.

Response: Increased traffic along the new route would primarily occur during the busy summer season, when impoundments are typically drawn down and American Black Ducks are minimally present. Cost benefit analysis will be developed to determine whether hunting nuisance species, such as snow geese, will be advantageous. The hunt management plan, being developed after the CCP process, will address this issue. Please refer to the Structured Decision Making process regarding increased traffic disturbance in Appendix N, and section 4.7.2 Impacts on Birds in Alternative B, for more information.

Impacts - safety

(Letter ID#113, 200)

Comment: The increased hunting proposed in alternative B does not provide adequate information to protect the public during the hunting season. Furthermore, increased hunting poses an increased risk to non-hunters and may deter non-hunting activities. The plan notes that wildlife photography is becoming more popular yet it proposes a plan that will restrict bird watchers. Why not balance the approach? Rather than have the refuge closed to all but hunters the majority of the year, announce scheduled culls and for safety close the bulk of the refuge for 1 week/hunting month.

Response: Hunting is one tool used to manage and maintain wildlife populations at a level compatible with the environment while providing wildlife-dependent recreational opportunities and permitting the use of a valuable renewable resource. However, we understand there is a legitimate safety concern when non-hunters enter areas being hunted. Under alternative B we would continue to inform our non-hunting visitors when portions of the refuge are closed for hunting through our website, signs, rope lines, and law enforcement officer patrols. Currently during the approximately 2-month hunting season a significant portion of the refuge remains open for wildlife observation. Under the preferred alternative B we would continue to seek a balance between hunting and non-hunting visitors.

Opposed

(Letter ID#113, 197, 285)

Comment: Several commenters are opposed to increased hunting within the Refuge or hunting of geese and others are opposed to all hunting.

Response: Hunting is one tool used to manage and maintain wildlife populations at a level compatible with the environment while providing wildlife-dependent recreational opportunities and permitting the use of a valuable renewable resource. Closing the refuge to hunting would conflict with the Improvement Act, which lists hunting as an appropriate and priority use of the Refuge System; directs that hunting shall receive priority consideration

in refuge planning and management; mandates that hunting opportunities should be facilitated when feasible; and directs USFWS to administer the Refuge System so as to “provide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities, such as fishing and hunting.” Furthermore, “no hunting” would conflict with Executive Order #13443: “Facilitation of Hunting Heritage and Wildlife Conservation.” The order directs the DOI and its component agencies, bureaus, and offices, “to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.” The expansion of hunting opportunities would mean that other visitors would be more likely to see or hear signs of hunting from adjacent areas, which could adversely affect their wildlife observation. However, this impact would be minimized as hunting would occur during off-peak visitation times. Hunting of new species would reduce the number of those species that visitors could see; however, these species are being identified because of their overabundance and impacts to other species.

Support

(Letter ID#204, 233, 305, 306, 401)

Comment: Several commenters supported Canada goose and light goose hunting, noting this would increase the amount of food for waterfowl. A reduction of the over-abundant resident Canada goose population may result in increased use of impoundments by nesting and migratory water birds, perhaps even restoring black duck breeding activity on the Refuge. Others requested hunting of mourning doves and turkey. One commenter requested that turkey should be included in the big game youth hunting program on the Refuge.

Response: These activities are considered in the CCP Alternative B Objective 6.1. Hunting is one tool used to manage and maintain wildlife populations at a level compatible with the environment while providing wildlife-dependent recreational opportunities and permitting the use of a valuable renewable resource. Our strategy toward management of Canada geese, light geese, turkey, and mourning dove will be further refined in the hunt management plan.

Impact

Wildlife - Delmarva Fox Squirrel

(Letter ID#203)

Comment: I am concerned that I did not see much thorough analysis of the impacts to the Delmarva Peninsula fox squirrel. In the description of the affected environment (section 3.4) the species habitat was briefly discussed but it appears that the issue of impacts to this species was not addressed in environmental consequences for each alternative. Anticipated impacts to vegetation/habitat are not addressed in the section which outlines the impacts to the Delmarva Peninsula fox squirrel. I question that this potentially impacted vegetation may be suitable for this species. The CCP/EIS needs a more rigorous discussion of the short and long-term impacts order to evaluate the potential impacts to this species.

Response: The refuge would continue to provide protective conservation measures for federally listed species and their habitats on the refuge as indicated in recovery plans and relevant regulations. Although the Delmarva Peninsula fox squirrel has been proposed for delisting from the endangered species list since the draft CCP/EIS was published, it has not been finalized yet. Besides chapter 4, please refer to the Structured Decision Making process

in Appendix N to see additional consideration of this species and its habitat. Reference 3.4.1 Common Delmarva Peninsula fox squirrel. The proposal for delisting can be seen at: <http://www.regulations.gov/#!documentDetail;D=FWS-R5-ES-2014-0021-0002> "Endangered and Threatened Wildlife and Plants: Removal of the Delmarva Peninsula Fox Squirrel from the List of Endangered and Threatened Wildlife.". Further evaluation of potential impacts to the squirrel will be conducted through consultation with our Ecological Services Division.

Economic

(Letter ID#164, 187, 219, 259)

Comment: Relocating the recreational beach would adversely affect the economic viability of the Town of Chincoteague and Accomack County. The existing recreational beach is a unique draw to visitors because of the easy parking access and the access from the recreational beach to other facilities, including the calm waters of Tom's Cove, crabbing and boat access to the recreational beach.

Response: Please see response to comment below for additional information regarding economic impacts to Chincoteague. We have modified the preferred alternative to maintain some accessibility at the current beach, even after it is relocated. Permitted OSVs and hikers will be able to access the current beach via Beach Road from September 16 to March 14. The Toms Cove Visitor Center would be maintained by NPS for environmental education purposes only until it becomes unserviceable. The refuge would also allow the landing of motorized or non-motorized vessels along the bay side of Toms Cove from approximately September 16 to March 14. During that period when the Hook area is closed, the landing of recreational vessels would be prohibited along the Toms Cove shoreline for the protection of threatened and endangered species in accordance with statutory mandates.

Economic

(Letter ID#070, 128)

Comment: What is the economic impact of alternative B on Chincoteague?

Response: Because alternative B would maintain at least 8.5 acres of land for beach parking (961 spaces), USFWS assumes that visitation would not change as a result of the beach relocation, as the same number of spaces would be available, and the short-term transition between the locations would be carefully managed outside the peak visitation period. Although alternative B includes several expanded visitor services, no significant increase in visitation would be expected. Therefore, USFWS assumes that there would not be any change in the economic impact of visitation resulting from alternative B. However, enforcement of Federal laws that would effectively eliminate illegal horseshoe crab harvesting in the Toms Cove area would likely result in a negative impacts to some commercial watermen. The annual value of horseshoe crab harvesting on the refuge is estimated at a maximum of approximately \$55,261. In contrast, alternatives A and C assume a loss of beach parking that would result in a loss of economic activity to the Accomack and Worcester Counties in the range of \$37 million annually.

Economic

(Letter ID#185)

Comment: A recreational beach on Assateague Island must be maintained and recreational opportunities on the beach should be enhanced. Assateague Island is profoundly important to Accomack County. The Chincoteague and Wallops Island National Wildlife Refuges are huge attractions that create enormous volumes of economic activity upon which our community depends. The beach is undeniably the main attraction of the Chincoteague Refuge. Continuing beach access and enhancing the beach experience for visitors is Accomack County's top priority.

Response: Under the preferred alternative, the refuge would continue to allow NPS to maintain 961 automobile parking spaces (8.5 acres) at the recreational beach. In recognition of the vulnerability of the current parking, the refuge would develop and implement a site design plan for parking and access to a new beach location, approximately 1.5 miles north of the existing beach. The new recreational beach would offer accessible parking in close proximity to the beach. The refuge in consultation with NPS would provide management strategies for maintaining the current beach in the interim until the newly located recreational beach is ready for visitor use. The refuge would provide a transition plan for moving from the current beach location to the new beach location, including proposed processes and management strategies to ensure access to a recreational beach is available for visitors. Please see CCP/EIS Section 2.5.3 for more information.

Economic - fisheries

(Letter ID#185)

Comment: Aquaculture in Chincoteague Bay supports 100 or more jobs and continues Eastern Shore working traditions established more than three centuries ago. The Draft CCP blithely casts aside any notion that these long-held traditions in our community should continue. The proposed Assateague Wilderness and Marine Research Reserve should be set aside and reconsidered with further state and local input. To this end, Appendix A should be removed from the CCP. Our legitimate local interests in our traditional fisheries and marine harvests need to be heard and considered, with input also from the Governor of Virginia and Virginia agencies, including the Virginia Marine Resources Commission.

Response: The CCP recognizes the importance of aquaculture to the local economy in Appendix M. There is nothing in the CCP that suggests these activities should not continue. The proposed Assateague wilderness area was established in 1974 and has had no effect on aquaculture in Chincoteague Bay. The map of the 1974 proposed wilderness area in the draft CCP was incorrect in that the area only includes land and does not include any open water. This error was discovered during the public review process and we have corrected it in the final CCP. A Wilderness Review is a required component of all CCPs and Appendix A satisfies that requirement, as well as making recommendations for monitoring the wilderness character of the area. The CCP does not propose a Marine Research Reserve, but does express preliminary support should it be proposed in the future.

Environmental Justice

(Letter ID#20)

Comment: Alternative A has no impact on Environmental Justice concerns while alternatives B and C do have negative impacts. In looking at the current beach users it is apparent that there is a lack of diversity. Your choice, alternative B, will further reduce that diversity, which is not tolerable.

Response: Executive Order 12898, General Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994), requires all Federal agencies to incorporate environmental justice into their missions by identifying and addressing the disproportionately high and/or adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. As defined by the EPA on their web site, environmental justice is the “fair treatment and meaningful involvement of all people, regardless of race, color, national origin or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of Federal, state, local, and tribal programs and policies. Under the preferred alternative it was determined that there could be a small negative impact on all users in order to access the Service Road north of the new recreational beach. However, this impact would not be disproportionately higher on environmental justice communities.

Golf carts

(Letter ID#007)

Comment: Page 2-10 mentions alternative vehicles such as golf carts being allowed on town and refuge roads. Additional information should be provided describing any potential impacts resulting from these vehicles. For example, would additional lanes be needed?

Response: Under the preferred alternative the refuge would allow alternative vehicles such as golf carts or other small electric vehicles on refuge roads, potentially increasing parking capacity at the recreational beach parking lots. We assume these vehicles would be appropriately licensed by the State and Town to be driven on public roads. We do not anticipate a large number of visitors using these vehicles, nor any significant impacts to traffic, safety or air quality. This change would not require additional lanes be built within the refuge.

Habitat

(Letter ID#046, 071, 078, 081, 164, 218, 281, 292)

Comment: What are the environmental impacts of the beach relocation, particularly the impacts to wildlife and habitat of disturbing previously undisturbed and pristine areas for parking and roads? One commenter noted that it might be more appropriate to downsize the area of impact at the parking lot by making it smaller than the existing lots or at least not increasing the footprint over that which currently exists at the Refuge.

Response: Environmental impacts of all alternatives are detailed in chapter 4. The areas selected for the proposed road widening and parking lots are not undisturbed and pristine, and consist of a mixture of scrub shrub, wetland, and forested habitats, with their associated vegetation. Vegetation would also be altered and/or removed from the vicinity of Mallard Pool (C Pool) and Pintail Pool (D Pool) resulting in a loss of that habitat, mostly myrtle/bayberry shrub. The removal of vegetation would be mitigated by expanding the road in currently impacted areas as much as possible (i.e., expansion into the current manmade borrow ditches that were created to build the road originally), and where not possible, only impacting minimal scrub shrub or forest vegetation where no threatened or endangered species are known to occur. Alternative C does consider a smaller parking area

with a smaller footprint impact, and this does have fewer wildlife and habitat impacts as compared to alternative B; however, the smaller footprint also has greater impacts to recreation and economic resources.

Habitat

(Letter ID#54)

Comment: What habitat will you have to destroy to fulfill alternative B?

Response: As described on page 4-8 of the draft CCP/EIS, relocation of the recreational beach would require some destruction of existing habitat (approximately 27 acres). This would primarily be a mixture of scrub shrub, wetland, and forested habitats. However, mitigation for these adverse impacts would result from future management of the North Wash Flats area that would cease vegetation removal and allow for the natural vegetation to grow back in an area of approximately 300 acres, improving the habitat for spring and fall migratory neotropical birds. Thus, a net benefit would occur. Please refer to 4.5.2 Impacts on Vegetation in Alternative B for more information.

Interpretive

(Letter ID#006)

Comment: The recreational beach may change the availability and mix of interpretive opportunities currently provided by NPS. NPS looks forward to working with CNWR staff to find appropriate and meaningful interpretive activities for visitors that take full advantage of the relocated beach and the new vehicle turn-around, crabbing dock and launch point for non-motorized boats suggested by the CCP for Beach Road. The CCP notes that the "Beach Road causeway across Toms Cove would be closed to all public access once other equivalent public access to the new recreational beach is provided". NPS currently provides guided interpretive programs that explore various aspects of the bay and marsh. Would programs led by interpreters or volunteer guides be allowed? Would the new terminus and parking lot be sized to accommodate buses and robust use of the area for educational and interpretive purposes? It is our understanding that nothing in the CCP would prohibit year-round authorized vehicular access for NPS maintenance and related activities. Page 2-73, Strategies, bullet 2. We congratulate USFWS on its plan to develop tours and controlled access to Assateague Village, and would ask the NPS also be allowed to provide interpretation of the area as well. NPS hopes to continue to provide a vibrant menu of lifelong learning opportunities for children and adults, in partnership with the refuge.

Response: Revisions to alternative B retain access to Toms Cove via Beach Road, including NPS vehicular traffic for maintenance purposes. NPS and Chincoteague Bay Field Station environmental education and interpretive programs will continue unchanged. Interpretive and environmental education programs at Assateague Village by the NPS will be considered.

Regional

(Letter ID#356)

Comment: Regarding scientific study and analysis for beach erosion and hurricane/major storm damage of the current beach and the proposed location for the new beach (preferred alternative B): Science now views the barrier islands as a cohesive system. Anything done or not done to one island will impact the others around it. The CCP's focus, as written, does not address this. Its focus is

narrow and does not consider Assateague as one part of a larger system. What are the most likely environmental consequences of the alternatives on Chincoteague and Wallops Islands? The same question needs to be studied for Tom's Cove which has enormous economic value for our fishing and aquaculture industries.

Response: The USFWS is currently engaged in numerous partnerships to address coastal resiliency on the Eastern Shore of Virginia. We will work with partners to provide specific expertise in environmental monitoring and forecasting, modeling about coastal vulnerability and risk assessment, and moreover access to climate change space-based data." The USFWS is committed to exploring the implementation of resiliency strategies informed by the latest science available. Please refer to chapter 4 Environmental Consequences for more information regarding potential impacts of the alternatives.

Regional

(Letter ID#271)

Comment: Because the proposed CCP is a change in federal barrier island management actions from stability to vulnerability, alternative B should not be implemented until outstanding environmental impact and public safety issues are resolved for the entire 17+ miles of Assateague Island coast in Virginia.

Response: Nothing in the preferred alternative described in the CCP proposes a management change from stability to vulnerability, or would have that result. In fact, as specifically stated in chapter 1, "The town of Chincoteague, adjacent coastal communities, and NASA are concerned about future impacts of sea level rise and storm surge on infrastructure and access. We share this concern and will work in coordination with those entities and others to explore potential impacts and identify protective methods to address hazard mitigation. We will also work with our partners to explore how best to advance the study, information exchange, and project resources for adaptive management practices that sustain the resiliency of this unique barrier island system including but not limited to Assateague, Wallops, Assawoman, and Metompkin Islands in the face of dynamic coastal processes and climate change." We believe that the barrier islands of Maryland and Virginia should be viewed as interconnected, ecological units. The issue of coastal resiliency in the face of climate change and storm events is complex. We will continue working cooperatively with agencies (i.e., USACE, NPS, NASA, and Virginia Institute of Marine Science), better understand the ecological dynamics of this barrier system and potential solutions to improve resiliency for both wildlife and people.

Safety

(Letter ID#182)

Comment: Alternative B is inadequate as presented to ensure public safety and effective mosquito and biting insect control.

Response: The most recent directive from the USFWS's headquarters regarding mosquito control on lands of the National Wildlife Refuge System is included as an attachment to Appendix C. When a public health authority advises the USFWS of a threat to health and safety of the public from mosquitoes arising from a refuge, we will work with the public health authority to allow them to reduce the public health risk on the refuge, as long as the

activities are in full accordance with our regulations, policies and permitting procedures. Please refer to Objective 6.5 Recreational Beach Use for more information.

Shellfishing

(Letter ID#186, 229, 405)

Comment: Potential conflicts could arise in areas where the Commonwealth leases state-owned subaqueous lands for oyster or clam fishing activities adjacent to or near the Refuges. This is because the federal government may have some jurisdiction up to a half-mile wide corridor around the Refuges which may overlap with state-owned bottom lands. Leasing of such lands is not prohibited by federal law, but may require leaseholders to obtain federal permits from the USFWS.

Response: We concur that potential conflicts could arise, and would require additional coordination with appropriate state and federal partners. The subaqueous lands referenced are outside USFWS jurisdiction.

Shellfishing - economic

(Letter ID#039, 057, 066, 115, 122, 128, 134, 186, 189, 224, 318, 319)

Comment: Commenters asked about the economic and other impacts of not protecting the shell fishing (oyster, clam, horseshoe crab) and fin fishing grounds in Toms Cove, noting there are natural and aquaculture grown oysters and clams in Toms Cove. They feel this industry would be destroyed by the overwash, affecting the local economy. One commenter noted that the bivalve trail is not an alternative for recreational shellfishing because it is bug infested and not easily accessible.

Response: Overwash is part of the natural process of building and maintaining barrier islands, and overwash to date on Toms Cover Hook has not destroyed the aquaculture industry. We will continue to work with partners to identify strategies to increase resiliency in the face of climate change that would include the aquaculture industry. In consultation and cooperation with the NPS and the VMRC, the commercial harvest of horseshoe crabs that takes place on refuge lands does not contribute to the refuge's migratory bird purpose, does not contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, and is not beneficial to refuge resources; consequently, the use cannot be permitted. Enforcement of Federal laws that would effectively eliminate horseshoe crab harvesting in the Toms Cove area would likely result in a negative impacts to some commercial watermen and the annual value of horseshoe crab harvesting on the refuge is, estimated at a maximum of approximately \$55,261.

Storm protection

(Letter ID#191, 298)

Comment: What will be the long term impact on the Tom's Cove area, and the Island of Chincoteague of moving the beach north and allowing the current beach to degrade? The CCP did not include a risk analysis of breaches on the north end of Assateague - this scenario would cause catastrophic flooding on Chincoteague.

Response: We do not expect increased vulnerability as a result of moving the recreational beach 1.5 miles north, nor do we expect increased vulnerability as a result of constructing the new recreational beach and parking area. However, we will "continue working with

coastal geologists to model the impacts of storm flooding events and other dune breaching scenarios on Assateague Island” (objectives 1.1 and 5.3).

Wildlife

(Letter ID#204)

Comment: The Virginia Society of Ornithology encourages the Refuge to take a closer look at the cumulative impacts to wintering birds from the proposed change in public beach access and increased hunting opportunities.

Response: We evaluated impacts to birds (including cumulative impacts) in section 4.7.2 Impacts on Birds in Alternative B. We will continue to manage the refuge to meet refuge purposes, "... especially migrating and wintering waterfowl."

Economic - visitor

(Letter ID#271)

Comment: Since the beach has not been designed, the economic impact and visitor experience impact of alternative B has not been adequately assessed.

Response: The economic analysis (Appendix M) determined that visitation and economic impact are correlated, and visitation and parking capacity are correlated. Parking capacity would not change as a result of the beach relocation, as the same number of spaces would be available, and the short-term transition between the locations would be carefully managed outside the peak visitation period. We concur with NPS, who "believes that the parties can design a beach experience that, while different from the current one, will still engage visitors and provide the kind of recreational opportunity for which the area has justifiably become famous. Careful attention to the design of parking for cars, RVs and buses, boardwalks, accessibility, changing stalls, rinse-off facilities, vault toilets, shelter areas, dune management and other related needs can ensure a quality experience at the new beach location. Critical to the success of the new plan will be finding an appropriate balance between visitor experience and resiliency from future storms."

Economic - visitor

(Letter ID#072, 118, 119, 137, 139, 141, 151, 158, 159, 160, 161, 162, 180, 182, 185, 214, 227, 273, 277, 282, 308, 331, 334, 343, 406, 407)

Comment: Several commenters expressed their concern with the Refuge's future planning may reduce the number of visitors and cause negative impacts to the local economy. Because the recreational beach is undeniably the main attraction of the Chincoteague Refuge, and is therefore enormously important to the Accomack County economy, a recreational beach must be maintained and recreational beach opportunities expanded. Continuing beach access and enhancing the beach experience for visitors is Accomack County's top priority. The Refuge's priority should be to ensure the best beach and access is maintained to support the local economy noting that the popularity of the Refuge is based on the existing beach and the experience it provides. Furthermore, several commenters stated that recreational use is just as vital to the future of the economic engine of Chincoteague Island as is survival of threatened and endangered species cited in the CCP.

Response: Please see response above regarding local economic impacts and visitor experiences. We have noted throughout the CCP/EIS that the recreational beach is the primary reason for visits to the refuge. USFWS understands the importance and fully supports recreational use at the refuge. In Chapter 1, Need: "Public visitation, which has

stayed consistent over the past decade with approximately 1.25 million visits annually, is important to raising awareness and appreciation of the refuge and to generating revenue that supports public and wildlife services. Such high visitation provides a need to implement management strategies and direction to minimize human disruption to the natural environment.” By law, USFWS cannot change the principle uses of the refuge, and we have primary responsibility for managing the wildlife resources within the entire refuge, including the assigned area. However, we also have a cooperative relationship with the NPS for management of the recreational beach, defined in a series of agreements dating back to 1966; all of which have assigned certain management responsibilities to each of the two agencies. USFWS has conveyed primary jurisdiction for beach use and recreation within the assigned area to the NPS, and we have worked with them to minimize adverse impacts to the refuge, and developed a MOU to document operating procedures and respective responsibilities.

Law enforcement

Law enforcement

(Letter ID#401)

Comment: The Virginia Department of Game and Inland Fisheries (DGIF) recommend that USFWS increase law enforcement presence on the southern islands, especially on North Metompkin, where the island is narrow. The narrow width of this island results in humans traversing piping plover nesting sites to get from one side of the island to the other. DGIF recommends that the USFWS have at least one law enforcement officer on call to handle wildlife violations on the southern islands from Memorial Day to Labor Day each year.

Response: Thank you for your comments. The Assateague Island portion of the refuge receives a significant amount of visitation during the summer breeding season for shorebirds that increases the workload of our current law enforcement staff and limits our ability to patrol Assawoman and Metompkin Islands. Under the agency’s preferred alternative we have requested an additional land management officer to be added to our staff. It is our intent to utilize this position to provide greater coverage to the lower islands in our complex during the summer breeding season.

Management

Barrier island

(Letter ID#062, 063, 094, 110, 129, 130, 144, 158, 174, 191, 207, 212, 213, 215, 216, 221, 274, 280, 281, 294, 303, 307)

Comment: The refuge should manage barrier island habitat for stability and resiliency rather than rapid environmental change.

Response: The USFWS is currently engaged in numerous partnerships to address coastal resiliency on the Eastern Shore of Virginia. Our partnerships look at climate change research with the goal of helping local and regional leaders make coastal communities and habitats more resilient through scaled science and research informing public policy. With partners we hope to provide specific expertise in environmental monitoring and forecasting, modeling about coastal vulnerability and risk assessment, and moreover access to climate change space-based data.” The USFWS is committed to exploring the implementation of resiliency strategies informed by the latest science available.

Ecological system

(Letter ID#220)

Comment: Protect healthy, functioning coastal watersheds, perennial freshwater streams and tidal creeks to support unique freshwater fish assemblages and other native freshwater biota in addition to improving the water quality of coastal bays and estuaries for oyster reefs, submerged aquatic vegetation, blue crabs, sharks, sea turtles, benthic invertebrate communities, fisheries, and the clam aquaculture industry.

Response: The USFWS thanks you for reviewing the draft CCP/EIS and providing your support.

Habitat

(Letter ID#220)

Comment: We look forward to continuing to work very closely with the Service on all fronts related to beach nesting birds, and offer our strongest possible support for this issue remaining a top priority for the Service under the final CCP.

Response: The USFWS thanks TNC for reviewing the draft CCP/EIS and providing suggestions and support.

Habitat

(Letter ID#106, 183, 218, 220, 251)

Comment: Several commenters requested that the USFWS do more to reduce invasive species throughout the Refuge and to improve and maintain a diverse native habitat.

Response: We agree that addressing invasive species is an important consideration. The refuge would continue to conduct a number of strategies to address invasive species and their impacts, such as scout and remove invasive species such as Phragmites and Asiatic sand sedge by chemical, mechanical, or other means, and using all current and future surveys to refine this strategy. We would also continue to use refuge education programs and outreach efforts to educate visitors, hunters, and other groups about how they can help decrease the spread of invasive plants. Please reference 2.5.1, Existing Management Actions That Continue Under All Alternatives, for more information.

Mean low water

(Letter ID#333)

Comment: One commenter inquired about determining the mean low tide watermarks, noting that it will change due to erosion and if fishing is impeded based on the survey results, the Refuge may be opening themselves up to a lawsuit.

Response: We agree that the mean low watermark changes over time. According to the Virginia Institute of Marine Science, mean low water is defined as “the average of all the low water heights observed of a 19-year period.” We do not anticipate our marking of the mean low water line to establish refuge jurisdiction will interfere with permitted or otherwise legal fishing activities.

NPS

(Letter ID#020, 076, 108, 109, 128, 137, 215)

Comment: Commenters requested that the NPS take over management of the Refuge.

Response: USFWS and NPS currently operate the recreational beach and parking area under a cooperative management agreement. This agreement will migrate to and cover activities within the new recreational beach and parking areas.

Piping plover

(Letter ID#007)

Comment: Page 2-15 states that if the piping plover fledging rate drops below 1.0 chick per pair over a 10-year period, management strategies and prescriptions would be re-evaluated. The 10 year time frame should be explained. Since the goal is to meet recovery goals for the species would a shorter time frame provide better results?

Response: In accordance with research on piping plovers, our current management target allows for population growth necessary to meet current recovery goals. Using 1.0 rather than a previous 0.93 chicks per pair as the trigger to re-evaluate management allows more time to find solutions and implement them. These management actions, though directed specifically at the piping plover, would also benefit other high ranking species such as the least tern, American oystercatcher, black skimmer, Wilson's plover, and gull-billed tern due to their similar habitat needs. Please refer to Piping Plover Recovery goals and objectives at this link: <http://www.fws.gov/northeast/pipingplover/> for more information.

Piping plover

(Letter ID#)

Comment: What are the recovery numbers for the Piping Plovers? How will moving the beach change these numbers? Commenters also questioned the ability of the Piping Plover to ever rebound.

Response: An anticipated benefit of moving the location of the beach and beach parking area 1.5 miles north is expected to increase piping plover nesting activity in the overwash area. For more information on the latest recovery numbers for piping plovers, and projections for their recovery, please refer to Piping Plover Recovery goals and objectives at this link: <http://www.fws.gov/northeast/pipingplover/>. Also, we address piping plovers more in section 4.6.2 Impacts on Federally Threatened and Endangered Species in Alternative B.

Piping plover

(Letter ID#251)

Comment: One commenter noted that the CCP's reference to shorebird monitoring should state surveys start two hours before low tide. In addition, if a favorable low tide only occurs in the afternoon, then shorebird surveys should be started on the impoundments from south to north, and the beaches surveyed from north to south to ensure accuracy.

Response: Thank you for your comment. This will be addressed in our inventory and monitoring plan.

Policies

(Letter ID#037)

Comment: One commenter stated that beach restoration and maintenance policies are not clearly defined.

Response: In addition to the requirements discussed in the CCP/EIS in Sections 1.4 through 1.8, there are additional mandates that we must abide by in managing the refuge, including laws, policies for implementing those laws, and executive orders. Some of these are specific to USFWS, and others are broader and apply to all Federal agencies. Over the past 20 years, national directives from Congress and USFWS for managing uses and planning for units of the Refuge System have become more comprehensive and attuned to the essential features of natural systems. USFWS and Refuge System laws and policies, along with the purpose of each refuge, provide the foundation for managing the refuge. Other laws and executive orders can be found on the USFWS Laws Digest Web site at: <http://www.fws.gov/laws/Lawsdigest.cfm>; the laws listed here and others are also listed in Appendix C. Appendix B also discusses other mandates that help guide our management.

Prescribed burning

(Letter ID#285)

Comment: Stop practicing prescribed burning, noting that it causes health problems.

Response: Prescribed burning is conducted in accordance with the regulations that govern fire management activities on national wildlife refuges, which includes air quality standards. Burn management plans are created with air quality standards in mind for local communities. Specific examples include burning only on days with adequate atmospheric lift so that smoke rises as opposed to settling in populated areas or when wind conditions exist that blow smoke away from populated areas. Prescribed burning is a proven habitat management tool and an efficient and effective means for vegetation control and enhanced nutrient cycling.

Wildlife

(Letter ID#249)

Comment: Reduce the Canada goose population, as this would likely promote American Black Duck breeding habitat availability.

Response: Management strategies for addressing the Canada goose population can be found in Objective 2.1 Impoundments for Waterfowl, Shorebirds, Waders, and Associated Species; Objective 2.5.2 Alternative A Current Management; and Objective 6.1 Hunting and Trapping. Further discussion of impacts are in chapter 4.

Wildlife

(Letter ID#202)

Comment: We are opposed to predator control on the refuge.

Response: Predator control is one management tool employed at the refuge to support protected species. Predator control is cited in the 1995 Atlantic Coast Recovery Plan as an effective method of protecting piping plover by providing safe nest areas, and the 1993 Recovery Plan for the protection of the Delmarva fox squirrel. In addition, the Biological Opinion completed for this EIS/CCP found that predator control has contributed to the positive recovery of the aforementioned species, including the loggerhead, green, and leatherback sea turtles.

Mitigation research

Renewable energy

(Letter ID#007)

Comment: Page 2-73 please consider expanding the last bullet. What is involved in the pursuit of designation from the Department of Interior to be a pilot site for mitigation research, such as testing the impacts of renewable energy on wildlife? Will there be additional NEPA documentation for these activities?

Response: We will work with others to determine the feasibility of becoming a pilot site for mitigation research. In the event of natural or manmade disasters, we will continue to pursue resources as they become available for restoration and research. Any ensuing projects would likely require NEPA compliance.

OSV

Access - support

(Letter ID#103, 222, 245, 354)

Comment: Leaving the over wash area open in the spring would provide anglers with ample room to spread out and find areas of fishing that are better than others. The system works well now so why not leave the area from the newly created parking lots to the Coast Guard station open for seasonal OSV use? Is there a reason for eliminating the seasonal OSV access all together? If a 0.5 mile year round OSV zone was established, would the vehicle limit be 6? Under the current management plan the seasonal closure limits OSV users to a limit of 18 vehicles on 1.5 miles of beach. I'd like to see the preferred alternative changed to keep OSV access as is under the current management plan. OSV zone should be expanded to the north and south of the over wash area, with closures as needed during nesting seasons, noting this would allow the Refuge to permanently close the hook area to OSV use.

Response: Revised alternative B continues current management of Overwash and Hook for shorebirds until new recreational beach is established, at which time the March 15 through September 15 closure would go into effect. Revised alternative B also establishes a new ½-mile OSV zone to facilitate the six priority uses (March 15 through September 15) south of new recreational beach. The USFWS has adopted the NPS strategy for the number of vehicles allowed per linear mile of beach. This equates to approximately 12 vehicles per mile, a density we consider compatible with wintering shorebird requirements at this location. We consider this to be an acceptable density of OSV use that takes into consideration both recreational use and conservation efforts.

Access - support

(Letter ID#191, 215)

Comment: Several commenters requested continued access to the OSV area for vehicles and horse-back riding, when those activities do not interfere with breeding and nesting.

Response: Under revised alternative B, OSV use and horse-back riding outside of the shorebird nesting and breeding season will continue.

Discontinue all

(Letter ID#183, 197, 204, 233, 240, 241, 249, 251, 251, 292)

Comment: Commenters requested that all OSV be prohibited from the Refuge, noting associated costs, impacts to migrating shorebirds, habitat damage, and reduced visitor experience.

Response: Revisions to alternative B will continue to allow OSV access via Beach Road. This revision reduces proposed OSV usage by approximately 1 mile from the draft CCP/EIS. In an effort to manage a variety of public uses, we have attempted to reduce conflicts and maximize quality recreational experiences for a wide array of visitors. Please refer to 1.9.3 Balance Between Public Use and Habitat and Wildlife Conservation; 1.9.4 Public Access to the Refuge; 4.13 Visitor Use and Access, and our compatibility determinations for more information.

Enforcement

(Letter ID#251) Comment: How would enforcement of the OSV zone be accomplished?

Response: OSV zone enforcement is accomplished by a variety of means including the issuance of permits, law enforcement patrols, random equipment compliance check points and the posting of regulations on regulatory signs. In addition, the NPS publishes a brochure which includes all OSV zone regulations on their website and available in print at the NPS visitor centers in both Maryland and Virginia.

Finding

(Letter ID#251)

Comment: Recreational beach driving should be evaluated as a stand-alone use subject to a compatibility determination (CD) and finding of appropriateness.

Response: We chose to cover OSV use in the compatibility determinations prepared for each of the six priority uses. It was determined that OSV use would not pose a significant impact to wildlife "because the OSV use is now only allowed in support of priority public uses like surf fishing and driving is restricted outside of the intertidal zone".

Impacts - habitat

(Letter ID#007, 251)

Comment: Allowing OSV during the fall shorebird migration conflicts with Objective 1.2 of Managing Barrier Beach and Dune Habitat for Migrating/Wintering Shorebirds. However, impacts to other shorebirds cannot entirely be extrapolated to all shorebirds because piping plovers are summer breeders and migrants, and do not winter on the Refuge. Another commenter noted that based on information presented it is unclear what benefit comes from OSV access in alternative B.

There appear to be many benefits to species of concern and habitat by further limiting or eliminating their use.

Response: OSV activities are currently spatially limited based on bird nesting behavior. Under the CCP, hard dates are established (March 15 to September 15) for OSV closure to benefit nesting and migrating shorebirds. The USFWS has adopted the NPS strategy for the number of vehicles allowed per linear mile of beach. This equates to approximately 12 vehicles per mile, a density we consider compatible with wintering shorebird requirements at this location. We recognize that OSV activity can impact migrating shorebirds. Refer to Objective 1.2. Also considered during the development of the draft CCP was the historical use of the overwash and hook by fisherman whose primary means of conveyance is OSV. In an attempt to reach a balanced approach between wildlife conservation and fishing access, a use compatible with refuge goals, we determined that some level of OSV use was acceptable in terms of disturbance to migrating shorebirds. Please refer to Objective 6.2 Fishing and OSV Use for more information.

Limit closure

(Letter ID#283)

Comment: In regards to nighttime OSV restrictions, in order to allow fishing at night, can the Refuge only close areas on the nights of expected turtle hatches and within the areas of existing nests?

Response: Greater detail for rationale and restrictions toward nighttime OSV use can be seen in the Biological Opinion (Appendix F), and in the compatibility determinations (Appendix P).

Oppose closure

(Letter ID#148, 283, 332, 354)

Comment: Several commenters noted their opposition to the closure of the OSV zone during the months when the beach is used the most, noting that this puts fishing in conflict with beach goers.

Response: In an effort to manage a variety of public uses, we have attempted to reduce conflicts and maximize quality recreational experiences for a wide array of visitors. Revised alternative B also establishes a new ½-mile OSV zone to facilitate the six priority uses, including fishing (March 15 through September 15) south of new recreational beach. Please refer to 1.9.3 Balance Between Public Use and Habitat and Wildlife Conservation; 1.9.4 Public Access to the Refuge; and 4.13 Visitor Use and Access for more information.

Oppose date stamp

(Letter ID#050, 124, 134, 177, 332)

Comment: Several commenters are opposed to the calendar based nesting season closures to the OSV zones. Several commenters requested the Refuge follow the NPS protocol regarding nesting season closures.

Response: Motorized vehicle use on beaches is an extreme threat to piping plovers, as well as other shorebirds that nest on beaches and dunes. To mitigate for these potential negative impacts, the refuge has instituted seasonal closures for surf fishermen, horseback

riders, and OSV users. The beach habitats of Toms Cove Hook are the most productive on the refuge for nesting and staging shorebirds. With establishment of the new recreational beach, the Toms Cove Hook portion of the surf fishing, horseback riding and OSV zone would be closed from March 15 through September 15 annually, and later if unfledged birds remain in the area. The closure period also encompasses the peak times of spring and fall migration, thus providing undisturbed habitat for shorebirds during the most critical times of year, and is cushioned to provide greater benefits to migratory and nesting shorebirds. Please refer to 2.5.3 Alternative B (Balanced Approach - Visitor Use and Experience) for more information.

Oppose expansion

(Letter ID#200, 218)

Comment: Commenters oppose the expansion of the OSV area, noting this will encourage non-wildlife dependent activities. In addition commenters noted that the beach should be closed to OSVs until after fall shorebird migration has ended around the end of October, noting that opening the beach on September 15th would impact sensitive migratory birds and nesting sea turtles.

Response: We considered the historical use of the overwash and hook by fisherman whose primary means of conveyance is OSV. In an attempt to reach a balanced approach between wildlife conservation and fishing access, a use compatible with refuge goals, we determined that some level of OSV use was acceptable in terms of disturbance to migrating shorebirds. Revisions to alternative B retain the Beach Road OSV seasonal access point, and eliminate approximately 1 mile of OSV use between the current recreational beach and the proposed recreational beach locations (as proposed in the draft CCP/EIS).

Support limit

(Letter ID#354)

Comment: One commenter requested that the OSV limit should remain at 18 vehicles.

Response: The USFWS plans to continue to limit the number of vehicles allowed to 12 per linear mile of beach.

Parking

Reduce restrictions

(Letter ID#204)

Comment: One commenter requested that the number of beach parking spaces be reduced to 480 spaces, noting that implementation of a shuttle service would ensure visitation is not limited. In addition, this strategy would decrease traffic on the Refuge and provide additional habitat.

Response: We did evaluate an alternative with 480 spaces (alternative C). While we agree that this action would decrease traffic on the refuge and provide additional habitat (as compared to the preferred alternative), the smaller footprint would also result in greater impacts to recreation and economic resources. Thus, while alternative C reflects the refuge's stated mission and goals of wildlife and habitat preservation, it is less balanced than alternative B, the USFWS preferred alternative.

Pedestrian access
Coast Guard Station

(Letter ID#66)

Comment: Maintain access for pedestrians to the old coast guard station.

Response: We have modified the preferred alternative to maintain some accessibility at the current beach, even after it is relocated. Hikers would be allowed access at the current beach to the Coast Guard Station from September 16 to March 14. We will continue current management of the overwash and Toms Cove Hook area for shorebirds until the new recreational beach is established, at which time the March 15 through September 15 closure would go into effect.

Swan Cove/Toms Cove

(Letter ID# 046, 066, 122, 134, 181, 198)

Comment: Keep Beach Road open to pedestrians to provide wildlife viewing at Tom's and Swan's Cove.

Response: Please see previous response. Pedestrian access via Beach Road will continue under the revised alternative B, with the exception of the March 15 to September 15 closure for shorebird nesting and migration.

Ponies**Herd size**

(Letter ID#401)

Comment: The DGIF noted the non-native ponies damage the natural vegetative communities within the Refuge. The DGIF recommends reducing the number of ponies to 125 animals and restricting them to an area on the island where they can be easily viewed by the public, but where their adverse ecological impacts are minimized.

Response: We currently graze fewer than 150 ponies and the intent is to keep the herd under that number. We recognize that ponies reduce vegetation that could otherwise be available to wildlife, while at the same time recognizing that in the absence of extensive use of fire to control vegetation; this grazing activity could also provide habitat benefits. The USFWS recognizes and supports the strong cultural tie that exists between the town of Chincoteague and the Chincoteague ponies and intends to preserve this legacy. For more information regarding the pony herd, please refer to 2.5.3 Alternative B (Balanced Approach), Cultural Resource Management and Objective 2.1 Impoundments for Waterfowl, Shorebirds, Waders, and Associated Species. Also, refer to Appendix D Pony Management Plan.

Feral

(Letter ID#059, 083, 095, 191, 286, 301)

Comment: The term feral is used by the USFWS to degrade the wild horses. The ponies are a re-introduced species to North America having originated here first and brought back to North

America by the Spanish and settlers. Commenters requested that the CCP acknowledge that the ponies may be of Spanish origin and specifically from a Spanish shipwreck.

Response: The origin of the ponies is unknown, although there are several theories. One popular legend is that a Spanish galleon carrying a cargo of ponies sank off Assateague in the 1700s, and some of the ponies were able to swim to shore. Another theory is that the "Chincoteague Ponies" are descendants of colonial horses brought to Assateague Island in the 17th century by Eastern Shore planters when crop damage caused by free roaming animals led colonial legislatures to enact laws requiring fencing and taxes on livestock. The term "feral" can be defined as "existing in a natural state, as animals or plants; not domesticated or cultivated; wild" (<http://dictionary.reference.com/browse/feral>).

General

(Letter ID#294)

Comment: A permit should be required to take photos of the ponies to ensure safety and aid in crowd management.

Response: Refuge staff goes to great lengths to ensure the safety of visitors through the utilization of crowd management techniques and by providing guidance on behavior around ponies. However, incidents with ponies have occurred in the past and will likely continue to occur, despite our efforts to effectively separate ponies from the public during events. Please refer to Appendix D, Pony Management Plan, for more information.

Herd size, viewing, fencing

(Letter ID#003, 014, 028, 045, 051, 057, 061, 062, 063, 066, 083, 085, 094, 110, 118, 126, 128, 129, 130, 133, 135, 139, 143, 144, 158, 159, 160, 163, 172, 174, 181, 188, 191, 202, 207, 209, 210, 211, 212, 213, 215, 216, 221, 224, 226, 227, 244, 254, 274, 275, 277, 280, 281, 287, 294, 301, 302, 303, 307, 313, 326)

Comment: Sixty one commenters requested the pony herd be maintained at 150, noting that a reduction in the herd size could have an adverse effect on the future population of the herd and the local economy. Reduction in the space for the herd could also have adverse consequences. Provide ample viewing areas with parking. Commenters are opposed to the wilderness area stating it would restrict viewing access. Commenters also requested the refuge reconsider the fenced regions because in the past the fencing has put lives of herd at risk during storms.

Response: Along with the strong cultural tie in the community, the ponies are also a habitat management tool. Therefore, while there is no plan to reduce the size of grazing areas, ponies could be rotated to maximize habitat benefits. Alternative B prescribes no change in pony management. The 1974 proposed wilderness area appears to have had no measurable effect on pony viewing access. Fencing is used in some areas to minimize contact between ponies and visitors.

Impact

(Letter ID#108)

Comment: Overgrazing from the ponies has polluted the water. The USFWS has failed to lower the herd size as the grazing size was reduced. Furthermore the fencing is poor and causes harm to other wildlife.

Response: Since the establishment of the refuge, the actual amount of grazing on the refuge has been reduced from two grazing permits to only one, with the number of animals being reduced by half in the early 1950s when the second permit was discontinued. Additionally, restrictions have also been added to reduce any possible impacts to the migratory bird habitat. Since the early 1950s, the number of ponies has been fairly constant at around 150 adult animals; therefore, their impacts can be considered to be fairly constant. However, continued grazing by Chincoteague ponies in the salt marshes of the two grazing compartments is expected to reduce and/or eliminate the accumulation of detritus (decaying vegetation). This buildup of decaying vegetation is thought to be vital if salt marsh root systems are to keep pace with rising sea levels. Reducing grazing pressure on the salt marsh is consistent with the Chincoteague Volunteer Fire Company (CVFC) goal of maintaining a viable healthy population of Chincoteague ponies on the refuge. For more information, please refer to Appendix P, Compatibility Determination for the Grazing of Chincoteague Ponies.

North Wash Flats

(Letter ID#401)

Comment: DGIF recommends not removing fencing from the North Wash Flats wetland impoundment because it was installed as a component of a waterfowl enhancement project. The fencing was installed to assist in keeping the ponies out of the impoundment, in the future, it could be used as a management tool to control or prevent pony grazing.

Response: We have modified a strategy in Objective 2.1 to read: "Within 3 years, evaluate whether Chincoteague pony grazing can be used more effectively to meet habitat needs of shorebird and waterfowl species and if so, work with the Chincoteague Volunteer Fire Company to adjust grazing compartments and/or pony numbers in order to accomplish this. We will use this evaluation to determine whether the pony enclosure fencing should be removed."

Post-storm access

Impact

(Letter ID#006, 70, 162, 124, 131, 133, 155, 171, 271)

Comment: Commenters said there needs to be an action plan and strategy in the CCP to keep the beach open after a storm when overwash has impacted parking lots and roads in the Tom's Cove area. The NPS offered to participate with USFWS, the Town of Chincoteague and Accomack County to develop strategies to address access after damage caused by coastal storms to the existing parking lot location, and urges the partners to do so as soon as feasible.

Response: A strong partnership exists between Chincoteague NWR and Assateague Island National Seashore to manage the current recreational beach and parking area. The agencies intend to work together to the greatest extent possible in the event of a storm potentially damaging the recreational beach and parking area to prevent interruptions to recreational user access. The availability of financial or human resources following a storm event will determine to what degree and how quickly repairs are made. For more information, please refer to section 2.5.3.

Post-storm access

(Letter ID#131)

Comment: A commenter requested opening the beach immediately following a storm so that visitors and surfers may experience the storm's aftermath.

Response: In order to ensure for the safety of both the visiting public as well as agency employees we may close all or a portion of the refuge following a storm event to allow our maintenance division time to address damage to infrastructure.

Recreational beach**Priority use**

(Letter ID#407)

Comment: The recreational beach and protected recreational beach parking should be considered a high priority use of the Refuge, considering this is the primary reason for most visits to the Refuge.

Response: By law, USFWS cannot change the principle uses of the refuge. However, in the draft CCP/EIS, we do note throughout the importance of the recreational beach and visitation to the community, and that it is the primary reason for visits to the refuge.

Relocated beach**Further study**

(Letter ID#052, 076, 194, 208, 224, 287, 322,)

Comment: Several commenters requested that a study be completed by the ACOE to see what effect relocating the beach would have on Chincoteague Island. Combine with other ACOE comments.

Response: We will continue to work cooperatively with other agencies, including the USACE, to understand the ecological dynamics of this barrier system, and potential solutions to improve resiliency for both wildlife and people. We understand that the proposed relocation of the recreational beach requires more detail before it could be implemented, and we plan to conduct another NEPA analysis regarding the proposed relocation. We have invited local officials to participate closely in any future analysis and design, and have reached out to other agencies, such as the USACE, to also participate in that process.

Shuttle bus**Idling**

(Letter ID#007)

Comment: Page 2-83 discusses the shuttle service. The shuttle should avoid idling time to minimize air quality impacts.

Response: Alternative C is the only alternative evaluated in detail that includes a shuttle and it is not the USFWS's preferred alternative. Beach relocation and its impacts would be further studied in an additional NEPA document, and if a shuttle is included, this issue will be addressed (i.e., mitigation strategies to reduce or avoid shuttles idling).

Opposed

(Letter ID#043, 072, 078, 090, 133, 145, 150, 157, 158, 161, 172, 175, 190, 197, 224, 266, 277, 281, 287, 308)

Comment: Twenty commenters expressed their opposition to the implementation of shuttle buses noting that it would restrict beach access and be inconvenient. Several commenters felt that reducing overall parking in addition to adding shuttle buses would impact visitation and the economy.

Response: It is the position of USFWS that transit is an important component of responsible management to provide visitors with an alternative option to driving along with bicycling and walking, to address high levels of demand on peak beach visitor use days, and to address impacts on current recreational beach parking resulting from rising rates of sea level and climate change effects. As such, transit is necessary for alternative A, not only to be consistent with the 1993 Master Plan, but also to ensure the same level of access in the future, given the uncertainty in being able to maintain the current level of parking. Transit is also necessary in alternative C due to the reduction in beach parking and the need to provide access during peak visitation. However, as a compromise to address public concerns, and in recognition that relocation of the beach and associated parking will greatly reduce risks to both, a voluntary shuttle was removed from the preferred alternative B.

Storm evacuation

(Letter ID#070, 131, 160)

Comment: Several commenters were concerned with evacuation of the beach by shuttle buses were in the event of a fast-moving storm

Response: Originally the preferred alternative included shuttle service to ensure access to the recreational beach during peak visitation. In conjunction with the shuttle service storm shelters would be constructed. However, as a compromise to address public concerns, and in recognition that relocation of the beach and associated parking will greatly reduce risks to both, a voluntary shuttle was removed from the preferred alternative B.

Support

(Letter ID#018, 113, 233)

Comment: Three commenters noted their support for incorporation of a shuttle bus to the beach. Commenters noted shuttle service would minimize traffic on the wildlife loop and on the refuge in general, providing greater beach access. In addition, commenters stated shuttles would provide alternative access after storms impact existing facilities.

Response: The beach relocation is intended to provide a more protected location for the recreational beach and parking, but prior to the relocation, the refuge, NPS, and town of Chincoteague may consider short-term strategies to address access after damage caused by coastal storms at the existing beach. As a compromise to address public concerns, and in recognition that relocation of the beach and associated parking will greatly reduce risks to both, a voluntary shuttle was removed from the preferred alternative B.

Sika deer

Eradication - oppose

(Letter ID#028, 061, 062, 063, 085, 094, 112, 118, 129, 142, 143, 144, 158, 174, 188, 191, 196, 200, 207, 209, 210, 211, 212, 213, 215, 216, 221, 264, 274, 277, 280, 281, 287, 294, 303, 307)

Comment: Thirty-seven commenters are opposed to eradication of the Sika deer. Other commenters noted they would like to see the Sika Deer population remain at the level it was 10 years ago. Will the Sika Deer be completely eliminated?

Response: While grazing by sika and resident white-tailed deer is a potential threat to achieving habitat objectives if population numbers are not managed by hunting, there is no current plan to completely remove sika deer from the refuge. In alternative C, in coordination with DGIF, we propose to work to phase out the sika population through continued recreational hunt and professional contracts within 5 years; however, that is not our preferred action. For more information, please refer to 4.13.1 Impacts on Hunting and Trapping Opportunities and Alternative B Objective 6.1 Hunting and Trapping.

Eradication - support

(Letter ID#249, 233, 401)

Comment: Three commenters supported removing Sika Deer from the Refuge and one asked for reduction in the Canada goose population, noting this would increase the amount of food for waterfowl. In addition several commenters noted removal of the Sika Deer would provide benefit to native forest and understory plant species.

Response: Please see previous response. We agree that hunting can be used as a management tool to harvest surplus wildlife populations and achieve populations levels appropriate for the available habitat and to support other wildlife populations. Under alternative C, we note that current hunting practices could be expanded to incorporate different species, such as fox and raccoon, and trapping opportunities to further reduce the stress of predators for threatened and endangered species. Efforts to reduce sika and non-migrant Canada goose could aid in the refuge's initiative to decrease the non-native, nuisance, or overabundant species that currently impact native species habitat.

Snowy owl**Provide habitat**

(Letter ID#61, 062, 063, 066, 094, 143, 144, 158, 174, 191, 207, 209, 210, 212, 213, 215, 216, 221, 274, 280, 281, 294, 302, 303, 307)

Comment: Twenty three commenters requested the Refuge provide habitat for the Snowy Owl to encourage use during the migratory season.

Response: The occurrence of snowy owls on the Eastern Shore of Virginia during migration is a recent phenomenon which we have yet to address in terms of habitat prescriptions. Our upcoming habitat management planning process will address habitat needs for migratory birds currently utilizing the refuge. Ancillary benefits to snowy owls could result from management for more commonly occurring migratory birds, but there is currently no plan to manage specifically for snowy owls.

Tracking devices

(Letter ID#294)

Comment: Please ban scientists from putting tracking devices on Snowy owls because the devices attract additional visitors.

Response: The refuge does not put tracking devices on snowy owls. The comment seems to refer to “Project SNOWstorm” which is a collaboration between dozens of scientists and organizations to study the ecology of wintering snowy owls. While partners of this effort includes state and Federal agency staff, USFWS is not a current partner.

Southern Tip partnership

Southern Tip partnership

(Letter ID#220)

Comment: We emphasized the importance of the Southern Tip Partnership’s focus on advancing a systematic and focused effort to achieve the dual goals of land protection and habitat restoration. We want to offer the Service specific encouragement to work with all of its partners on the Eastern Shore to develop and, even more importantly, implement the Nature Conservancy’s Comment Letter on Chincoteague CCP Page 7 of 7 final CCP and any associated Land Protection Plan. Given the conservation importance of this landscape and the dramatic challenges it faces in the coming decades, a bold and visionary approach to conservation efforts at Chincoteague NWR is necessary to conserve an invaluable but diminishing natural and working landscapes and a major recreational and economic resource for the local community and the public at large.

Response: Although the CCP does not propose additional land protection for Chincoteague NWR, we remain committed to work with communities, other governmental agencies, and non-governmental partners to evaluate predicted land use and climate-related changes on the lower Delmarva Peninsula with the intent of maintaining robust fish and wildlife populations within working landscapes for the economic and other societal benefits they provide.

Storm protection

Chincoteague Island

(Letter ID#049, 076, 078, 082, 083, 090, 118, 138, 142, 146, 151, 169, 185, 194, 202, 208, 215, 216, 227, 406)

Comment: Commenters requested that the dunes at Toms Cove be rebuilt in order to protect Chincoteague Island from storms, which would also save the existing beach and provide piping plover habitat. Other related comments include: beach stabilization is funded for Wallops Island and the Refuge policy should comply with the Virginia Coastal Zone Emergency and Management Policy. Why are volunteers not allowed to plant beach grass and put up sand fences in the winter? It appears beach nourishment is rejected on grounds pertinent to habitat maintenance rather than beach maintenance. Beach nourishment is a common and accepted strategy to maintain recreational beaches. At the very least, beach nourishment should be considered, together with other strategies for beach maintenance, by the Secretary of Interior and Secretary of the Army in their formulation of plans for each erosion control and hurricane protection mandated by the Assateague National Seashore Act of 1965. The proposed removal of dunes and facilitation of breaches and inlets seems inconsistent with Virginia coastal policies.

Response: The USFWS and the NPS have a 50 year history of attempting to maintain manmade dunes for protection from storms at the recreational beach site, to no avail. The USFWS is currently engaged in numerous partnerships to address coastal resiliency on the Eastern Shore of Virginia. The USFWS is committed to exploring the implementation of resiliency strategies informed by the latest science available. Overwash conditions are beneficial to many coastal species, including piping plovers and seabeach amaranth. However, based on concerns brought up during the public comment period, we have removed any reference of intent to facilitate breaches in artificial dune systems. The NPS and USFWS do not believe that beach nourishment and engineering strategies would be a responsible and sustainable management tool for use on southern Assateague Island, for the reasons provided in Section 2.4.1. This issue of storm protection and resiliency is important to USFWS, and as stated on page 2-10 of the draft CCP/EIS, “the refuge would work with the town of Chincoteague to explore potential impacts and identify protective methods to address hazard mitigation, in coordination with others, such as Accomack County, Commonwealth of Virginia, NPS, National Aeronautics and Space Administration (NASA), Federal Emergency Management Agency (FEMA), and USACE. The refuge would also work with partners to explore how best to advance the study, information exchange, and project resources for adaptive management practices that sustain the resiliency of this unique barrier island system including but not limited to Assateague, Wallops, Assawoman, and Metompkin islands in the face of dynamic coastal processes and climate change.”

Chincoteague Island

(Letter ID#006, 019, 037, 045, 051, 052, 057, 058, 068, 078, 079, 081, 089, 105, 115, 120, 121, 137, 162, 171, 178, 179, 181, 186, 189, 191, 203, 215, 245, 263, 295, 298, 308, 312, 319, 320, 334, 337)

Comment: Chincoteague Island (the town of Chincoteague) depends on the storm protection that Assateague Island provides. The Refuge should not be permitted to let southern Assateague Island erode away by moving the beach to the north because it would eliminate the storm protection for Chincoteague. The Army Corps needs to develop a shore protection plan for Assateague and Chincoteague Islands. Several commenters requested further study is completed to ensure protection of Assateague from storm surge. The final EIS should provide that the Corps of Engineers, as the law requires, will be called upon to develop a shore protection plan for Assateague and Chincoteague Islands.

Response: Please see our previous response. As noted, we intend to collaborate with the USACE and others on the issue of coastal resiliency. Some commenters have also noted that the 1965 law that created the Assateague Island National Seashore calls for the Secretary of the Interior and the Secretary of the Army to “cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore...” but believe that this has yet to be accomplished. However, the study called for in the 1965 law was in fact completed in 1980 (“Atlantic Coast of Maryland and Assateague Island, Virginia Main Report,” United States Army Corps of Engineers, Baltimore District, May 1980). More information on storm protection can be found in section 1.14.15 Partnerships (Hazard Mitigation), and Objective 7.5 Climate Change and Sea Level Rise.

Chincoteague Island

(Letter ID#220)

Comment: TNC requests the Refuge maintain or restore natural shorelines and connected upland habitats to facilitate the gradual inland migration of tidal salt marshes and other coastal habitats

while also buffering harmful effects of coastal flooding and storm surges to local property and infrastructure due to accelerated sea level rise.

Response: Shoreline management on the refuge will be informed by the most current science available which will be made available through partnerships, which could include MACRI. As we note in chapter 1, “we are committed to working with partners ... to improve connectivity between protected lands, protecting and restoring the ecological integrity, functionality and value of diverse habitats, buffering harmful effects of coastal flooding and storm surges to local communities and infrastructure, and providing lands for multiple recreational activities to support the tourism economy while also providing ecological, educational, and other benefits. Although the CCP does not propose additional land protection for Chincoteague NWR, we remain committed to work with communities, other governmental agencies, and non-governmental partners to evaluate predicted land use and climate-related changes on the lower Delmarva Peninsula with the intent of maintaining robust fish and wildlife populations within working landscapes for the economic and other societal benefits they provide.”

Chincoteague Island

(Letter ID#076)

Comment: A minimum elevation should be created and maintained along the center of Assateague from the area of Parking Lot 1 down to the old Coast Guard Station, filling in any breaches as they may occur, to assure the protection of the population of Chincoteague, in addition to maintaining some measure of protection for the very expensive Federal assets at Wallops Island.

Response: Shoreline management on the refuge will be informed by the most current science available which will be made available through partnerships, which could include MACRI. Additional information on shoreline management can be found in section 2.5.1 Existing Management Actions That Continue Under All Alternatives; Objective 7.5 Climate Change and Sea Level Rise; and 1.14.15 Partnerships (Hazard Mitigation).

Sustainability

Sustainability

(Letter ID#288)

Comment: I would like to see more sustainable and low impact provisions for all of the alternatives. As such I think it would be prudent to showcase Chincoteague NWR as the most sustainable refuge in the system and an example for future management at other refuges. There is no appreciable cost preventing the refuge run on clean energy such as solar or wind power, as sustainable energy would only have to power limited facilities (Visitor's Center, Maintenance buildings etc...). This could also mean a possibly LEED certified Visitor's Center for the beach, complete with grey water filtration, sustainable power, and other 'green' systems.

Response: The USFWS strives to incorporate sustainable energy systems into designs, as well as using "green" building products and techniques whenever possible. We will continue to look for the most affordable, sustainable products available to us. The USFWS is committed to reducing our carbon footprint. For more information: <http://www.fws.gov/home/climatechange/strategy.html>.

Toms Cove**Maintain access**

(Letter ID#046, 066, 122, 134, 181, 198)

Comment: Several commenters requested that Tom's Cove remain accessible for a variety of uses. One commenter suggested that the solid causeway be replaced with a low culvert bridge allowing Swan Cove to rejoin Tom's Cove, noting that this would allow for parking and continued use of Tom's Cove. Several commenters also requested that the east side of Tom's Cove remains open noting that the protected waters of Tom's Cove provide for a variety of recreational uses. In addition, the NPS provides kayaking ecology tours around the shores of the cove. Furthermore, commenters requested continued access and parking facilities within close proximity to easily access Tom's Cove.

Response: The revisions to alternative B include preservation of access to Toms Cove via Beach Road. This access would be primarily for recreational users and also for the NPS and Chincoteague Bay Field Station environmental education programs. We recognize the constraints to tidal flow created by Beach Road and will work in the future on a less restrictive design. Please refer to Objective 2.1 Impoundments for Waterfowl, Shorebirds, Waders and Associated Species for more information.

Visitor access**Access**

(Letter ID#126)

Comment: The final CCP must continue to offer wildlife areas for amateur and professional photographers along with waterway access for cruise boat operators.

Response: Nothing in the CCP affects cruise boat operators using waterways below mean low water, which is the refuge's jurisdictional boundary. Alternative B provides ample opportunities for nature photography, which is a priority use of the Refuge System.

Visitor access

(Letter ID#104, 109, 045, 014, 083, 128)

Comment: Commenters are concerned with reduced visitor access for recreation including for birding, lighthouse climbing, beach-going, and other activities in the refuge, such as those by the "friends" groups (e.g. Chincoteague Natural History Association). Some feel that recreation is and should be the primary purpose of the shoreline and that FWS is intent on eliminating humans from the refuge.

Response: Public visitation, which has stayed consistent over the past decade with approximately 1.25 million visits annually, is important to raising awareness and appreciation of the refuge and to generating revenue that supports public and wildlife services. Such high visitation provides a need to implement management strategies and direction to minimize human disruption to the natural environment. Revisions to alternative B include changes that will increase recreational opportunities and access for people. Goals 6 of the CCP remains: "People of all ages and abilities develop a stewardship ethic while enjoying their refuge experience and increasing their knowledge of the USFWS, Refuge System, and refuge."

Visitor experience**Maintain existing**

(Letter ID#066, 120, 121, 122, 126, 128, 160, 187, 224, 311, 335)

Comment: Several commenters requested that the unique visitor experience of Chincoteague be preserved on the Refuge and the beach. Several commenters also noted that maintaining the existing visitor experience was vital to the local economy.

Response: NPS and USFWS believe that, with our partners, "... we can design a beach experience that, while different from the current one, will still engage visitors and provide the kind of recreational opportunity for which the area has justifiably become famous. Careful attention to the design of parking for cars, RVs and buses, boardwalks, accessibility, changing stalls, rinse-off facilities, vault toilets, shelter areas, dune management and other related needs can ensure a quality experience at the new beach location. Critical to the success of the new plan will be finding an appropriate balance between visitor experience and resiliency from future storms." To maintain some of the unique visitor experiences at the current recreational beach (Toms Cove), we have modified the preferred alternative to permit some accessibility even after it is relocated. Permitted OSVs and hikers will be able to access the current beach via Beach Road from September 16 to March 14. The Toms Cove Visitor Center would be maintained by NPS for environmental education purposes only until it becomes unserviceable. The refuge would also allow the landing of motorized or non-motorized vessels along the bay side of Toms Cove from approximately September 16 to March 14.

Visitor Services**Plan required**

(Letter ID#20)

Comment: The visitor services plan should be developed prior to finalizing the CCP to allow for public comment and review.

Response: A visitor services plan will be a step-down plan to the CCP and will build upon other management plans, namely the Hunt Management Plan (2007), to document approved recreational activities and identify the structure of the visitor services program. The plan will include visitor services data and research to evaluate and plan for visitor services programs, and will assist in the implementation of the CCP. Prior to finalizing the visitor services plan, the public will be given an opportunity to comment.

Wilderness Area**General**

(Letter ID#406)

Comment: There is a big difference between voluntarily managing acreage in the center of Assateague Island for wilderness and designating wilderness; such designation would prohibit public access, restrict traditional water-dependent uses, and outlaw storm damage repair.

Response: In response to the Wilderness Act, the entirety of Assateague Island was reviewed to find areas that possessed primeval characteristics in accordance with the

Wilderness Act. As a result, the central 6,500 acres of Assateague Island was proposed as wilderness in 1974, but has yet to receive designation. No change to the status of this area was proposed as a result of the CCP. In accordance with the Wilderness Protection Act, the USFWS is responsible for preserving the wilderness character of these designated and proposed wilderness areas. The Refuge will continue to manage the proposed wilderness area until congressional action takes place converting this area into wilderness. In the CCP, there is no change proposed in the status or area proposed for wilderness designation.

Opposed

(Letter ID#066, 083, 094, 110, 139, 143, 144, 158, 159, 165, 174, 181, 191, 209, 210, 212, 213, 215, 216, 221, 224, 238, 274, 275, 301, 302, 307, 311, 312, 317,)

Comment: Thirty commenters are opposed to closing the northern end of the island for the wilderness area. Commenters noted this wilderness designation would have impacts on the local economy, shellfish industry, and tourism industry and impact the overall visitor experience. Several commenters also felt that the wilderness area designation would prevent dune management and shoreline stabilization placing Chincoteague Island at unacceptable risk from storm damage. In addition, commenters are opposed to the wilderness area noting that the designation would threaten the wild ponies and restrict viewing access.

Response: Please see previous response. An evaluation of the current land status, Appendix A, provides a 2012 baseline assessment and describes the wilderness character monitoring program for the proposed Assateague Island wilderness. By law and policy, the USFWS is responsible for preserving the wilderness character of these designated and proposed wilderness areas. Under the preferred alternative no change to the access, use or management of the proposed wilderness area would occur. The maps identifying the existing proposed wilderness area will be updated to only include the land and not the water within the refuge.

Support

(Letter ID#285)

Comment: One commenter requested that the entire site, presumably all of the Refuge, be designated a wilderness area.

Response: The entirety of Assateague Island does not meet the required criteria for wilderness area. In addition, this would be inconsistent with USFWS mission and purpose of the refuge.

Wilderness Area

(Letter ID#322)

Comment: One commenter was concerned with the method in which the boundary for the wilderness area was drawn and requests due diligence and review prior to finalizing the boundary

Response: The boundary of the wilderness area is incorrect in the draft EIS/CCP. The final EIS/CCP has addressed this error.

Wildlife**General**

(Letter ID#400)

Comment: The Virginia Department of Conservation and Recreation offered to provide USFWS and the National Park Service with digital information about documented natural heritage resources within the Refuges for use in GIS mapping and planning tools or access to the Natural Heritage Data Explorer. The Virginia Department of Game and Inland Fisheries (DGIF) maintains a database of

wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in its letter.

Response: The USFWS thanks you for reviewing the draft CCP/EIS and providing input.

Habitat

(Letter ID#401)

Comment: DGIF recommends incorporation of native plants that produce fruits high in antioxidants, such as arrowwood (*Viburnum* spp.) and Virginia creeper (Alan, et al., 2013; Bolster, et al., 2013) in restoration efforts for the benefit migratory songbirds.

Response: The USFWS will work to adapt restoration strategies that coincide with this research. This strategy has been added to Objective 2.1.

Monitoring

(Letter ID#400, 401)

Comment: The Virginia Department of Conservation and Recreation's recommends a re-survey of the Refuge in order to accurately document the current location and extent of natural heritage resources and to allow for appropriate planning based on current information. The Virginia Department of Game and Inland Fisheries (DGIF) recommend that the USFWS work cooperatively with the National Air and Space Administration (NASA) to gain daily access to Assawoman Island for biological monitoring and management.

Response: The USFWS collaborates with Virginia DCR on several projects including management of rare plant communities on the refuge. A re-survey of refuge lands to more accurately document the current location and extent of natural heritage resources will be considered in future step-down planning efforts, such as the Habitat Management Plan (HMP). More information can be found in Objective 1.4 Federally Endangered Plants and Rare Plant Communities.

Monitoring

(Letter ID#401)

Comment: The Virginia Department of Game and Inland Fisheries (DGIF) recommends that USFWS consider daily sea turtle monitoring during the appropriate nesting season on Assateague and Assawoman Islands. The DGIF recommends adopting new sea turtle nest monitoring and management protocols pursuant to the Virginia and Maryland Sea Turtle Conservation Plan.

Response: We concur with DGIF, and will consider daily sea turtle monitoring during the appropriate nesting season on Assateague and Assawoman Islands. We will also use the Virginia and Maryland Sea Turtle Conservation Plan to guide our actions.

Predator control

(Letter ID#285)

Comment: Leave foxes and raccoons alone and refrain from predator control.

Response: Predator control is one management tool employed at the refuge to support the population of protected species. Predator control is cited in the 1995 Atlantic Coast Recovery Plan as a method for protecting piping plover by providing safe nest areas and the 1993 Recovery Plan for the protection of the Delmarva fox squirrel. In addition, the Biological Opinion completed for this EIS/CCP found that predator control has contributed to the positive recovery of the aforementioned species, including the loggerhead, green, and leatherback sea turtles.

Predator control

(Letter ID#200)

Comment: The CCP discusses the removal of raccoons and foxes from the island. Are Grey Foxes included in this management strategy? The grey fox has become alarmingly rare and I am opposed to any reductions unless there is data supporting this management strategy.

Response: Predator management activities will be completed at the request of the refuge with approval of the refuge manager. Reduction of the red and gray fox populations is included in the predator management strategy. Predator control is one management tool employed at the refuge to support the population of protected species. This is supported by studies that show a reduction in predators improves nesting success of the piping plover and other endangered and threatened species (Page 3-47 draft CCP/EIS). In addition, the use and benefits of predator control is documented in the Biological Opinion for this CCP/EIS.

Table R-1 List of Commenters

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
001	Virginia, Commonwealth of		Letter	Cover letter with state agency comments: listed as 401-407
002	Town of Chincoteague		Letter	
003	Chincoteague Volunteer Fire Company		Letter	
004	Accomack County Planning & Comm Develop Dept		Letter	removed - duplicate of 279
005	Virginia Eastern Shore Land Trust		Letter	
006	National Park Service		Letter	
007	US Environmental Protection Agency (EPA) Region III		Letter	
008	Nature Conservancy		Letter	
009	Tarr (Mayor of Chincoteague)	Mayor John	Letter	
011	National Park Service		Letter	removed - duplicate of 006
012	Petition Supporting Alternative B		Petition	112 signatures (combined 012, 44, 73, 86 into one document)
014	Cahall	Kathleen	Letter	
015	Konow	Joan	Letter	
016	Zanghi	Sal	Letter	
017	Zanghi	Barbara	Letter	
018	Payne	Randolph & Nancy	Letter	
019	Adams	Ina Rae	Letter	
020	Dennis	Carol	Letter	
021	Bowden	Carolyn	Letter	
022	Raw	Patricia	Letter	
023	Hearing Speaker List Speakers are listed as 311-337.		Letter	removed - hearing speaker list
024				removed - general correspondence - not a comment
025	Linebarger	Edith	Letter	
026	Lane	Ruth	Letter	
027	Maryland Gazette			Part of a newspaper clipping - unreadable - removed
028	Matise	Norma	Letter	
029	Roske	Monique	Letter	
030	Trayvor	Lisa	Letter	
031	Hodgson	Dale	Letter	
032	Nickol	James	Letter	
033	Weiss	Walter	Letter	
034	Thackray	Barbara M.	Letter	
035	Hearing Speaker sign in list			removed

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
036	Tavolaro	John F.	Letter	
037	Rosenberger Sr.	Raymond R.	Letter	
038	Pape	Nancy & James	Letter	
039	Kelly	Georgianna	Letter	
040	Accomack County Administrator		Letter	
041	Tarr (Mayor of Chincoteague)	Mayor John	Letter	removed - duplicate of 340
042	George	Charles	Letter	
043	Young	H. Peter	Letter	
045	Marz	Bob & Carole	Letter	
046	Forcina	Gian Piero	Letter	
047	Forcina	Teresa A.	Letter	
048	Bloxom	Robert	Letter	removed - duplicate of 186
049	Moran	Edward	Letter	
050	Leonard	Donna	Letter	
051	Bowden	Denise	Letter	
052	Bakula	Donna	Letter	
053	Liddle	Alberta	Letter	
054	Johnson Jr.	Alfred C.	Letter	
055	Walker	Barbara	Letter	
056	Williams	Nancy	Letter	
057	Hook-Toelington	Jane	Letter	
058	Bowden	Janice	Letter	
059	Amrhein	John	Letter	
060	Sackett	Ronald D.	Letter	
061	Koposko	Anthony	Letter	
062	Koposko	Kallie	Letter	removed - duplicate of 061
063	Koposko	Michelle	Letter	
064	Bowden-Sackett	Joyce	Letter	
065	Foley	Pamela	Letter	removed - duplicate of 216
066	Scully	Alison	Letter	
067	Belts	Rick	Letter	
068	Belts	Amanda	Letter	
069	Wolffe	Glenn	Letter	
070	Wolffe	Jane	Letter	
071	Meredith	Barbara	Letter	
072	Brundage	Jeanine	Letter	
074	Bowden-Sackett	Joyce	Letter	
075	Werner	James D.	Letter	
076	Richardson	Ellen	Letter	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
077	Conklin	Henry & Nancy	Letter	
078	Meredith	Joseph	Letter	
079	Vehasco	John	Letter	
080	J.	Olli	Letter	
081	Fickery	Fredrick J.	Letter	
082	Ficken	Gail	Letter	
083	Steele	Barbara & Roger	Letter	
084	Grover	Jocelyn	Letter	
085	Quinn	Debra	Letter	
087	Winder	Carol Sue	Letter	
088	Keeny	Kathy	Email	
089	Arnold	Anne	Email	
090	Selby	Joan & Ralph	Email	
091	Lane	Ruth	Email	
092	Marabito	Janet	Email	
093	No name provided	Mary	Email	
094	Tuttle	Kasey	Email	
095	Amrhein	John	Email	
096	Marsh	Debbie	Email	
097	Ricketts	Sonya	Email	
098	Sappington	Jim	Email	
099	Holland	Jennifer	Email	
100	Dowd	Bruce	Email	
101	Dennis	Carol	Email	removed - duplicate of 020
102	Pastore	Andrea	Email	
103	Pastore	Stefanie	Email	
104	Weiskopf	Bill & Vicki	Email	
105	Lodge	Tricia	Email	
106	Taylor	Matthew	Email	
107	Sparkman	John & MaryAnn	Email	
108	Moore	Myfe	Email	
109	Beigelow	Frederick & Janice	Email	
110	VanHorn	Amy	Email	
111	Pastore	Raymond	Email	
112	Flaningam	Louisa	Email	
113	Curtis	Owen	Email	
114	Curtis	Owen	Email	removed - duplicate of 113
115	Conklin	Richard & Carolyn	Email	
116	Virginia Tourism Corporation		Email	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
117	Seybolt	Calvert	Email	
118	Halbert	Ron & Dana	Email	
119	McHenry	Sandra	Email	
120	Shotwell	Evelyn	Email	
121	Sramek	Helen	Email	
122	Clark	Tommy	Email	
123	Thornton	Joseph	Email	
124	Morrow	Eric	Email	
125	Dennis	Kim	Email	
126	Chincoteague Chamber of Commerce		Email	
127	Whalen	Ivy	Email	
128	Mason	Donna	Email	
129	Ellis	Dawn	Email	
130	Pritt	Kathy	Email	
131	Evans	Rachel	Email	
132	Glimcher	Jennifer	Email	
133	McCubbin	Patrick	Email	
134	Knaub	Jeff	Email	
135	Barnes	Kris	Email	
136	Stanfield	Theresa	Email	
137	Russell	David & Kathleen	Email	
138	Kerlin	Judy	Email	
139	Noll	Debra	Email	
140	Kerlin	Judy	Email	removed - duplicate of 138
141	Lane	Denise	Email	
142	Roberto	Janine	Email	
143	Wallace	LJ	Email	
144	Prall	Michelle	Email	
145	Nickol	Anne	Email	
146	Ross	David	Email	
147	Harris	Sandy	Email	
148	Serignese	Tony	Email	
149	Beauchamp	Ryan	Email	
150	Farrell	Joan	Email	
151	Farrell	Vicky	Email	
152	Grady	Maureen	Email	
153	Okie	Susan	Email	
154	Quillen	Jeffrey	Email	
155	Jenkins	Beth	Email	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
156	Stevens	Ronald	Email	
157	Thistle-Natalie	Amanda	Email	
158	Lytle	Bill	Email	
159	Davis	Dan	Email	
160	Benson	Carol	Email	
161	Harris	Kathy	Email	
162	Cretella	Diana	Email	
163	Roos	Linda	Email	
164	Chris Alexandria International		Email	
165	Billings	Sue	Email	
166	Ricketts	John	Email	
167	Clark	Chris	Email	
168	Emmerson	Brett	Email	
169	Ward	Tom	Email	
170	Elliot	Estelle	Email	
171	Morin	Jen	Email	
172	Bowders	Ann	Email	
173	Walton	Laurie	Email	
174	Bunte	Cyndy	Email	
175	Salmon	Albert	Email	
176	Clark	Chris	Email	
177	Justice	Bill	Email	
178	Cunningham	Doug	Email	
179	Cunningham	Nancy	Email	
180	Miner	Steve	Email	
181	Lynwood Lewis, Jr.	Senator	Email	
182	Howell	Glenda & Glen	Email	
183	Bankester	Lenny	Email	
184	Bankester	Lenny	Email	removed - duplicate of 183
185	Accomack County Board of Supervisors		Email	
186	Bloxom (Virginia House of Representatives)	Rep. Robert	Email	
187	Refuge Inn		Email	
188	Seefeldt	Kathleen	Email	
189	Murrow	Karen & Bill	Email	
190	Rau	Stephanie	Email	
191	Sloss	Ellen	Email	
192	Barnaby	Karen	Email	
193	Stark	Family	Email	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
194	Stuart	Kathleen	Email	removed - duplicate of 194
195	Stuart	Kathleen	Email	
196	Shea	Matt	Email	
197	Franklin	Donna	Email	
198	Kashuba	Mary Beth	Email	
199	Kashuba	Mary Beth	Email	removed - duplicate of 198
200	X	Bev	Email	
201	Pawelski	Lisa	Email	
202	Thornton	Wanda	Email	
203	Layser	Tim	Email	
204	Virginia Society of Ornithology		Email	
205	Virginia Society of Ornithology		Email	
206	McGarvey	Kate	Email	
207	Conlan	Dale	Email	
208	Ha	Doug	Email	
209	Steyer	John	Email	
210	Thomas	Greg	Email	
211	Borseth	Amy	Email	
212	Caruso-Teresei	John Teresi & Marie	Email	
213	Nugent	Gail	Email	
214	Wisniewski	William	Email	
215	Dendler	Michael	Email	
216	Foley	Pam & Jim	Email	
217	Scully	Alison	Email	removed - duplicate of 066
218	Buffa	Joelle	Email	
219	Malloy	Connie	Email	
220	The Nature Conservancy		Email	removed - duplicate of 008
221	Steyer	Cynthia	Email	
222	Scharle	Brian	Email	
223	Brown	Susan	Email	removed - duplicate of 239
224	Esther	Arthur & Mary	Email	
225	Esther	Arthur & Mary	Email	removed - duplicate of 224
226	Shisler	Richard	Email	
227	Deitch	Harry	Email	
228	Shaner	Jacob	Email	
229	Wolffe	Jane	Email	removed - duplicate of 070
230	Ailes	Marilyn	Email	
232	Farley	Patricia	Email	
233	Goodman	Nick	Email	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
234	Elliot-Fisk	Debbie	Email	
235	Connell	Kathleen	Email	
236	Grover	Jocelyn	Email	removed - duplicate of 084
237	Grover	Jocelyn	Email	removed - duplicate of 084
238	Misura	Susan	Email	
239	Brown	Wesley	Email	
240	Neale	Laura	Email	
241	Abe	Kimberly	Email	
242	Paisley	Janet	Email	
243	Davidson	Lynn	Email	
244	Wardell	Mary Ellen	Email	
245	DeLuca	Ralph & Kathy	Email	
246	Rodney	Karen	Email	
247	National Park Service		Email	removed - duplicate of 006
248	Lukei, Jr.	Reese	Email	
249	Rice	Sue	Email	
250	Allen	Scott	Email	
251	Buffa	Joelle	Email	
252	Virginia Eastern Shore Land Trust		Email	removed - duplicate of 005
253	Gattuso	Peter	Email	
254	Fletcher	Marian	Email	
255	Kean	Joan	Email	
256	Wiggert	Barbara	Email	
257	Duffey	Michael	Email	
258	Dennis	Jed	Email	
259	Bidoglio	Marsha	Email	
260	Snyder	Pat	Email	
261	Wolf	Ken	Email	
262	Lukacs	Karen	Email	
263	Turner	Jean	Email	
264	O'Connor	Frances	Email	
265	Coleman	Ron	Email	
265	Long	Ellen	Email	
266	Northam	Margaret	Email	
267	Okie	Susan	Email	
268	Weiss	Walter	Email	
269	Young	H. Peter	Email	removed - duplicate of 043
271	Tarr (Mayor of Chincoteague)	Mayor John	Email	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
272	Petition Supporting "Alternative A+"		Petition	Approximately 600 signatures (combined several submissions into one document)
273	Eitner	Greg	Email	
274	McGhee	Austin	Email	
275	Heiser	Karen	Email	
276	Finch	Heather	Email	
277	Szymanski	Lois	Email	
278	Lytle	Bill	Email	
279	Accomack County Planning & Community Development Department		Email	
280	Weed	Grant	Email	
281	Martin	Debra	Email	
282	Palmieri	Gary	Email	
283	Knapp	Gretchen	Email	
284	Reidy	Tom & Maragret	Email	
285	Public	Jean	Email	
286	George	Charles	Email	
287	Mann	Curtis	Email	
288	Hinds III	Louis	Email	
289	Stone	John	Email	
290	Wien	Diane	Email	
291	Stoel	Tom	Email	
292	Picardi	Tony	Email	
293	Pastore	Nick	Email	
294	Ritter	Master Captain Debbie	Email	
295	Brasure	Baxter	Email	
296	Tarr (Mayor of Chincoteague)	Mayor John	Email	removed - duplicate of 009
297	Finch	Heather	Email	removed - duplicate of 276
298	Layser	Tom	Email	
299	Public	Jean	Email	merged with 285 and removed
300	Virginia Department of Environmental Quality		Email	Cover letter for 400-407
301	Steele	Barbara	Email	
302	Morin	Joan	Email	
303	Holland	Jennifer	Email	
304	Public	Jean	Email	merged with 285 and removed
305	Adshead	Jeannie	Email	
306	Safari Club International		Email	
307	McGhee	Laura	Email	
308	Mulderig	Rita	Email	

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
309	Ilgenfritz	Pat	Email	
310	Cahall	Kathleen	Email	removed - duplicate of 014
311	Tarr (Mayor of Chincoteague)	Mayor John	Hearing	
312	Thornton	Wanda	Hearing	
313	Armhein	John	Hearing	
314	George	Charles	Hearing	
315	Lyons	Terri	Hearing	
316	Bieri, Director of Virginia Coast Reserve for The Nature Conservancy	Jill	Hearing	
317	Birch	Randy	Hearing	
318	Bowden	Thomas	Hearing	
319	Mason	Tommy	Hearing	
320	Frese	Jim	Hearing	
321	Payne	Nancy	Hearing	
322	Jester	John	Hearing	
323	Carey	Jessica	Hearing	
324	Phillips	Kathy	Hearing	(Assateague Coastal Trust / Coast Keeper)
325	Leonard	Donna	Hearing	
326	Bowden	Denise	Hearing	
327	Fehrer	Joe	Hearing	
328	Flaningam	Louisa	Hearing	
329	Mason	Donna	Hearing	
330	Lukacs	Karen	Hearing	
331	Stanfield	Jessica	Hearing	
332	Fleming (Assateague Mobile Sportfishermen's Association Board Member)	Terry	Hearing	
333	Winbrow	Charles "Ray"	Hearing	
334	Howard	Terry	Hearing	
335	Taylor	Gene	Hearing	
336	Thomas	Peggy	Hearing	
337	Turlington	Jane	Hearing	
338	Gelletly	Kay	Email	
339	Sappington Jr.	James B.	Email	removed - duplicate of 098
340	Tarr (Mayor of Chincoteague)	Mayor John	Email	General correspondence - not a comment/not included
341				removed - not a comment
342				removed - not a comment

Letter #	Last Name or Organization	First Name	Type Submittal	Notes
343	Virginia Eastern Shores Tourism Commission		Email	
344				removed - not a comment
345				removed - not a comment
346				removed - not a comment
347				removed - not a comment
348	U.S. Fish and Wildlife Service Virginia Field Office		Email	
349	Virginia Department of Historic Resources		Email	
351	US EPA Region III		Email	removed - duplicate of 007
352	Merritt	Susan	Email	removed - not a comment
353	Stewart	Roden	Letter	
354	Krieg, Jr.	Francis J.	Letter	
355	Mason	Donna	Letter	removed - duplicate of 128
356	Rigell (U.S. House of Representatives)	Congressman Scott	Letter	
400	Virginia Department of Conservation and Recreation		Letter	
401	Virginia Department Game and Inland Fisheries		Letter	
402	Virginia Department of Historic Resources		Letter	
403	Virginia Department of Forestry		Letter	
404	Virginia Department of Environmental Quality		Letter	
405	Virginia Marine Resources Commission		Letter	
406	Accomack County		Letter	Letter to Governor included in Comm of VA comments
407	Town of Chincoteague		Letter	included in Comm of VA comments
408	Warner and Kaine (U.S. Senate)	Senator John/Tim	Letter	

**ATTACHMENT R-1
TRANSCRIPT OF PUBLIC HEARING, June 26, 2014**

TRANSCRIPT OF PUBLIC HEARING

IN RE: U.S. Fish and Wildlife Service (FWS)

Draft Comprehensive Conservation Plan (CCP)

and

Environmental Impact Statement (EIS)

for

Chincoteague and Wallops Island National

Wildlife Refuges, (NWR)

Date of Hearing: Thursday, June 26, 2014

Time: 6:10 p.m.

Location: Chincoteague Center

6115 Community Drive

Chincoteague, Virginia 23336

Reported by: David M. Schafer, AA, CCR

<p>TRANSCRIPT OF PUBLIC HEARING</p> <p>IN RE: U.S. Fish and Wildlife Service (FWS) Draft Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS) for Chincoteague and Wallops Island National Wildlife Refuges (NWR)</p> <p>Date of Hearing: Thursday, June 26, 2014 Time: 6:10 p.m. Location: Chincoteague Center 6115 Community Drive Chincoteague, Virginia 23336</p> <p>Reported by: David M. Schafer, AA, CCR</p>	<p>3</p> <p>1 Joe Fehrer83</p> <p>2 Louisa Flaningam.....85</p> <p>3 Donna Mason90</p> <p>4 Karen Lukacs94</p> <p>5 Jessica Stanfield97</p> <p>6 Terry Fleming99</p> <p>7 Charles "Ray" Wimbrow102</p> <p>8 Terry Howard107</p> <p>9 Gene Taylor110</p> <p>10 Peggy Thomas111</p> <p>11 Jane Turlington112</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>
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<p>2</p>	<p>C-O-N-T-E-N-T-S</p> <p>1 Opening Comments:</p> <p>2 Tom Roster, Acting Manager.....4</p> <p>3 Joe McCauley, Chief of Realty.....6</p> <p>4 PUBLIC COMMENTS:</p> <p>5 Jack Tarr23</p> <p>6 Wanda Thornton28</p> <p>7 John Amrhein34</p> <p>8 Charles George40</p> <p>9 Terri Lyons45</p> <p>10 Jill Bieri47</p> <p>11 Randy Birch51</p> <p>12 Thomas Bowden54</p> <p>13 Tommy Mason55</p> <p>14 Jim Frese57</p> <p>15 Nancy Payne61</p> <p>16 John Jester62</p> <p>17 Jessica Carey67</p> <p>18 Kathy Phillips71</p> <p>19 Donna Leonard72</p> <p>20 Denise Bowden79</p>	<p>4</p> <p>1 P-R-O-C-E-E-D-I-N-G-S</p> <p>2 MR. ROSTER: Good evening, folks. We'll</p> <p>3 get the hearing going here. Welcome and thank you</p> <p>4 for coming out on this beautiful evening down here</p> <p>5 in Chincoteague.</p> <p>6 My name is Tom Roster. I'm one of the</p> <p>7 few folks that will be helping out with tonight's</p> <p>8 hearing, and you'll be introduced to some of the</p> <p>9 other ones as we get the program going.</p> <p>10 Tonight's public hearing is devoted to</p> <p>11 comments and concerns that you have on the draft</p> <p>12 Comprehensive Conservation Plan and Environmental</p> <p>13 Impact Statement for Chincoteague National Wildlife</p> <p>14 Refuge as well as Wallops Island National Wildlife</p> <p>15 Refuge.</p> <p>16 To make sure to allow you to put your</p> <p>17 comments into this public record, we have a</p> <p>18 stenographer here that is taking down everything</p> <p>19 that is being said tonight. If you want to speak,</p> <p>20 we ask that you sign up at the door. And we're</p> <p>21 going to assign numbers so that we can make sure</p>
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<p style="text-align: right;">5</p> <p>1 that we get everybody in.</p> <p>2 This is not your only opportunity to make</p> <p>3 comments. We've had some open houses through this</p> <p>4 week at the refuge, as well as up and down the</p> <p>5 Delmarva Peninsula, in Pocomoke and Melfa last</p> <p>6 night.</p> <p>7 The results of this public comment period</p> <p>8 is open until August 15, and you'll be able to pick</p> <p>9 up information of how to submit those either via</p> <p>10 mail or email, and that information is over at the</p> <p>11 desk if you are so inclined and if you don't want to</p> <p>12 speak tonight, as well as it can be additional to</p> <p>13 the comments you make tonight.</p> <p>14 We also have some light refreshments over</p> <p>15 there for your enjoyment.</p> <p>16 Just a couple of housekeeping items here.</p> <p>17 As I mentioned before, if you'd like to speak,</p> <p>18 please sign up, so that we know who's going to be</p> <p>19 ready for speaking and then we can call you up on</p> <p>20 your time.</p> <p>21 When you come up to speak, please use the</p>	<p style="text-align: right;">7</p> <p>1 here to talk about are serious issues, and I</p> <p>2 understand, from having talked to many of you,</p> <p>3 there's deep concern, there's worry, and I guess I</p> <p>4 can say there's fear; I can kind of feel it, I can</p> <p>5 feel it in the room, and I acknowledge that, because</p> <p>6 there are unknowns.</p> <p>7 What we're talking about here in large</p> <p>8 degree are some proposals, things we're proposing to</p> <p>9 do. We haven't settled on any particular course of</p> <p>10 action and so, in essence, there is no certainty</p> <p>11 about how this will all end up.</p> <p>12 But what I really do believe and hope is</p> <p>13 that when this process is said and done that we can</p> <p>14 come together with some consensus and move forward</p> <p>15 on how this refuge is managed over the next 15</p> <p>16 years, these refuges, Wallops and Chincoteague,</p> <p>17 because that will be vital. At the end of the day,</p> <p>18 that's what it's going to take for this refuge to</p> <p>19 remain a vital part of your lives, our lives and the</p> <p>20 lives of so many visitors that come here from all</p> <p>21 over the world. So the stakes are high. We aren't</p>
<p style="text-align: right;">6</p> <p>1 microphone, as well as state your name for the</p> <p>2 stenographer. He'd like to have you repeat your</p> <p>3 name to make sure he gets it into the record.</p> <p>4 If there's a lot of folks speaking</p> <p>5 tonight, we would hope that you'd keep it brief and</p> <p>6 make sure we get as many people in as possible.</p> <p>7 We're looking at three to four minutes. At the end,</p> <p>8 if there's time, if people want to speak again,</p> <p>9 that's a potential, but we want to make sure that</p> <p>10 everyone gets heard.</p> <p>11 This is for you to make your comments to</p> <p>12 us, and for us to listen. This is not meant to be a</p> <p>13 question and answer session.</p> <p>14 With that, I will turn it over to Joe</p> <p>15 McCauley, who will give you a brief intro about</p> <p>16 tonight. Thank you.</p> <p>17 MR. McCAULEY: Good evening, everybody,</p> <p>18 and welcome. Usually when I stand up in front of a</p> <p>19 crowd like this I might try to start off with a</p> <p>20 little bit of humor. I'm going to forego that</p> <p>21 because I understand that the issues that we are</p>	<p style="text-align: right;">8</p> <p>1 denying that.</p> <p>2 So with that, I just have a few brief</p> <p>3 opening remarks. In this country, you know, we, the</p> <p>4 people of this country, for well over a hundred</p> <p>5 years have made it clear that we value our national</p> <p>6 resources; we value our clean air, clean water, we</p> <p>7 value tremendously our fish and wildlife resources,</p> <p>8 we want them to be abundant, we want to be able to</p> <p>9 enjoy them and use them, and for all the things that</p> <p>10 they provide us that we don't see every day, the</p> <p>11 flood protection that our wetlands provide to us and</p> <p>12 all those functions that birds provide besides being</p> <p>13 fun to look at. You know, birds consume tons of</p> <p>14 insects every day that if left out would destroy our</p> <p>15 forests. So we value in this country our fish and</p> <p>16 wildlife. We've made that abundantly clear</p> <p>17 throughout our history.</p> <p>18 And the way that we demonstrate that is</p> <p>19 by who we elect and who we put in Congress and the</p> <p>20 House and Senate and who we elect as our President,</p> <p>21 because at the Federal level that's how things</p>

<p style="text-align: right;">9</p> <p>1 happen; Congress passes laws, the President signs 2 them into law and that becomes the law of the land. 3 And we are a nation of laws. 4 And, you know, examples include the 5 Endangered Species Act passed in 1973, in the Nixon 6 administration. We decided that we didn't want to 7 see species become extinct on our watch if we could 8 help it. 9 Another more recent example and a law 10 that's very relevant to why we're here this evening 11 is the Amendment to the National Wildlife Refuge 12 System Administration Act passed in 1997. We call 13 it the Refuge Improvement Act. That's the short 14 name for it. When that Act was passed, almost 15 unanimously in the House of Representatives, which 16 is hard to even imagine today, anything being passed 17 unanimously, but it was, with one dissenting vote, 18 that's the law that called for every refuge in the 19 system, all 560-plus now refuges, every state in the 20 union and most of our territories that have a 21 national wildlife refuge, what Congress said is that</p>	<p style="text-align: right;">11</p> <p>1 plan to be prepared for every refuge to guide that 2 refuge in achieving its wildlife and conservation 3 mission over a 15-year, plus or minus, planning 4 horizon. So that's what we're doing here, we're 5 following that law. And for the last four years or 6 so we've been working at this plan. 7 Those plans that Congress told us to do 8 are intended to be very public, the process was 9 specifically designed to be very public. And you 10 see that now; you're here and we're engaging in that 11 public communication process. We've been doing it 12 for years, for a couple of years for sure, when we 13 went out a couple years ago during the scoping part 14 of the process, where we went out and asked people 15 what the uses were that they thought were important 16 and we should cover. And we put out some ideas that 17 we had, preliminary draft alternatives, and we got a 18 lot of feedback, we heard really loud and clear from 19 you folks about things that you liked and things you 20 didn't like about where we were headed. And we made 21 some changes between then and now that you'll see</p>
<p style="text-align: right;">10</p> <p>1 every refuge has to be in a Comprehensive 2 Conservation Plan. And that plan is intended to 3 describe to anyone who cares -- 4 UNIDENTIFIED MALE FROM THE FLOOR: Was 5 that when they shut down the government? Was that 6 any -- was that part of your plan? 7 THE COURT REPORTER: I couldn't 8 understand that, sir. 9 UNIDENTIFIED MALE FROM THE FLOOR: Was 10 that part of it? Was when they shut down the 11 government part of the government's strategy to 12 (unintelligible) -- 13 THE COURT REPORTER: Sir, I can't 14 understand him. 15 UNIDENTIFIED MALE FROM THE FLOOR: 16 (Unintelligible) ...shut down? Think 17 about it. 18 MR. McCAULEY: So, you know, I sensed 19 there was emotion in the room, so that confirmed it. 20 I was talking about the Refuge 21 Improvement Act. That Act calls for a comprehensive</p>	<p style="text-align: right;">12</p> <p>1 reflected in this draft document. 2 So I hope that gives you some confidence 3 that we do listen and we're not afraid to make 4 changes when those changes are warranted and we have 5 good rationale for it. As long as we can have a 6 plan at the end day to help us meet our wildlife 7 mission, that's what this is about. 8 That same Act, that Refuge Improvement 9 Act, did other things. It told us which uses are 10 priority uses for the refuge system. Congress said 11 there's six uses that you should encourage on every 12 refuge if you can, and those six uses are 13 environmental education, fishing, hunting, nature 14 interpretation, wildlife observation and wildlife 15 photography. And we offer all those things and we 16 think we offer them in really exceptional ways. 17 Now, there's an issue that I think is 18 going to come up tonight, because it's come up over 19 the last week, and I think I'm just going to hit it 20 head-on. 21 Congress said that any commercial use</p>

<p style="text-align: right;">13</p> <p>1 that occurs on any national wildlife refuge in the 2 country has to meet a high standard. If folks are 3 going to extract something, whether it be timber or 4 oil or whatever from a national wildlife refuge, 5 fish, it has to be shown to contribute to the 6 purposes of that refuge. And most -- a lot of 7 refuges have similar purposes; for migratory bird 8 conservation is a very common one. That's a purpose 9 that this refuge has, is to conserve migratory birds 10 and their habitat.</p> <p>11 We also have a purpose that tells us we 12 need to preserve threatened and endangered species.</p> <p>13 So those are the purposes under which we 14 have to evaluate both commercial and noncommercial 15 uses.</p> <p>16 The noncommercial uses have a standard 17 that says those uses must not interfere with or 18 detract from the purpose of the refuge.</p> <p>19 The standard for a commercial use is 20 different. It says if you are going to allow 21 commercial use, that use has to contribute to the</p>	<p style="text-align: right;">15</p> <p>1 a conversation this afternoon at the open house at 2 the refuge where I talked to a gentleman for a good 3 hour about this issue. And I know that the 4 explanation that I give really doesn't sound very 5 compelling, it sounds really bureaucratic. I get 6 it. I find myself saying it and I'm, like, man, 7 this is not resonating. Because, you know, the 8 answer is, well, what harm does it do? Are we 9 hurting the horseshoe crab population? Are we 10 hurting shorebirds? Are we messing up the 11 shoreline? And my answer to all that is no, not 12 that I'm aware of. That's not the point. We're not 13 quibbling with the quota that the Atlantic States 14 Marine Fishery sets, we're not quibbling about how 15 light of a technique it is when you just reach down 16 and put it in the boat, you're not disturbing the 17 bottom, you're really not, it's at night, you know. 18 So I get all that.</p> <p>19 And I can tell you from a human 20 standpoint it is extremely difficult for any manager 21 to say I'm sorry, you can't do this, you can't</p>
<p style="text-align: right;">14</p> <p>1 purposes of that refuge. That's what the law says, 2 and it's clear, it's clear to interpret that. It 3 doesn't give any kind of caveat that, you know, it 4 can contribute to the economy or it can contribute 5 to science. It has to contribute to the purposes of 6 that particular refuge. And that's a very 7 straightforward part of the law.</p> <p>8 But implementing it has been challenging 9 because, in this case, on this refuge, we understand 10 that commercial harvest of horseshoe crabs occurs 11 within the intertidal zone within the jurisdiction 12 of the refuge. And so for us to continue to permit 13 that, we have to show that that contributes to the 14 purposes of the Chincoteague National Wildlife 15 Refuge. And we can't find a way to make that 16 determination, and so, therefore, going forward that 17 use is proposed to be -- we're proposing that we 18 will enforce that law and that use will not be 19 permitted.</p> <p>20 And I know what that means to those of 21 you who engage in that; I've talked to you. We had</p>	<p style="text-align: right;">16</p> <p>1 continue to earn a chunk of your livelihood in this 2 way. It is not easy. And I don't know how to say 3 it any plainer than that. It's really hard. But to 4 do anything different, to look the other way would 5 not be responsible.</p> <p>6 I hope that all of you in this room have 7 a high expectation of your public servants, of which 8 I am proud to be one. I've been a public servant 9 for over 30 years and I relish it, I love serving 10 the American people, and I take my job extremely 11 seriously. And I would hope that you would expect 12 that of me, to take my job seriously, all of us that 13 work for the Fish and Wildlife Service or the Park 14 Service or any agency. You have every right to 15 expect us to do our job thoroughly, without bias and 16 do it effectively and economically. You have that 17 right to have that expectation. And I, for one, and 18 I speak, I think, for my colleagues, we try to 19 deliver that every day.</p> <p>20 So to look the other way is just not an 21 option. And I understand and I don't see any other</p>

17

1 way to deal with this issue. So I know it's going
2 to come up, and I just thought that I would say that
3 to get our kind of point out.

4 This, as I said, intends to be a very
5 public process and we've tried to be available. All
6 this past week we've had four open houses; before
7 that, I was available. I tried to get the word out
8 as best I could that I was available to talk to
9 anybody one on one about anything that's in this
10 draft plan. And some people took me up on it, and I
11 really enjoyed sitting down with some of you one on
12 one because I was able to get a different
13 perspective. And I hope that I was able to share it
14 and maybe provide a different perspective. And
15 that's really effective when people, you know, when
16 emotions get lowered down and you can just talk like
17 human beings and share ideas and thoughts, and I
18 just think that that's been extremely helpful, I
19 hope on both sides. It certainly has been for me.

20 And I'll give you a couple examples that
21 I think might also address issues that may come up

18

1 tonight. One of the issues that came up that we
2 hadn't really heard much about up until this week
3 really is the wilderness, the proposed wilderness
4 issue. It's shown on our maps as big hatched areas
5 at the north end of the refuge and extends out into
6 the water. And at the north end of the refuge, that
7 line coincides with the Assateague Island National
8 Seashore Proclamation Area.

9 And so the concern that started coming to
10 us was, you all are going to regulate the shellfish
11 bed in the water, in that hatched area, and you're
12 not going to allow motorized boats in there and I
13 won't be able to earn my livelihood there. And so
14 that caught us a little off guard, because that's
15 not how the area has been managed for the last 37
16 years, if that's how long that designation has been
17 on the books.

18 And so we don't plan, the Fish and
19 Wildlife Service doesn't plan to do anything any
20 differently in that area. So we're a little caught
21 off guard with that issue.

19

1 But I spoke to Debbie Darden, who's the
2 Superintendent at Assateague National Seashore, and
3 she and I both looked in our files and we found
4 something pretty interesting. What we found is that
5 the map that's been in play since 1977 does not
6 accurately reflect the proposal, what's in the
7 narrative for this proposal, this proposed
8 wilderness. And it became clear to Debbie and I as
9 we looked at this that the proposed wilderness was
10 only intended to include the land area, it's not
11 including any of the water area.

12 And if you read the last page of this
13 short document, it says very clearly that the
14 proposed wilderness -- it's not even an approved
15 wilderness -- that would take an act of Congress to
16 do -- but, regardless, it kind of doesn't matter
17 with regard to the water because it's not included,
18 and it says very clearly in this document that this
19 proposal will not affect the harvest of shellfish
20 resources, it will not affect the use of motorized
21 watercraft. It says it in black and white. I can

20

1 show you.

2 And so I hope that we can take that issue
3 off the table. Debbie and I made a commitment that
4 in the final CCP and in the Parks General Management
5 Plan that's also being prepared that we will work to
6 correct that mistake and that the maps that come out
7 will accurately reflect that area and will only
8 affect the land.

9 So that came to light because of the
10 conversation that we were having with you all and,
11 in fact, we went and researched it. It was really
12 helpful. It was really, I think, a great example of
13 how communication can really provide a clarification
14 and a better product at the end of the day.

15 I'm almost done.

16 So one other issue I just want to clarify
17 and that is that the purpose of this CCP is to guide
18 the refuge management over the next 15 years. And I
19 know there are larger issues at play here because of
20 the concern about storm frequency and severity, and
21 I know that's a real issue, too, that's on a lot of

21

1 folks' minds, and it's on our minds, too. We have
2 an awful lot of infrastructure between the ocean and
3 the Town of Chincoteague. And so we know that's an
4 issue, and we're not -- we're not trying to dodge
5 that issue. We want to be a part of the discussion
6 that looks at that issue on a broad basis covering
7 the whole shore, and we're already engaged in that
8 process with other federal agencies, and we're going
9 to keep staying engaged in that, but it's not
10 something we can deal with with this comprehensive
11 plan; it's beyond the scope of this comprehensive
12 plan which has got a more narrow focus.
13 And so we're going to stay in the game.
14 We're at the table now with the signing of the MACRI
15 Agreement that was just signed a couple weeks ago,
16 the Mid-Atlantic Coastal Resiliency Institute was
17 formed. Our regional director, the top person in
18 our region of Fish and Wildlife, came down and
19 signed that agreement, demonstrating our commitment
20 to that process. So we're in the game and we
21 understand we have a role to play.

22

1 And we're just going to try to separate
2 those two issues as best we can and try to get this
3 plan completed and then continue to work as needed
4 on the larger coastal issues.
5 And then one last comment, and that is,
6 as Tom said, we're not going to get into a Q and A
7 here tonight. We hoped to provide that opportunity
8 all week and previous to this week. And if folks
9 feel like we haven't given enough opportunity for
10 discussion and Q and A, we have until August 15 to
11 have those discussions, and so I'll make myself
12 personally available, as I have been for the last --
13 since the draft was released in mid-May, to have
14 those discussions. But to be quite honest, you
15 know, to get into a Q and A in this kind of setting
16 I've found to be not productive.
17 UNIDENTIFIED MALE FROM THE FLOOR: Sir,
18 what is productive in this meeting, then?
19 MR. McCAULEY: Well, I can tell you what
20 hasn't been productive.
21 UNIDENTIFIED MALE FROM THE FLOOR: I can

23

1 ask a question. What's productive?
2 MR. McCAULEY: Well, I will leave that to
3 the audience, sir.
4 Anyway, I think it's time we get on to
5 hear from you and see what you all have to say, so
6 I'm going to give it back to you now and --
7 MR. ROSTER: Me and Tom.
8 MR. McCAULEY: So we're going to hear
9 from you. And I thank you for indulging me. I went
10 on a little longer than I thought, but I thought
11 there were a few things that were important to get
12 out on the table, so thank you, and thank you for
13 coming.
14 MR. ROSTER: All right. We'll get going
15 here, folks, with your comments. Like I mentioned,
16 three to four minutes. We'll try to make sure we
17 get as many people through as we can.
18 And we have first up, we have Jack Tarr.
19 MR. TARR: Good evening. I don't know if
20 it's my place, but I would like to thank Congressman
21 Rigell's office for being here and Senator Lewis's

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1 office for being here and Delegate Bloxom, who's in
2 the back, back there. I appreciate them being here
3 looking after our community.
4 I'd like to start off, I think, first,
5 Tom, I know you have been in this process for a long
6 time with us, and Joe has come onboard here lately,
7 and I'd like to thank you all for listening at the
8 scoping meetings and making some changes to the plan
9 that was positive.
10 We did come back with full parking with
11 961 spaces, and I think that was in Alternate A and
12 B.
13 The recreational beach has been addressed
14 now in the CCP; it wasn't addressed before. We
15 appreciate that.
16 And there's been the pony herd has been
17 addressed and no reduction in size.
18 And a shuttle service was addressed and
19 that's going to be used in place of the full parking
20 and done by others.
21 So you all did listen and we appreciate

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1 that, you know, from our community.
2 The three alternatives that you've
3 presented to the community, one was the wilderness
4 area. That did bring up a big red flag. We don't
5 like that out in the bay, you know. If you want to
6 keep it on your property, it's fine, so, and for all
7 the reasons, you know, that's just the working
8 watermen's having their job and taking more area
9 from them. It just doesn't work.
10 The community resilience as stated in the
11 plan, you know, it's our feeling that that should
12 have happened before the plan was put together. It
13 probably should have been addressed for all three
14 alternatives, not addressed later. I know you say
15 it's a bigger issue. But if we move to any place or
16 if we stay where we're at, it's an issue and it's an
17 issue that should have been addressed in this
18 15-year plan.
19 Alternate B, there's some concerns with
20 that as a preferred alternative. I'm not going to
21 address all the concerns tonight, just a couple of

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1 them. One is the eight and a half acres. And we
2 understand that's just for parking. But when you
3 combine that area with the 961 parking spaces, the
4 horse trailers parking, bicycle parking, OSD use,
5 and then the park service is going to have to come
6 in and try to make that a real beach, so the one
7 mile of beach is getting awful small and the eight
8 and a half acres may not work, and so we'd like to
9 see the eight and a half acres addressed if
10 Alternative B comes out as the preferred
11 alternative.
12 Something else that could be done with
13 either Alternative A or B; we didn't go into this
14 game asking for more, we're asking for 961 parking
15 spaces. We already have closures during July 4
16 weekend and several other of our big weekends.
17 Maybe additional parking should have been asked for.
18 So this evening I'm asking for additional parking in
19 either alternative, and then that parking could
20 be -- Joe, you know, we talked about emergency
21 planning -- that parking could be separate from the

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1 961 places, placed in a place that's more safe and
2 we could use that as an emergency plan and also
3 parking. There's ways you could add more parking,
4 you know, that I think in either alternative that
5 would help
6 And I think the last and most important
7 is that the town has won many awards over the last
8 few years. We won those awards because of the Fish
9 and Wildlife Service and the Park Service running
10 the beach. That has gave our visitors a beautiful
11 experience. So whatever we do with the parking lot,
12 whether they stay in Alternative A or B, we have to
13 make sure we don't lose that experience. The
14 experience is why we're getting 1.5 million visitors
15 a year, it's why you are getting a chance to educate
16 those people in environmental issues and things. So
17 whatever happens in this plan, we really have to
18 concentrate on the beach experience. And if we're
19 going to lose some of that beach experience by
20 moving north, or we can't get the beach experience
21 in the one-mile beach, we should consider going back

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1 to back to a four-mile beach or go back to a beach
2 that is long enough that the Park Service can have
3 the right to do whatever they want there in that
4 designated area to give the beach experience that
5 we've had in the past. And I think that, hopefully,
6 that will be your minds as we leave this meeting
7 this evening.
8 And I think that I've been told by Bill
9 and some others, you know, after this meeting
10 there's going to be a review of all the comments,
11 you know, a lengthy period, some other things going
12 on. We want to be at the table for those meetings.
13 You know, we'll come to Boston, we'll do whatever we
14 have to do to be at the table. We'd like to review
15 these comments with you, we'd like to build this
16 plan with you, not just leave us outside. Thank
17 you.
18 MR. ROSTER: Wanda Thornton.
19 MS. THORNTON: Good evening, everyone.
20 It's so nice to see so many people come out for this
21 important issue.

<p style="text-align: right;">29</p> <p>1 I, too, would like to thank Congressman 2 Rigell's office and Senator Lewis and, of course, 3 Robert Bloxom.</p> <p>4 I want to thank Tom and I want to thank 5 Joe. I think you've been very cordial, you've tried 6 to accommodate us. We may not be on the same page, 7 but you have been gentlemen, and I appreciate that.</p> <p>8 To me, the protection of Chincoteague is 9 very critical to the county, the town and our 1.5 10 million visitors we have every year. The Fish and 11 Wildlife Service needs to consider its 12 responsibilities not just to wildlife but the 13 protection of the surrounding area and implement 14 measures to protect the area from tide, storms, 15 wave action and sea-level rise, as this same thing 16 was discussed in Prime Hook.</p> <p>17 Over the last dozen or more years, the 18 policy of not maintaining the dunes that served to 19 protect the health, safety and welfare of our 20 residents is putting Chincoteague in great jeopardy. 21 Modify the Fish and Wildlife policy of not restoring</p>	<p style="text-align: right;">31</p> <p>1 that's what happened here, a biologist picked the 2 location -- I understand he was probably watching 3 out for the piping plovers, but if we're going to 4 move, we need to watch out for parking for the 5 residents and our visitors -- elevation and 6 sustainability in a parking lot to accommodate 961 7 parking spaces. I agree with Jack, eight and a half 8 acres we don't feel like is enough.</p> <p>9 You need to give specific details on 10 area, maintenance, management plans, mosquito 11 control, transportation and accessibility to the 12 ocean. We've been told that -- I -- we've been told 13 that the north beach would be managed in the same 14 manner that the southern beach is managed, which 15 means a low berm and a wash-over area, and also it 16 will occur every time we have an abnormal high tide.</p> <p>17 If this is what management policies we 18 will face, then I have to ask you, why are we 19 moving? What will we gain by relocating north? I 20 think I've had this discussion with Joe. I think 21 that moving north and maintaining the same type of</p>
<p style="text-align: right;">30</p> <p>1 the dunes to comply with the Virginia Coastal Zone 2 Emergency and Management Policy. Permit beach 3 replenishment to protect Assateague and 4 Chincoteague.</p> <p>5 Fund a study to document the effects of 6 the jetties in Ocean City, Maryland, and the 7 restoration of Wallops beach to determine the effect 8 it is having on our portion of Assateague Island in 9 Virginia.</p> <p>10 Remove Assateague from the proposed 11 wilderness area and the designation of one-half 12 mile, which you have agreed to do. You told me that 13 the other day. I think that protecting our 14 shellfish industry here is extremely important. It 15 not only helps with the local economy, it puts great 16 infusion in our economy but it also serves as a 17 livelihood for our residents.</p> <p>18 I think we need more expert analysis on 19 B, such as best elevation for parking, 20 sustainability and maintenance. A biologist is not 21 the expert to choose to pick the location -- and</p>	<p style="text-align: right;">32</p> <p>1 wash-over that we have now could inundate the 2 interior of Assateague Island, therefore causing 3 more damage than where we're at right now.</p> <p>4 Since the Park Service will be changed -- 5 will be charged with the maintenance of all the 6 parking area, I haven't seen any of their 7 recommendations or input, and I think it needs to be 8 included somewhere.</p> <p>9 The CCP Plan should be coordinated with 10 some portions of the Park Service GMP Plan. And 11 since both agencies have responsibilities on 12 Assateague Island, we need to find some way to 13 coordinate the CCP plan and the General Management 14 Plan of Assateague Island National Seashore.</p> <p>15 U.S. Fish and Wildlife has been under 16 guidance since 1999 to actively solicit 17 participation of state and local governments as 18 cooperating agencies under the National 19 Environmental Policy Act, to share state and local 20 expertise and to address the issues under state and 21 local jurisdiction in the CCP planning process.</p>

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1 This was not done. And if that had been, maybe new
2 issues that could have been addressed then could
3 have been resolved before we got to this point.
4 In a resolution passed by Accomack County
5 Board of Supervisors on June 18, we asked to be a
6 participating agency, along with many of the
7 Virginia state agencies, the Town of Chincoteague,
8 the Eastern Shore Tourism Commission, VMRC, Virginia
9 Economic Development Authority, the U.S. Army Corps
10 of Engineers and others. And I agree with what Jack
11 said; this set the stage for us asking for a seat at
12 the table and the other agencies having a seat at
13 the table as we progress.
14 I have attached the resolution from the
15 Accomack County Board of Supervisors to these
16 comments, and I would like to turn them in and have
17 it made a part of this record.
18 I appreciate the fact that you're here
19 tonight to listen to concerns of our citizens, and I
20 thank you very much.
21 MR. ROSTER: I would like to add that if

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1 you did prepare written statements, the stenographer
2 would love to have that so that he makes sure he
3 gets the record correct.
4 Next up we have John Amrhein.
5 MR. AMRHEIN: Some of you all may
6 remember the late Doctor Amrhein. I'm not related
7 to him but I have met him several times and we
8 talked about maybe our connections back in Germany
9 and Switzerland that we may have shared together.
10 Anyway, what I'm here to talk about is
11 the CCP and the coastal resources. And the number
12 one coastal resource that I'm interested in are the
13 ponies. And I want to thank the Fish and Wildlife
14 Service for elevating them to that status, which is
15 very important to you people and it's important to
16 me.
17 And why is it important to me? Well, 30
18 years ago -- actually, 34 years ago, in 1980, I set
19 out to find a Spanish ship that was wrecked off of
20 Assateague. And I thought it was going to be an
21 easy thing, we'd be out of there in a couple weeks

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1 and move on. And I spent the summer looking for it,
2 didn't find it.
3 To make a long story short, ultimately we
4 realized that the beach had changed and the ship was
5 buried in the refuge. It was a ship that could
6 easily be found because of instructions from the
7 captain.
8 And when I came to that conclusion, I
9 knew about the horses, I knew about the Spanish
10 shipwreck legend, but I never connected it to the
11 ship that I was looking for, called La Galga. It
12 ran ashore at Assateague in 1750. So when that
13 happened, I said this is not a treasure hunt, this
14 is a connection with history. And that's when I
15 became totally connected with the project. I never
16 expected to really get any money off this thing,
17 because we knew from the records there wasn't much
18 to be had. But what's there is history.
19 So from that point on I did a lot more
20 research; I researched in Spain, I did a lot of my
21 research here, I've poured through records in the

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1 Worcester County courthouse and Accomack County
2 courthouse, and I've come to the conclusion that we
3 go back to 1946, when Marguerite Henry was here.
4 She was drawn here by the fact that the
5 horses supposedly came from a Spanish shipwreck.
6 She wouldn't have come here if she thought they were
7 merely abandoned by a negligent farmer and that's
8 where they came from. She came because of the
9 shipwreck legend, and she hung out with the Beebe
10 family. We know about that. Everybody knows about
11 the story.
12 So when I got to the point in 1983 that
13 we knew the shipwreck was inland, I was introduced
14 to Ryan Beebe, the great-nephew of grandma. At
15 first he didn't want to talk to me. And then he
16 did. We got a map out and he merely put his finger
17 on the wreck. And he told me the story as it was
18 told to him, that went into a little bit more than
19 what's in the book "Misty", that's verified in the
20 Spanish archives. And he told me that the ship went
21 into an inlet and was, he said, within two weeks,

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1 but in the Spanish archives I would later read that
2 before they left the ship was covered in sand, it
3 broke up about two months later, after the locals
4 had their time with it, got the cannon off and all
5 that.

6 But we believe there is a lot more. So I
7 went into the refuge with the gear, we located the
8 site. I told the government about it. It was soon
9 forgotten. And then I wrote a book about it. We
10 did more research. I spent a lot of time on the
11 Eastern Shore going to the courthouse on this stuff.

12 And I learned a lot of things. One, the
13 legend is very well documented in newspapers and
14 magazines prior to Ms. Henry coming here. So we
15 know she had to have known about that.

16 So from there I went forward and
17 documented all the references about the legend going
18 back to about 1877 that came from the shipwreck.
19 And what happened, we'd gotten away from that idea
20 or theory because in 1968 the National Park Service
21 did a base map study, whatever you want to call it,

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1 of Assateague, and the historian, I don't think he
2 knew that I might be here questioning what he had to
3 say about it today. So he did a cursory exam of a
4 couple of documents and he came to the conclusion
5 that what we have today is just a result of pastured
6 horses. He was correct that the people on
7 Assateague, up and down, they brought the horses
8 over in the late 1770s. That's absolutely true.
9 But they were cared for, they never found a horse
10 pastured.

11 I found records in Accomack County and
12 Worcester County that said that in the estate
13 inventory, you know, when people die, the court
14 would order somebody over to Assateague and
15 inventory their cattle and horses. They weren't
16 about avoiding taxes at the courthouse. It's
17 recorded. Okay?

18 And the other theory that's published was
19 that they were avoiding horse fencing laws. Well, I
20 have a reference that there were really were some
21 fences on Assateague back then.

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1 MR. ROSTER: Time's up.

2 MR. AMRHEIN: Okay. The news that I'm
3 going to give you today is this: I'm bringing an
4 archeological team in this week. We have permission
5 from our friends here. We're going to the site and
6 we're going finish mapping it to develop a plan for
7 the future. And my friend Charles, my attorney
8 here, is guiding me through the process of getting
9 this nominated or at least determined eligible for
10 the National Register of Historic Places. That is a
11 huge thing for you people in Chincoteague. It could
12 bring in money, it could bring in outside money.
13 We don't have to ask the government anymore.

14 UNIDENTIFIED MALE FROM THE FLOOR: What's
15 it going to bring to you?

16 MR. AMRHEIN: I'm sorry. You're upset.
17 Anyway --

18 UNIDENTIFIED MALE FROM THE FLOOR: What's
19 it going to bring to you?

20 MR. AMRHEIN: Charles, I think you may
21 want to finish up. Anyway, I encourage anybody to

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1 go to --

2 UNIDENTIFIED MALE FROM THE FLOOR: Hey,
3 what -- what's it (unintelligible)?

4 MR. AMRHEIN: -- and you can read more
5 about it.

6 THE COURT REPORTER: I'm sorry. Could
7 you repeat that, sir?

8 MR. AMRHEIN: I encourage you to go to
9 the La Galga website and you can read much more on
10 the significance of this shipwreck. It has
11 international significance. Thank you.

12 MR. GEORGE: Hey, ladies and gentlemen,
13 thank you very much. My name is Charles George.
14 I'll make it brief. I'm an attorney.

15 THE COURT REPORTER: Sir, could you slow
16 down just a little bit and speak up?

17 MR. GEORGE: I'm a maritime attorney and
18 I'm also an environmental attorney and do a lot of
19 work with National Register type things. I was
20 brought in by Mr. Amrhein.

21 I'm just going to be brief in what we're

<p style="text-align: right;">41</p> <p>1 going to do here. I think it's very important 2 because I think all of these things ultimately are 3 economically based. All you folks sitting here have 4 a lot of interest in what's going on. The good 5 business has to do with the tourists that you need 6 and that's what keeps the refuge going, keeps the 7 businesses going, and you want the profit kind of 8 tourists. I don't know that you want to have Bike 9 Week here with motorcycles going up and down. I 10 know some people want it, but I think this place is 11 a little different. I don't have anything against 12 motorcycles; I've got one, too. 13 But I think the bottom line here is what 14 we are trying to do, and I think it's important. 15 We're trying to bring a national resource and a 16 treasure out. And in many ways it's been hidden. 17 Mr. Amrhein had a six-year battle running 18 with the folks at the Fish and Wildlife and 19 Department of Interior, and for six years they've 20 been real recalcitrant and have rebuffed everything 21 and they were doing things that weren't right.</p>	<p style="text-align: right;">43</p> <p>1 like -- 2 THE COURT REPORTER: Sir, you're going to 3 have to slow down. The man's name? 4 MR. GEORGE: Oh, I'm sorry. Clive 5 Cussler. Anybody know who Clive is? Did you read 6 the book? Did anybody see the movie "To Raise the 7 Titanic"? That's who Clive is. Clive is the one 8 who paid for the Hunley. Does anybody know about 9 the Hunley, the submarine that was brought up? We 10 paid for that. And he is very much the benefactor 11 and cares about history. 12 So we're looking at a lot of caring 13 people who really care about what this type of 14 development can bring and what it can contribute and 15 help this community, so we can turn it into 16 something that will be valuable. 17 Now I'll leave you with this. The 18 business model that we have put together, the case 19 that we have put together for the government is 20 going to be based on the same thing that happened 21 with the Bertrand in the DeSoto National Wildlife</p>
<p style="text-align: right;">42</p> <p>1 But I got involved, and it looks like 2 management changed and we've got the new people, and 3 I'm here to give out gold stars today. I think 4 these folks -- and I mean this -- you ought to give 5 them a hand because these folks are actually very 6 cooperative. And I have dealt with many agencies 7 where they weren't, they were just awful. These 8 folks are trying hard. So I want to give out some 9 gold stars and I want to let everybody know what 10 we're doing. 11 We want to see if we can find this wreck 12 and make sure that it is properly cared for and 13 planned for. And it appears that the CCP has a 14 version, according to Tom over there, the one that 15 you saw that inadvertently left out the La Galga. 16 Now it's going to be in it. Now, that's good news, 17 because that's important because, folks, it belongs 18 to you. And if this vessel can be recovered and we 19 can put a museum together, that would be a good 20 thing for everybody. 21 Just to let you know, I represent people</p>	<p style="text-align: right;">44</p> <p>1 Refuge. It's the same model. They found a vessel 2 that was embedded in the ground, they brought it up, 3 they brought up the artifacts from it, and they 4 turned it into a museum. It became a very important 5 museum and now it is the centerpiece of the wildlife 6 refuge, and the traffic is up, I don't know, 500 7 percent or something. That's important, because 8 that's good for you folks. These people buy things, 9 they come to your village and they come to your town 10 and they spend money, they come back, some of them 11 retire here, and other people bring their families 12 and they'll continue to come. I think that's what 13 this is all about. What's also important here is 14 that this belongs to you. 15 I thank you very much. I didn't mean to 16 speak so fast; it's a bad habit. I can tell you 17 that court reporters all over this nation have 18 complained about that with me as well. Thank you, 19 folks. 20 MR. ROSTER: Terri Lyons. 21 MS. LYONS: Hello. Thank you for letting</p>

<p style="text-align: right;">45</p> <p>1 me speak. My name is Terri Lyons. I'm not a 2 long-term resident here, I'm not a historian, I 3 didn't dig back and get all my facts and do my 4 research, but I just want to give you my opinion. 5 Many years ago I fell in love with 6 Assateague Island as I came here as a visitor for 7 several years. I love the beach, the nature, the 8 ponies and most certainly the peaceful feeling that 9 I got when I visited. I loved it so much that I 10 decided to move from my 55-year hometown of Roanoke, 11 Virginia, on the mountain side of Virginia, to the 12 seashore. 13 Over the years I've discovered that the 14 Chincoteague National Wildlife Refuge is far from 15 being managed as a natural place. I've learned that 16 the wildlife management includes programs to kill 17 off the Sika deer, red fox, and they have paid 18 personnel that go out and squash the eggs of Park 19 and Mute Swan. Also, the wild ponies that I, like 20 thousands of others, love dearly and have roamed the 21 island since the sixteen hundreds are considered</p>	<p style="text-align: right;">47</p> <p>1 policies and an agency that cares about all species, 2 including humans. 3 MR. ROSTER: Jill Bieri. 4 MS. BIERI: Thank you for the opportunity 5 to be here tonight to make public comment on the 6 CCP. 7 My name is Jill Bieri and I'm the 8 Director of the Virginia Coast Reserve for the 9 Nature Conservancy. The Conservancy has been 10 working to protect the barrier islands and the 11 coastal habitats on the coast of Virginia for nearly 12 50 years now. 13 We're currently reviewing, probably as 14 all of you are, the large document that is the CCP, 15 and we will be providing written comments on a 16 number of specific issues. We're looking at issues 17 like climate change adaptation, future land 18 protection opportunities, habitat restoration and 19 the management of beach nesting birds. 20 In our view, the draft CCP is a well 21 thought out comprehensive plan that manages and</p>
<p style="text-align: right;">46</p> <p>1 undesirable by the U.S. Fish and Wildlife Service. 2 Myself, I personally fear the U.S. Fish and Wildlife 3 Service with their outrageous rules and closed 4 public entry policy. 5 If I'm in my kayak and step out on the 6 back bay side of this 15-mile-long coastal refuge or 7 put my dog in the car to take him for a walk on the 8 beach or pick up a piece of driftwood or collect 9 more than one gallon of shells to take home or, 10 heaven forbid, I should have a long day at work, get 11 a beer, go to the beach to relax, I am committing a 12 federal crime. 13 From the choices presented, I very 14 strongly support Alternative A. Leave Assateague 15 Island as is. 16 It is also my personal opinion that we 17 have the wrong agency under the Department of 18 Interior in charge of our seashore. We need 19 Assateague Island, both Virginia and Maryland, to be 20 managed as a national seashore by the National Park 21 Service. One 35-mile barrier island, one set of</p>	<p style="text-align: right;">48</p> <p>1 prioritizes a number of natural resources and 2 human-related challenges. The Conservancy does 3 support the Service's preferred alternative, or 4 Alternative B, in the draft CCP. 5 While the specifics about what that work 6 will actually look like are appropriately left to 7 future more detailed planning efforts -- and I agree 8 with everyone that spoke before me, that everyone 9 should be at the table, that it should be in direct 10 cooperation with local and regional partners -- the 11 Conservancy submits that the Fish and Wildlife 12 Service has framed the broader issue very well. And 13 I just want to make a point of a couple of the 14 broader issues that they have framed very well. 15 We believe that the Fish and Wildlife 16 Service understands the Chincoteague National 17 Wildlife Refuge is located in the heart of the 18 southern Delmarva Peninsula, an area of recognized 19 global ecological significance for its remarkable 20 estuarine, coastal and marine habitats and 21 substantial populations of migratory and breeding</p>

<p style="text-align: right;">49</p> <p>1 shorebirds. The coastal lagoons and the barrier 2 islands represent what is arguably the most 3 significant remaining wilderness on the Atlantic 4 Coast. Understanding and valuing this larger 5 landscape-scale context is essential.</p> <p>6 The Nature Conservancy also appreciates 7 the importance of the Fish and Wildlife Service 8 recognizing that the southern Delmarva Peninsula 9 faces several serious and growing threats to its 10 long-term ecological and economic viability, most 11 notably sea-level rise. While complex sediment 12 dynamics and marsh migration means that not all of 13 the acres will actually be submerged by rising 14 water, it is clear that, unless steps are taken, 15 sea-level rise will have profound effects, often 16 negative, on the region's coastal habitats and that 17 impact will be disproportionately severe on existing 18 protected lands.</p> <p>19 In the CCP the Service recognizes that 20 addressing the sea level change threats will require 21 acting and working not only within its boundary but</p>	<p style="text-align: right;">51</p> <p>1 MR. BIRCH: Thank you all for your time. 2 I'm not much of a speaker, but I am a resident of 3 Chincoteague, have been all my life. My grandmother 4 and great-grandmother grew up on Assateague. I've 5 worked on the water here all my life.</p> <p>6 And these people that are here tonight, a 7 lot of us feel like we're being stepped on somewhat, 8 I think, including myself.</p> <p>9 I'm a full-time waterman; this is where 10 all my income comes from. Also, I'm interested in 11 my community. And what's bad for one person is, of 12 course, like a domino effect; what's bad for me is 13 bad for a lot of others, motel owners, restaurants, 14 gift shops.</p> <p>15 This is a small community. We've got a 16 unique little place here. What applies maybe north 17 of us or south of us and some of the other barrier 18 islands up and down the coast may not apply here. 19 I'm not saying we're better than anybody else or -- 20 we think we have got a good thing here.</p> <p>21 I don't see where there's been a big</p>
<p style="text-align: right;">50</p> <p>1 also helping to facilitate and galvanize 2 conservation work beyond the boundaries.</p> <p>3 We appreciate that the Fish and Wildlife 4 Service has embraced the fact that it will succeed 5 in these efforts only by working directly with local 6 and regional partners, both because the scale of the 7 challenge exceeds the ability of one entity to 8 address and because local perspectives, expertise, 9 connections and support will be essential to move 10 this work forward.</p> <p>11 Within the CCP it is also recognized that 12 regional conservation efforts must focus not only on 13 protecting and connecting key habitats for wildlife, 14 but also seek to utilize and restore these habitats 15 so they can better buffer human communities from 16 other climate change impacts and provide additional 17 recreational and economic benefits for people.</p> <p>18 The Nature Conservancy offers our support 19 for the Service's commitment to regional 20 conservation. Thank you.</p> <p>21 MR. ROSTER: Randy Birch.</p>	<p style="text-align: right;">52</p> <p>1 problem in any angle other than beach erosion and 2 all, which can be handled a little different, in my 3 opinion. But to change, to change some of the 4 things that we're being told, change a lot of our 5 lives. We eat, breathe and sleep this, a lot us 6 that's lived here all our life. I'm very narrow 7 minded, I'm not much for change.</p> <p>8 But to tell you the truth, I thought 9 tonight, part of it was going to be a question and 10 answer period so a lot of people would understand a 11 lot of these proposals and all, maybe. I don't 12 fully understand them all, and I don't know what 13 everybody -- I really thought this was going to be a 14 question and answer period in addition. I 15 appreciate you all's time.</p> <p>16 I also go out waterfowl hunting in the 17 wintertime. I was told, hearsay was that this was 18 going to affect this wilderness area up north. Now 19 I'm told it's not going to. Supposedly, something 20 that's been on the books since the seventies, it's 21 never been enforced or never been put into place,</p>

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1 the horseshoe crab deal. This has been on the books
2 since the sixties. Now, all of a sudden, Fish and
3 Wildlife want to enforce it. It's never been a
4 problem, never been a problem with overfishing,
5 never been a problem with anything being damaged.
6 The only problem that appears now is it's
7 going to take a little piece of the pie out of my
8 income. When I say me, I don't mean me personally,
9 I mean some of us working.
10 There's only 15 or 16 permits in the
11 state of Virginia for hand-harvesting horseshoe
12 crabs. I don't want to make this a main topic. But
13 if there's been a problem, we've not heard about it.
14 Now, all of a sudden, even though it's been,
15 supposedly been on the books, as they call it, for
16 years, now we're just starting to hear about it.
17 The same thing a few short years ago with the Park
18 Service permits.
19 If there's not been a problem, don't fix
20 something that's not broke. Everything is running
21 smooth. We want to get along with Fish and Wildlife

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1 and the Park Service. They've done a good job over
2 here. We're really happy we don't have a Wal-Mart
3 over here or a boardwalk.
4 It's a really unique little place here,
5 and we'd like to keep it that way. If there's a
6 problem, we all need to get together and we can talk
7 about it to fix it. But for the government to come
8 in and take over and strong-hand our way of life is
9 a little bit, it's a little bit hard for us to
10 swallow.
11 Thank you all for your time.
12 MR. ROSTER: Thomas Bowden.
13 MR. BOWDEN: How are you all? I'm not
14 much of a speaker. I never come out to places like
15 this.
16 I've been harvesting crabs since 1969
17 with John Marchetti. I've had a good living at it;
18 I've raised all my kids, family and grandkids.
19 And just the 15 permits that's been here,
20 it's going to hurt. It's a big part of their money.
21 They make it during the five days. And now the

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1 horseshoe crab population, I probably bought this
2 year 92,000 of them out of the 172,000. It's going
3 to hurt me real bad if they cut it down, because I'm
4 also, like I said, a buyer and a catcher. And I
5 don't have a whole the lot to say about it. That's
6 all it is. I don't speak much to people. When I
7 do, it's usually not like this.
8 Thank you for your time. Maybe you can
9 change it.
10 MR. ROSTER: Tommy Mason.
11 MR. MASON: My name is Tommy Mason. I'm
12 a lifelong resident of Chincoteague. If I live
13 about 15 more days, I'll be here 70 years on
14 Chincoteague.
15 I know you're not going to put sand on
16 the beach. That's what needs to be done, is put
17 sand on the beach. I agree with Wanda, that we need
18 to do something to the dunes.
19 In the wintertime, I ride over to the
20 beach in the early morning, and the tide will be
21 right out. There is a shoal off shore that is

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1 protecting our beach. And it's just a few places
2 where the dunes was washing through. So if they
3 took a small bulldozer and pushed these dunes up and
4 protect the beach, you wouldn't have the roads, the
5 roads wouldn't wash away. And if the beach would
6 wash away -- My wife and I, we own a hotel on
7 Chincoteague, and I've been growing oysters for 50
8 years and clams for 30 years. Tom's Cove is one of
9 the best natural resources on the East Coast.
10 There's probably a hundred people that make a living
11 in Tom's Cove harvesting oysters, clams, crabs and
12 fish. So you're going to hurt a lot of people.
13 Plus the beach protection of Chincoteague
14 from the storms, if we have a storm and we don't
15 have no beach, this side of Chincoteague will be
16 destroyed. But in my opinion, it looks like the
17 beach, it might come back. I think the good Lord is
18 going to bring the beach back, and the fish and
19 wildlife.
20 The gentleman on the end said that he
21 likes his job and respects his job. Us people on

<p style="text-align: right;">57</p> <p>1 Chincoteague, we like the job we've got, we respect 2 it, and we like living here and it's a good place to 3 live and raise your family. And I think if you'd 4 just leave things alone, I think the good Lord will 5 bring things back and it will be fine. Thank you.</p> <p>6 MR. ROSTER: Jim Frese.</p> <p>7 MR. FRESE: Good evening, ladies and 8 gentlemen. I'm Jim Frese. I live over on the east 9 side. Unfortunately, I'm just a youngster when it 10 comes to the longevity of living here; however, my 11 father brought me down here beginning in the 12 nineteen forties. I've been coming ever since. 13 I've been in love with Chincoteague so much so that 14 I bought my first piece of property down here in 15 1984. I retired in 1990 and moved here that same 16 day.</p> <p>17 Now, over the years I have heard from a 18 lot of the old-timers what they have gone through in 19 protecting what has been their rights since time 20 practically began, and that is beach, among other 21 things. That's only one of them but that's a big</p>	<p style="text-align: right;">59</p> <p>1 shouldn't that really be settled and the government 2 say to the Chincoteague citizens, folks, it's yours, 3 we're going to help you keep it?</p> <p>4 Now I would like to touch on a couple 5 other things. We talk about responsibility, and the 6 National Wildlife Service has a lot of 7 responsibilities to the ducks and the geese and all 8 that sort of thing, and we're all for that, 9 everybody's for that. But I would remind everybody 10 that Assateague Island is a barrier island put there 11 by God, and it should be the responsibility of those 12 in power to do everything they can to maintain that 13 protection for the land masses west of it, one of 14 which is Chincoteague Island.</p> <p>15 In the eighteen fifties, when the 16 first -- or I think it was the eighteen forties the 17 first lighthouse was built in approximately where 18 the present one is and that ended Assateague Island 19 at that time. Since then Assateague Island, as we 20 all know, has grown further to the south, and until 21 1933 it was a pretty rapid growth.</p>
<p style="text-align: right;">58</p> <p>1 one.</p> <p>2 I can remember hearing stories when I 3 would come down about a group of citizens who could 4 not get their way with the Federal Government and 5 maintaining their promise to maintain the beach. 6 They went to Washington at their own expense and 7 they got that corrected; hence, we still have that 8 beach.</p> <p>9 Every single year, almost without 10 exception, somebody is trying to take that beach 11 away, and that somebody begins with the National 12 Fish and Wildlife Service. Year after year we have 13 come here, we've gone to other places on the island, 14 had hearing after hearing after hearing. It has 15 been almost as if one person were speaking. Without 16 any question, they wanted to maintain that beach, 17 maintain that parking, period. The Federal 18 Government has heard that many, many times.</p> <p>19 And I think we're getting through a 20 little bit, because now we're down to three 21 alternatives. But frankly, after 25, 30, 40 years,</p>	<p style="text-align: right;">60</p> <p>1 In 1933 there was a hurricane that came 2 through and it opened up an inlet into what is now 3 Ocean City. And in their great wisdom they said, 4 gee, this is great, we like the water, we're going 5 to build groins out here to protect this inlet. And 6 they did. And what happened, it choked off the 7 movement of the thorough movement of sand southward. 8 When it did, that started the reduction of 9 Assateague Island.</p> <p>10 Last year at this time -- switching 11 subjects a little bit, and the other one I want to 12 address is this -- quote -- ocean rising. Tommy 13 Mason said that he had been oystering in Tom's Cove 14 for better than 45 years and that he could determine 15 no ocean rising. Well, I couldn't do it for 45 16 years, but I'll tell you what I did do 24 years ago, 17 I started measuring and noting the ocean rise, if 18 any, not from the rocks up to the surface but rather 19 from the bottom of a fixed pier down to the water, 20 because it looks right out of my kitchen. And, 21 folks, I can't see any ocean rising and I don't</p>

<p style="text-align: right;">61</p> <p>1 frankly believe it.</p> <p>2 Now, all I'm asking for, and I think all</p> <p>3 of the people are asking for on Chincoteague Island,</p> <p>4 is leave Item A alone, don't give us that other</p> <p>5 stuff. And if you want to really do something, you</p> <p>6 want to protect Assateague Island, good, do</p> <p>7 something to stop that erosion. And I'm not</p> <p>8 engineer enough to know what to do but I know</p> <p>9 something can be done, but there seems to be no</p> <p>10 effort whatsoever to look into it. Anyhow, keep</p> <p>11 Item A, or the first, please. Every year, every</p> <p>12 year the people of Chincoteague, among others, and</p> <p>13 our political leaders have all supported it. Please</p> <p>14 keep the beach where it is, keep the parking where</p> <p>15 it is. Thank you very much.</p> <p>16 MR. ROSTER: Nancy Payne.</p> <p>17 MS. PAYNE: Hi. My name is Nancy Payne.</p> <p>18 I'm a business owner on Chincoteague, a resident,</p> <p>19 and we've had property on Chincoteague for over 35</p> <p>20 years, so we've been here not as long as many but</p> <p>21 quite a long time.</p>	<p style="text-align: right;">63</p> <p>1 let this go. By letting the island go, you're</p> <p>2 endangering our community.</p> <p>3 My second point, the wilderness, Joey</p> <p>4 answered that question. But I guess my point, my</p> <p>5 point would be now, would be that how long to</p> <p>6 build -- to come up with this plan and you just</p> <p>7 discovered when you drew that line someone didn't do</p> <p>8 their due diligence and do a good -- do a good</p> <p>9 review to find out if you were taking in all that</p> <p>10 area, and you should have known that a long time</p> <p>11 ago. So I would question the people who put the</p> <p>12 plan together.</p> <p>13 My third point is move to the north. It</p> <p>14 has -- it does have some good benefits, but you're</p> <p>15 asking us to pick a plan that we don't have very</p> <p>16 little information about, move the area and do a few</p> <p>17 things, but, as you know, the word of the Federal</p> <p>18 Government is not too good now. And I'm a person</p> <p>19 who spent their career with the Federal Government.</p> <p>20 We need to have more specifics on what that means</p> <p>21 and what was the plan, how would the beach be</p>
<p style="text-align: right;">62</p> <p>1 And I come tonight with a list of 38</p> <p>2 people who are supporting the move to Plan B, moving</p> <p>3 north, moving the parking lot north. And among</p> <p>4 those 38 people there are property owners, business</p> <p>5 owners, residents and a few longtime people who have</p> <p>6 come here to visit the island for years and years</p> <p>7 and years, not just casual pop-in visitors. So I</p> <p>8 will present these, the names, addresses, and the</p> <p>9 signatures are here. Thank you.</p> <p>10 MR. ROSTER: John Jester.</p> <p>11 MR. JESTER: Hi. I'm John Jester. We've</p> <p>12 heard much about sand dunes. Well, there's a reason</p> <p>13 for that. In 1962 the March storms were flooding,</p> <p>14 very quickly. Following that, the Corps of</p> <p>15 Engineers built sand dunes for a reason, to build</p> <p>16 barriers. What concerns me is the plan has -- your</p> <p>17 plan has no references about preserving the beach.</p> <p>18 The initial legislation in 1965 or</p> <p>19 whatever it was talked about preserving the barrier</p> <p>20 island, not letting the island go. And that's what</p> <p>21 you are here demonstrating to us, your plan is to</p>	<p style="text-align: right;">64</p> <p>1 prepared, the parking and everything. It's too</p> <p>2 vague right now for us to make any real good</p> <p>3 decision.</p> <p>4 And what is really lacking is where is</p> <p>5 your Corps of Engineers' stamp of approval? They</p> <p>6 are the experts of the beach, not Fish and Wildlife</p> <p>7 biologists. I have nothing against biologists, I</p> <p>8 love biology, but I think we need to have some</p> <p>9 people who know about the movement of the water and</p> <p>10 what's going on with the beach and what's going on</p> <p>11 with our inlet.</p> <p>12 My fourth point, I guess, is a term I</p> <p>13 heard, I used a lot when I was in Washington, "death</p> <p>14 by a thousand cuts". You don't notice one cut or</p> <p>15 two cuts or three cuts but after a while you start</p> <p>16 bleeding out of each eye. This is what many of us</p> <p>17 feel like now with Assateague. And we grew up in</p> <p>18 Assateague as part of our community, it was a</p> <p>19 neighborhood.</p> <p>20 And when they created the national</p> <p>21 seashore, that was fantastic. And I would make a</p>

<p style="text-align: right;">65</p> <p>1 point that the whole reason that was created was 2 because a few men on Chincoteague got the idea to 3 build a bridge. Without that bridge there would be 4 no worldwide reputation of an Assateague Refuge. 5 But what's happened since then? We had a 6 five-mile beach when we started. Now we're down to 7 a mile. Now you say, well, you can use that beach 8 in other times of the year. But who goes to the 9 beach in December and January and February? You 10 know, so what good is it? You know, you'd freeze 11 your butt off. 12 So what's happened is that we've been 13 squeezed into a mile and we have additional rules. 14 People who run tour boats go down Assateague 15 channel. It's rule after rule after rule. After a 16 while, you know, how far goes it go? So that would 17 be the question, you know, how many rules do we have 18 to have? You keep squeezing and squeezing and 19 squeezing. 20 We're all very proud of the refuge here; 21 it has a great reputation. You know, we love</p>	<p style="text-align: right;">67</p> <p>1 of the community, we do have a world-class operation 2 here. We'd like to see a plan that has a win-win 3 option. Thank you. 4 MR. ROSTER: Pastor Jessica Carey. 5 MS. CAREY: I'm Pastor Jessica Carey. 6 I'm from Chincoteague and I have long shore roots. 7 My dad is Tim Carey. He used to teach school here 8 on Chincoteague, at the high school. He's currently 9 on the school board and he's written many grants to 10 help preserve the education for Chincoteague, as 11 well as the Eastern Shore of Virginia. 12 We often hear that the Chincoteague 13 National Wildlife Refuge is the crown jewel of 14 refuges. It's the crown jewel of refuges because 15 you must travel through it to get to the beaches to 16 admire the most beautiful beaches in America. We 17 also have the Tom's Cove oysters and crabs that 18 we're known for. 19 People come here to admire and they flock 20 to admire the stagnant ponds, the signature features 21 of the wildlife refuges across the nation, our</p>
<p style="text-align: right;">66</p> <p>1 nature. You made a point about nature. We love 2 nature, we grew up with nature here. We actually 3 have more nature on our island now; we have deer, 4 eagles fly over our heads, ducks at our feet, geese. 5 We love nature. If you look at the people who visit 6 us, they love nature, too. You don't have -- we're 7 not a -- we're a family resort. We don't have wild 8 parties here. People that come here don't go there 9 to destroy piping plovers or whatever. 10 Just like I mentioned to you before, I 11 resent the fact that -- and I looked at it -- 12 someone would destroy -- destroy a nest if I get too 13 close to your edge. You can't have four miles of 14 beach because of one nest. That really makes us 15 feel like we're a criminal before we begin. We 16 can't put our foot on the beach, on the tip of the 17 beach, or we will be in violation. So the question 18 is, how far do these rules go? You know, we like to 19 work. It should be a win-win plan; we agree with 20 that. 21 And because of, I think, the cooperation</p>	<p style="text-align: right;">68</p> <p>1 pristine lands claimed and the old fashion way of 2 life that's preserved for families. 3 I oppose Alternative B and C for the 4 reason that neither of those plans will improve the 5 visitors' beach experience or educational 6 experience. 7 I once asked a past manager, why is one 8 mile of the beach so defined for public use, why 9 must people be given such harsh limitations, why 10 must my disabled, special needs child be told he 11 can't take a whole bucket of shells home because he 12 might be committing a crime, and why can't the 13 service dog come that he may really need? And the 14 answer I got was that FWS cannot afford more than 15 one mile of public beach. 16 The FWS needs to realize that the shore, 17 seashore they are responsible for, the crown jewel 18 that makes them popular, should be a priority. For 19 the money, certainly a better plan than a 40-foot 20 roadway to a limited one-mile beach could be 21 achieved. Why not another wildlife loop type</p>

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1 experience with a similar kind -- with a smaller pod
2 parking along the way, or something such as Mr.
3 Amrhein suggested for educational purposes,
4 spreading out our visitors along the shoreline
5 rather than squeezing them in one-mile, causing a
6 blanket on top of blanket experience during the busy
7 season? If the FWS cannot afford to share more than
8 one mile of the 15 miles it owns, perhaps this is a
9 sign to determine who can afford to own and manage
10 the jewel that makes Assateague Island so very
11 special.

12 I support Alternative A. I support
13 Alternative A because work that we have, keep it as
14 close to as is as possible. In the world of
15 wildlife and protected species, they're a small
16 matter, not just some. We must learn to have
17 compassion for all things.

18 I support the idea of having our national
19 seashore management by the agency that can do and
20 has done a fabulous job at the Virginia and the
21 Maryland beaches. Since 1965 the FWS claimed they

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1 cannot manage the public beach. It has been a
2 struggle for the FWS; however, it does not fit in
3 the mission with NPS. Why not study a possible land
4 transfer within the Department of Interior and give
5 ownership and management of this shoreline to the
6 agency who would not be struggling to share the
7 jewels, who has in their budget money to spend on
8 visitor services and who is better suited to comply
9 with the Seashore Act of 1965 which gave people five
10 miles of beach to enjoy. The National Park Service
11 should be the primary administration of the
12 seashore, while the FWS could put more effort into
13 areas such as the manmade habitat of north and south
14 wash flatland, which appear to me to be a
15 disgraceful mistake made many years ago, basins
16 which collect rain water which quickly turn stagnant
17 due to failing water-controlling structures and
18 mismanagement.

19 Let the FWS concentrate on the
20 environments they have created. Let NPS do what
21 they do best, and leave the wildlife refuge for

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1 future generations. Let our children and children's
2 children and all future generations enjoy the crown
3 jewel of all refuges, the Chincoteague National
4 Wildlife Refuge, by supporting Alternative A. Thank
5 you, and God bless.

6 MR. ROSTER: Kathy Phillips.

7 MS. PHILLIPS: Hi. It's good to see all
8 of you here. I'm Kathy Phillips, with Assateague
9 Coastal Trust, and I'm your Assateague Coast Keeper.
10 I'm just here tonight to support the
11 Alternative Plan B.

12 We feel that this lengthy process has
13 gone on for many years now to give everyone an
14 opportunity to put their comments forward, everyone
15 has had opportunity to speak, and we feel that the
16 National Wildlife Service has taken a lot of that to
17 heart and has done a very admirable job of trying
18 to -- you can't please everybody -- but at least
19 trying to come up with a plan through Alternative B
20 that will still give public access to the beaches
21 but do what they are charged to do, which is to

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1 protect wildlife habitat and the natural resources
2 of this area.

3 I'd also just like to say that the last
4 time that I spoke at a public hearing down here in
5 Chincoteague was in front of the town planning
6 commission or planning board related to rezoning
7 certain areas of the town of Chincoteague. And I
8 would hope that everybody tonight would understand
9 that basically we're going through the same process
10 here, how to best zone the wildlife refuge area so
11 that multiple uses can exist within that area, just
12 as you set laws and regulations in zoning here in
13 the town of Chincoteague, again, to best manage your
14 town as much as possible.

15 So thank you very much. We will be
16 submitting full written comments, so I don't have
17 something to give to you this evening, and we'll
18 have those in by the deadline. Thank you.

19 MR. ROSTER: Donna Leonard.

20 MS. LEONARD: My name is Donna Leonard,
21 and I am going to have a little humor, because I

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1 could talk all night long. Somewhere along the line
2 I got the word that I have two minutes. So for the
3 past couple days I've been with a stopwatch, got my
4 time down to two minutes. I've got so much more to
5 say than two minutes. So I'm going to make my
6 two-minute speech and then add a little, little few
7 ad-lib kind of comments that I have.

8 First of all, I would like to say, from
9 the options available, I do support Alternative A.
10 I do believe it is reasonable, much more economical
11 than spending \$12.4 million on moving north, and I
12 do think that it's the least destructive of the
13 natural habitat.

14 I'm not a big fan of the impoundments
15 that are on Assateague and that have been created
16 cookie-cutter fashion all over the national wildlife
17 refuge system. I find they are a really good place
18 to breed mosquitoes because the water does gets very
19 stagnant, the water-controlling structures are no
20 longer operational. I'm getting off my two minutes.

21 I did speak two weeks about Swan Cove

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1 being used as an area that could be used for
2 parking. You know, Swan Cove doesn't have any swans
3 in it anymore because those swans have been
4 determined to be a nuisance, they're a non-native
5 species, you don't find swans. So I think you
6 should change the name of Swan Cove to Parking Lot
7 One. It could be diked off in the middle, about
8 where the water-controlling structures are, so that
9 there is still a pond there, there are still some
10 unnatural water -- or wastewater management areas or
11 impoundments or whatever is politically correct to
12 call them now in 2014. There's a land base there in
13 Swan Cove that is the land base we need. It says,
14 we'll allow parking as long as the land base is
15 there. Swan Cove is pretty wide. That area goes
16 all the way back to the lighthouse if you do not
17 consider that natural habitat. It's not natural
18 habitat, it's just manipulation of the Fish and
19 Wildlife Service. You can never convince me that
20 that is natural habitat.

21 Since the master plan, which I was

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1 involved with in 1988, we had five miles; a little
2 bit taken away, a little bit taken away, a little
3 bit more taken away. The beach areas designated for
4 people by Congress has been continuously reduced.
5 And it does seem once something is taken away, we
6 never, ever get it back.

7 I oppose Alternatives B and C. I oppose
8 the destruction of more habitat than has already
9 been occurred under Fish and Wildlife Service
10 management practices. I oppose the extreme cost
11 involved. I feel if you are going to spend \$12.4
12 million on new facilities and more roadways, and you
13 divide that by 20, if the maximum amount that has
14 been spent for parking lots in a year's time is
15 \$600,000, that gives you about 20 years to have
16 money to put into the replenishment and the
17 restructuring of our parking lots as they might be
18 needed when we do have storms. It's not every year,
19 but we all know when we have some big ones those
20 parking lots are going to get washed out.

21 I do believe that politics would have to

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1 be involved. If plans B or C have to be approved by
2 an environmental impact statement, there's no way
3 that should be allowed to happen. I'm very
4 surprised that the Assateague Coastal Trust, which
5 was previously the Committee to Preserve Assateague,
6 is in favor of further destruction of what's pretty
7 much natural between C and D dike. It's not an
8 impoundment now but the natural grass is growing
9 there and there's a big area there that is
10 considered a scrub zone, or the scrub pine zone,
11 bushes that are certainly used by migrating
12 songbirds and other little feathered friends that
13 come through.

14 When Congress passed the Seashore Act in
15 1965, the Fish and Wildlife Service declared, oh,
16 no; parking lot, bathhouses, lifeguards, changing
17 rooms, picnic tables, un-uh, we don't do that,
18 that's not in our mission. So they very loudly
19 claimed in 1965, when Congress designated this beach
20 to us, the people, that they couldn't do that, it
21 wasn't in their writings that they could supply

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1 these people services. That was 49 years ago. The
2 Fish and Wildlife Service was unable to do the job
3 then and it's unable to do the job they are doing
4 now.
5 Assateague Island can be managed, as
6 others have said and proven on the Maryland side, by
7 the National Park Service. The National Park
8 Service in 1965 came in, came to our rescue and
9 said, you might not be able to do parking lots, but
10 we can, it's in our ball game, it's in our mission,
11 we can do it.
12 And so for the past 49 years, thank
13 goodness, we have had the National Park Service to
14 rebuild our parking lot, supply our lifeguards,
15 supply our bathhouses, restroom facilities, two
16 picnic tables. The mission of the Park Service is
17 to promote and regulate the use of the national
18 parks, which purpose is to conserve the scenery and
19 the natural and historic objects and the wildlife
20 therein, and to provide for the enjoyment of the
21 same in such a manner and by such a means as will

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1 leave it unimpaired for the enjoyment for future
2 generations.
3 I publicly appeal to the Department of
4 Interior to analyze the need for duplicate
5 management and determine if reorganization is
6 feasible. Millions of dollars can be saved, people
7 would not need to be herded like cattle into a
8 one-mile zone, and future generations will have
9 continued access to one undeveloped beach which
10 amounts to 7 percent of our coastline on the Eastern
11 Shore of Virginia.
12 We, the people, have never asked for more
13 than Congress gave us, and 93 percent should be
14 enough for the endangered piping plover to either
15 thrive or be destroyed by natural causes.
16 Times have changed since the creation of
17 the Chincoteague National Wildlife Refuge in 1943.
18 The Greater Snow Goose, once threatened, is now
19 looked at by the Fish and Wildlife Service as a
20 vegetative destructive menace. Explosive devices
21 are used to drive them out of refuges now. So the

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1 reason that this refuge was established is no longer
2 a reason to be here.
3 Barrier island beaches change, needs of
4 species change, and by the decision of someone in
5 the Federal Government, I'm not sure who but I would
6 like to meet them, management could change to meet
7 the needs of 2014.
8 Since both the Fish and Wildlife Service
9 and National Park Service are under the Department
10 of the Interior, why have duplicate management when
11 one can do the job?
12 MR. ROSTER: Denise Bowden.
13 MS. BOWDEN: Hello. I'm Denise Bowden.
14 I am a native 'teaguer. I hate to use the word
15 native, but I'm born and raised on Chincoteague, so
16 I've lived here now all my life.
17 I am strongly opposed to any other
18 alternative with the exception of A. We need to
19 stay where we are for numerous reasons.
20 John Jester said up here a few minutes
21 ago about the situation that the Federal Government

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1 is in, we're in the hole, we're in the red, we stay
2 there, we have been for a long time. What is it
3 going to take to move up north to Alternative B at a
4 cost of 12 million in the plan right now, a plan
5 that took three years to get out? By the time that
6 it's implemented, it's going to be double that.
7 There is no way that you can say it's going to cost
8 \$12 million right now and five years from now, if
9 it's implemented, it's going to be \$12 million.
10 It's not. Like I said a couple weeks ago in our
11 beach meeting, it's been my experience that the
12 Federal Government doesn't buy a Number 2 pencil
13 unless it costs \$10. So that to me is a very
14 conservative figure, \$12 million, and this country
15 can't afford it. And like Donna said, \$12 million
16 can go a long way to fixing parking lots when they
17 overwash, which is not all the time.
18 We're already three years into this, and
19 now we're going to wait to August 15 before
20 everything is said and done. And then how much
21 longer down the road is it going to be? When you

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1 have to do this every 15 or 20 years, we're going to
2 be right there again all over again.

3 A few years ago there was the proposal
4 and it was implemented to raise the fee-booth fee.
5 That extra money was to go toward parking lot
6 maintenance.

7 Joe said last week or two weeks ago that
8 the U.S. Fish and Wildlife gives National Park
9 Service \$200,000 from the fee-booth collections.
10 The former Park Service manager, Chris Tickliter
11 said that some of that money goes to pay for
12 lifeguards, some of it goes for something else, a
13 little bit goes for something else, until you are
14 down to hardly anything for parking lot maintenance.
15 That wasn't the agreement, and we need to go back to
16 that and relook at that, revisit that part in there.

17 To me, when I look around this room, I
18 know you all have a job to do -- and I wouldn't want
19 to be in your shoes for anything in the world --
20 when I look around this room and see people like
21 Tommy Mason and Mike McGee and Ray Wimbrow and Tommy

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1 Bowden and all them here, these people have a job to
2 do, too. They're the hotel owners and they're
3 restaurant owners, there's the fire company, we have
4 a job to do, and that job is to survive.

5 And I know where you all are coming from,
6 conservation and making sure that we don't have a
7 loss of habitat. But there's no way in the world
8 that you or anybody else is going to convince me
9 that we can't do this together that's going to
10 benefit us and our livelihood and what you do in
11 conservation for the refuge.

12 We have 150 -- or up to 150 ponies on
13 that beach. I don't believe for one minute that you
14 can say that they're not natural to this area. If
15 that's the case, I mean, horses aren't natural to
16 anything in the United States, they were brought
17 over here from Europe, but they have been here for
18 400-plus years. That's as natural as it gets; I
19 mean, born and raised like we are. I mean, for
20 them, in Alternative C, to even be reduced by one,
21 just one, has an economic trickle down on this

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1 community. It only takes one disease, it only takes
2 one sickness or anything like that to go through a
3 herd, if you already reduce them and then something
4 like that happens. The livelihood of this town
5 depends on 150 ponies. That's the way it is.

6 You know, I could go on and say more. I
7 have notes scribbled all around. I can't even read
8 my own handwriting.

9 But when I get up here and get aggravated
10 about these things and I look at the Federal
11 Government and look at the position this country is
12 in right now, when you all come out here with
13 something like this and want to limit what we do for
14 our livelihood, it tells me once again that the
15 Federal Government wants to shut down America one
16 town at a time, and that's the way I see it.

17 MR. ROSTER: Joe Fehrer.

18 MR. FEHRER: Good evening. I'm Joe
19 Fehrer. I'm the Lower Shore Project Manager for the
20 Nature Conservancy. I want to thank you for this
21 opportunity to speak tonight.

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1 The Conservancy applauds and supports the
2 time and effort the refuge has spent to move the CCP
3 forward and get it to this point. We also support
4 Alternative B, as it truly is a balanced approach,
5 one that ensures the refuge's mission and goals are
6 met and protects the Town of Chincoteague's
7 recreational interests.

8 I'm somewhat hesitant to say anything
9 about the relocation of the recreational beach,
10 because the Conservancy's expertise does not extend
11 to parking lots, but we do have a lot of experience
12 with barrier islands.

13 The current beach parking area and
14 causeway, as we all know, are highly vulnerable to
15 mudding and storm surge. Since 1997 the beach in
16 that area has retreated 450 feet westward, an
17 average of 28 feet per year. The site proposed in
18 Alternative B, 1.5 miles north, has moved only 60
19 feet westward over that same time frame. This is
20 one of the most stable areas on the island. The
21 service road is about a mile shorter, it's located

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1 well inland and protected from storm surge.
2 And finally, we would like to see the
3 refuge and community establish and maintain a
4 mutually beneficial relationship. This will take
5 trust, collaboration and leadership. We feel this
6 will increase the ecological and economic value of
7 the refuge, which will ultimately benefit wildlife
8 and people. Thank you very much.
9 MR. ROSTER: Louisa Flaningam.
10 MS. FLANINGAM: Thank you very much. I
11 thank you for having this meeting. I, too, did
12 think it was going to be a little bit more questions
13 and answers.
14 My name is Louise Flaningam. My husband
15 and I have the Captain Timothy Hill House here on
16 Chincoteague Island. And I do -- I'm the last
17 person in the world that is going to say that I know
18 very much about this issue.
19 We came here in 2002. That's when we
20 bought our house. And I've been thinking long and
21 hard about this beach issue and trying to find out

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1 as much as I can. And I certainly appreciate what
2 our elected officials have had to say and all of the
3 work you have been doing in trying to bring this to
4 a head, in a sense, and to give us choices.
5 But the thing that has gotten me is that,
6 doing the research that I had to do for the National
7 Register of Historic Places and for the Virginia
8 Landmark Register, which we were honored with having
9 that designation given to us in 2011, I spent an
10 awful lot of time, even though the house is
11 significant for the architectural history, I had to
12 put it in time and in history and the island and all
13 of that that was going on, so there was a tremendous
14 amount that had to be looked at, and I spent so much
15 time looking at a lot very, very old maps. Kirk
16 Mariner was very helpful; he shared a lot of maps
17 with me. I wish I could get to them right now but,
18 unfortunately, we're moving and a lot of my office
19 in shrink-wrap and storage; otherwise, I'd have my
20 maps with me.
21 But I looked at maps from the late

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1 sixteen hundreds, seventeen hundreds, all the
2 through the eighteen hundreds, and the one thing at
3 that time, not being all that familiar with the
4 geography of this area, that struck me was the size
5 of Assateague Island in relationship to
6 Chincoteague. Basically -- well, we all know where
7 the lighthouse was situated in 1830 -- basically,
8 the end of Assateague Island was basically where the
9 end of Chincoteague Island was. Because
10 Chincoteague inlet was big and wide open, you could
11 have some pretty large sailing vessels through that
12 inlet at that time.
13 And since the house, the Hill house was
14 built about 1800, at that time Chincoteague inlet
15 was wide open, Assateague channel, I believe, was a
16 good bit larger. Of course, everybody's livelihood
17 was on the water. But since that time Assateague
18 has grown and sand got deposited. I used to spend a
19 lot of time in my childhood going down to the Outer
20 Banks and to Ocracoke and places like that, and they
21 saw significant changes to that from a little tiny

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1 spit going out to Ocracoke to huge beaches.
2 I know of rows of houses on the Outer
3 Banks and where my family and friends lived and
4 those houses are gone. On Folly Island down off
5 South Charleston -- I'm originally from South
6 Carolina -- the houses are gone.
7 So mother nature gives and mother nature
8 takes away. And providence, we don't -- we can pray
9 and hope for the best, but I am afraid of what is in
10 store for us.
11 And I see just since 2002, since I have
12 been coming here, I see the changes out on
13 Assateague. I hope -- I don't know, I don't have
14 this information -- but I hope and pray that things
15 have been looked into and researched and tried and
16 that everybody's been trying their best to preserve
17 this beach, because I'd like to see it stay the
18 same, too. But my fear is that that isn't going to
19 happen and therefore, from my point of view -- you
20 know, I believe the Federal Government is running
21 out of money, too. Everybody is screaming about how

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1 much money is in the budget, whatever -- my feeling
2 is that the Federal Government is willing to write a
3 check and help us out and secure that, a beach area
4 on what is the stable part of Assateague. I'm not a
5 scientist. I'm just going by what I saw in those
6 maps. And I know the stable part of that island is
7 furthest north. And if there is a way that we can
8 create the same experience that we have in the
9 southern part, I would really support doing that,
10 because I'm afraid if we wait too long, there isn't
11 going to be any money there, because there are
12 thousands of communities around this country that
13 are being severely damaged by weather things, and
14 I'm afraid -- everybody wants help -- and I'm
15 afraid -- I'd like us to get to the head of the
16 line, if that makes any sense.

17 So that's my feeling of why I'm thinking
18 seriously about supporting the Alternative B, with
19 the caveat that everybody still does a little bit
20 more work on it and comes with up with things,
21 because I've heard some really good points tonight

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1 which I hope that the refuge and everybody is taking
2 into consideration and that our elected officials
3 will help push on some of those points that you all
4 brought up and some other points that people have
5 brought up, so if we're going to move north, then do
6 it the best way we can and create the same
7 environment and keep our community going and people
8 will still have the same wonderful experience that I
9 remember in coming to Assateague Island when I was a
10 child. And I thank you all very much.

11 MR. ROSTER: Donna Mason.

12 MS. MASON: I'm Donna Mason. Joe, Tom, I
13 know you have heard everything I have so say, or
14 pretty much, I think you have. Maybe you haven't.
15 In any case, most of you know me.

16 And we do appreciate this opportunity to
17 come out. I didn't prepare a speech tonight. I did
18 think it was going to be question and answer. But
19 we still all have a lot of questions and we still
20 don't have all the answers that we need.

21 Personally, I would like to see C taken

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1 off the table. I don't see a redeeming quality in
2 Alternative C whatsoever. I'll start there. Then
3 maybe a combination of A and B is in order. Let's
4 talk about it, let's see what we can come up with.
5 I want to keep it at A. I want to stay right where
6 it is for as long as we possibly can. Start there.
7 Let's say that. Let's do that.

8 And then let's talk about Tom's Cove,
9 let's talk about the things they don't want to talk
10 about, because we can't make this decision in a
11 vacuum; we are not deciding where the beach is going
12 to be and it's not going to impact Chincoteague and
13 it's not going to impact Tom's Cove, it's going to
14 impact everything. And every decision we make from
15 now on is going to impact the future of us and the
16 future of Chincoteague and the future visitors and
17 our livelihoods and our lives. This is very
18 important.

19 And this decision that we make, that we
20 come to, hopefully an agreement that will be
21 productive, that will take care of the animals and

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1 the birds and the people and, you know, maybe it's
2 time to put the people first. I would like to see
3 that happen.

4 But in any case, I think we can all work
5 together. We've managed to live together. We've
6 had the same agreement for what, 20-some years,
7 maybe? It's been working so far.

8 I'd also like to see some beach
9 replenishment. That seems like a dirty word. Every
10 time I bring it up, nobody wants to have that
11 conversation with me. I'd love to have that
12 conversation.

13 I know people that would be glad to see
14 sandbags on the beach. I know we could get millions
15 of volunteers; all the people who visit here would
16 be willing to throw in some money, I know everybody
17 would be willing to throw in their time. We
18 mentioned Christmas trees, now you can't put
19 Christmas trees because somebody might step on the
20 pine shats. Okay. Well, let's do sandbags.
21 They're going to step on sand, anyway. Let's try

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1 that.

2 In any case, let's think about other ways

3 to keep the beach where it is. The beach has been

4 manipulated where it is. You knock down the sand

5 dunes for whatever reason. That beach would be

6 probably be a whole lot more stable if the sand

7 dunes were still there.

8 The beach that you're talking about

9 moving to, why is that stable? Okay? Maybe because

10 the sand fence is still there? Maybe because the

11 stand dunes are still there? Hmm. Well, that seems

12 like a novel experience. Anyway, let's keep all

13 this stuff in mind.

14 We do need our political people, we do

15 appreciate our representatives being here. Wanda,

16 Jack, you made great points. You know, let's all

17 work together, let's come up with a plan that makes

18 the most sense, is the most economical.

19 That 14 million bucks, which I still

20 think is a conservative estimate, or 12 million or

21 whatever it is they're throwing out, I don't think

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1 that's going to come close to touching what it would

2 take.

3 And we have no study saying that that

4 beach will be anymore stable five years from now

5 than the beach we're on now, I don't think.

6 In any case, get rid of Alternative C.

7 Let's look at Alternative A and how we can make it

8 better for everybody. I'm not in favor of

9 Alternative B. Thank you.

10 I wrote a letter, and I do encourage all

11 of you to write a letter. And how long do we have

12 to get that in?

13 MR. ROSTER: August 15.

14 MS. MASON: August 15.

15 MR. ROSTER: Karen Lukacs.

16 MS. LUKACS: Thank you. Hi. I don't

17 know many of you, I know some of you. I've lived

18 here since 2002. I have a house on Fourth Street,

19 near the high school. And I came here for the

20 ocean, that's why I came here, because I used to go

21 to Bethany and I used to go to Dewey and I used to

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1 go to Rehoboth and I used to go to Ocean City and

2 then I even tried some in North Carolina. But then

3 I found Chincoteague, and Chincoteague was an

4 undisturbed beach.

5 What does that mean, undisturbed? That

6 means there was wildlife there. And why was there

7 wildlife there? Because nobody put any groins next

8 to it, nobody tried to replenish the sand there,

9 nobody tried to manipulate it in any way. And this

10 is what I love about this beach.

11 And I'm a teen body surfer. And what

12 happens when you replenish sand on a beach is it

13 creates a horrible thing called shorebreak. You

14 won't see any surfers up on the Delaware and

15 Maryland side anymore, because they've destroyed all

16 the surfing by adding sand. Shorebreaks break

17 people's necks, that's what happens.

18 I love the beach the way it is and I get

19 out there at low tide and body surf all the way in.

20 I'm, obviously, you can tell, I'm for

21 Plan B. I like the balanced approach.

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1 I love this town. I moved here and, you

2 know, I moved here for the beach, but I love the

3 people I've met here. I want to stay here. And I

4 don't -- I think you have a balanced approach for

5 the economy of this town by using Plan B and not --

6 and not -- and thinking -- you know, don't think

7 about the past, think about what is it going to be

8 in the future.

9 And that beach is not stable, it's been

10 moving; I've watched it move. And no matter how

11 many sand dunes you put on it, those sand dunes

12 aren't going stay there, they're going to move with

13 that beach because that's what nature does.

14 I would like to compliment the National

15 Fish and Wildlife Service. I've been to a number of

16 meetings and I'm encouraged about the studies

17 they've done. I think they've done a very thorough

18 job.

19 I'm sorry that the town council people

20 and also some of the board here -- I wish I could be

21 a volunteer here, but I can't, that's not

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1 possible -- I'm sorry that you all have felt in some
2 ways left out of the discussion. I don't think
3 there was any intention to do that. But I'm glad to
4 hear that going forward with whatever plan ends up
5 being, whether it's A, B or C, that the town and
6 town council and perhaps the business association of
7 the town will be able to sit down with the National
8 Fish and Wildlife Service and work out some of their
9 differences. Thank you. I support plan B.

10 MR. ROSTER: Jessica Stanfield.

11 MS. STANFIELD: Good evening. My name is
12 Jessica Stanfield, and I'm a recent graduate from
13 Chincoteague High School.

14 I had the pleasure of speaking before the
15 local town council on this very topic back in May,
16 and the same conversation and process are occurring
17 again tonight.

18 I have lived most of my life on
19 Chincoteague and have grown up with the islanders,
20 seeing the great love the town people have for
21 Chincoteague, and have watched the beach on

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1 Assateague change over the years.

2 The reason that all of these nice people
3 are gathered here today is to show their support and
4 concern for how the changes to the beach will affect
5 our way of life.

6 I am unfamiliar with the numbers, the
7 graphs, the charts, the sand movement and all the
8 scientific data, but at the end of the day we are
9 mostly concerned about how the impact of Assateague
10 beach will have on tourism and consequently the
11 economy of our beloved town.

12 The people of Chincoteague have built
13 their lives around the annual influx of visitors.
14 Of course, these visitors traveled so far to enjoy
15 this wonderful town and to relax on the beach. If
16 for some reason the access or desire to live at the
17 beach is affected, we may lose the valuable visitors
18 and their extremely valuable financial contribution.

19 The people of Chincoteague are afraid of
20 the obscurity and of the future and the daunting
21 unanswered questions about what truly is the best

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1 plan for the beach. What we want to know is that
2 our way of life will not only be preserved and
3 continue to exist but thrive.

4 As Mayor Jack Tarr mentioned, the awards
5 and accolades that the island has been honored with
6 is not only to the credit of the Town of
7 Chincoteague but also the Fish and Wildlife Service.

8 There must be a way to continue to work
9 together to develop a plan for renovation and
10 restoration or relocation that could solidify and
11 guarantee the future success of our beloved island.
12 Thank you for your time

13 MR. ROSTER: Terry Fleming.

14 MR. FLEMING: Good evening. My name is
15 Terry Fleming. I'm a board member of Assateague
16 Mobile Sportfishermen's Association. The president,
17 Bill Justice, he wanted to come and do this, but he
18 couldn't do it tonight, so I agreed that I would
19 make the statement for him.

20 AMSA, which is Assateague Mobile
21 Sportfishermen's Association, is a recreational

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1 fishing access organization that currently has
2 approximately over a thousand members that it
3 represents, and partners with many well-respected
4 organizations to form a voice of recreational users
5 to Assateague Island in both Maryland and in
6 Virginia.

7 AMSA was formed from the local fishermen
8 nearly 50 years ago and has done multiple projects
9 over the past years with the National Park Service
10 and Fish and Wildlife since they began managing the
11 island.

12 I am pleased to offer the current
13 position of AMSA and its board of directors and
14 membership for consideration as Fish and Wildlife
15 attempts to complete the CCP which will set the
16 management practices for the next 15 to 20 years on
17 Chincoteague.

18 Overall, we do agree that Plan B is the
19 favorable option, minus the fact that the
20 date-stamped closure is the best practice to have in
21 our opinion. We strongly disapprove of the closing

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1 of the OSV zone in the months when the beach is used
2 the heaviest. AMSA would much rather the Fish and
3 Wildlife handle the shorebirds that are listed per
4 the Endangered Species Act and once closed follow
5 the recovery plan that has been written for its
6 guidelines. AMSA isn't sure why the Fish and
7 Wildlife feels the need to date-stamp the closures
8 when everyone can see that the National Park Service
9 is doing a more than sufficient job.

10 To close the beach by date would take
11 away access for many visitors, including the
12 handicapped, disabled veterans and many people with
13 many physical challenges that would take them away
14 from the recreation that they enjoy for an
15 unnecessary extended period of time.

16 In closing, please take into
17 consideration the policies that are being followed
18 by the National Park Service; detours around the
19 areas where the nests exist; once hatched, determine
20 where the chicks are foraging for their food
21 sources, and if it isn't at the beach, don't close

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1 the beach.

2 AMSA members, general public and the
3 National Park Service has set the example and shows
4 there can be a reasonable solution other than a
5 date-stamped closure, and we feel that Fish and
6 Wildlife can make it work also.

7 Thank you, everyone, for the
8 consideration that will be given our position when
9 completing the CCP.

10 And this is all signed with Bill Justice,
11 the AMSA president, also the past vice president of
12 the United Mobile Access Preservation Association.

13 MR. ROSTER: The last person we have is
14 Ray Wimbrow.

15 MR. WIMBROW: Hi. My name is Charles
16 Wimbrow. I go by Ray. I'm not a public speaker,
17 but there are a couple issues here that directly
18 reflect me and worry me a little bit. I heard
19 earlier about the horseshoe crab. I'm a
20 hand-harvest horseshoe crabber and have been so for
21 many years; I am one of 16. After hearing that this

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1 is kind of a dead issue, I have been in constant
2 communication with the MRC, who also opposes this.

3 From what I can understand and being over
4 to Newport News probably a dozen times this year,
5 the Fish and Wildlife only own to low tide, mean low
6 tide watermark. The mean low tide watermark runs
7 off a ten-year average, which means it's something
8 that is kind of here or kind of there, there is no
9 one specific point. My problem with that is simple;
10 you're going to have to survey everything out there,
11 you're going to have to put a mean low tide mark out
12 there. When you put a mean low tide mark out there,
13 you're going to have to have a dozen to enforce it,
14 because you're not going to know if someone's past
15 it or inside or outside of it.

16 The other part of that is what if you get
17 some erosion then? You're going to have to resurvey
18 that, because then if you impede my fishing and you
19 don't have a legal right to do so, you're opening
20 yourself up to a lawsuit.

21 So there's a lot of gray area here with

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1 this horseshoe crabs. There's not been any
2 offenses, any problems. We go out there. I'm
3 friends with a lot of people on the Fish and
4 Wildlife. We know who we see off land. We take
5 what we're allowed. We have a quota every year.

6 I implemented the moratorium and control
7 date on the hand-harvest fishers, therefore bringing
8 the number down from 38 to 15 just for this reason,
9 and we're still dealing with it. So I'm really
10 against that.

11 My second issue is with Plan B. You can
12 call me paranoid. I feel that the Federal
13 Government is taking baby steps. That's usually how
14 they get things done, they take baby steps, they do
15 it behind your back; they go and they do a little
16 bit here, a little bit there over the long term
17 until they get their way.

18 Years ago I had a nice long talk with Mr.
19 Hines. He told me the reason the dunes were pushed
20 down on parking lot 1, 2 and 3 was because they
21 caused erosion, the waves would wash up on the dune,

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1 take the sand out to sea and erode it away. My
2 answer to that was, well, in the fall it comes back.
3 I'm an avid surfer. I've been on that
4 beach surfing for 25 years. If you want to know
5 what happened to that beach, ask a surfer. We know
6 the bottom contour of the water, we know the bottom
7 contour all the way to shore, and we know what's
8 going on with the dune process.
9 Now they want to put it behind the dunes.
10 They said this is the biggest set of dunes that
11 there is on the beach, the most established set of
12 dunes on the beach.
13 I'm also a contractor. I am not an
14 engineer but I have a little bit of common sense.
15 If you're having problems with erosion on a parking
16 lot, then why would you put it behind a pond that's
17 already below elevation? That makes absolutely no
18 sense to me. You're going to move it behind Mallard
19 Pond that already contains water below elevation.
20 Why would you do that if you're having erosion as it
21 is?

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1 The other thing that concerns me, they
2 want to put parking lots in the back of Mallard Pond
3 in Plan B, they want to put two safety areas in the
4 front for pop-up thunderstorms, and they want to put
5 a walk over the pond so you can access the beach and
6 the shuttles go around the pond. Now if the shuttle
7 gets on the island, that's the baby step, getting it
8 on the island. Once it's on there, you're not
9 getting it off, it's on there. You come out of the
10 parking lot after five or six years, the next
11 environmental impact statement is going to say well,
12 the emissions from these cars are killing the algae
13 in that pond, so we're going to have to cut down on
14 the parking. So then they're going to start looking
15 backwards now and saying the campground. So look at
16 the baby steps
17 In my belief, Plan B is what they want
18 you to take. That's why it was put there. It's
19 like everything else is worse than Plan B so you
20 would take Plan B.
21 Plan A is where we should be. It's where

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1 we've been all the time and where we need to stay.
2 I support Plan A. Thank you.
3 MR. ROSTER: That was our last signed-up
4 speaker. We'll open it up, but the same rules
5 apply; you come up, state your name and make sure
6 that we get it on the record, and then the same
7 three to four minutes for speaking. So if anybody
8 would like to --
9 MR. HOWARD: My name is Terry Howard.
10 It's T-E-R-R-Y H-O-W-A-R-D. And I've got a twin
11 brother named Gary.
12 Anyhow, with that said, the selection
13 that we make in regards to Alternative A, B or C is
14 very critical in a lot of ways in terms of how it
15 impacts our economy and just how our -- the
16 direction our community is going. All of that is
17 very important.
18 I painted houses for a long time, my
19 brother and myself. If I were to paint my house
20 today and I had leaks in my roof, and the ceilings
21 were all the same, I wouldn't go buy a thing to

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1 paint the ceiling without fixing the leak because
2 I'd get rid of the old leak and have a new one the
3 next time it rained.
4 I think I'm kind of concerned that we may
5 be getting our priorities a little bit out of kilter
6 insofar as which alternative we take or which one is
7 selected and a lot of other things. This idea of
8 protecting Chincoteague with the beach at Assateague
9 is critical, because without Assateague we're
10 vulnerable to the Atlantic Ocean.
11 I grew up here on this island, I've been
12 here for 76 years. I remember my father and a lot
13 of the elders talking about floods and storms. And
14 to be honest about it, I thought they were
15 exaggerating, until 1962, when I woke up one morning
16 and I saw water in my neighbor's yard, thinking it
17 was rain water. I went on and fixed my scrapple and
18 eggs, and by the time I got done with that, that
19 water was about fifty or a hundred foot up. It was
20 not rain. I found out that not only was my father
21 and a lot of other people not exaggerating, they

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1 were being conservative.
2 So we need to -- maybe the plan, it all
3 should have been hand in glove insofar as the
4 replenishment of the beach, protection of the beach
5 at Chincoteague, maybe it should have all been hand
6 in glove. And I understand that we can't stop a
7 process that we're in the middle way of right now
8 selecting an alternative, but it's got to be done.
9 And I also understand that there is a
10 move with one of our governmental entities insofar
11 as taking steps to correct the situation. I don't
12 know what the majors are. And to be honest, I think
13 people that are talking about it are not sure just
14 what needs to be done.
15 But it is encouraging to me to know or to
16 hear, and I heard it today with Mr. Ritter, our town
17 manager, at the open house, and it was encouraging
18 to me, and I've heard it three or four others times,
19 her name escapes me, I believe her first name is
20 Linda, she's one of the people that's in charge --
21 maybe you all know her last name -- they're taking

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1 steps to get this process underway so something can
2 be done to stabilize the beach.
3 I hope these steps -- we just heard a lot
4 of talk about baby steps. That's good, too, because
5 we all took baby steps before we took the big steps.
6 So I think even though they may be baby steps now, I
7 hope they get to be giant leaps and we make a giant
8 effort to get this beach stabilized and to have
9 protection so that we can have some of those choices
10 made in the alternatives, we can still be here, we
11 won't be washed out to sea and we can be here and go
12 on with our economy and our way of life. Thank you
13 for listening.
14 MR. ROSTER: Gene Taylor.
15 MR. TAYLOR: My name is Gene Taylor.
16 T-A-Y-L-O-R.
17 How many of us here are 50 or over?
18 And Ms. Jessica Stanfield was out here
19 just a few minutes ago, and I listened to her
20 comments. That's what we have to prepare for, our
21 youth. I liked what she said. She don't want

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1 everything to stay the same. We want things to
2 improve, to be better, a better experience for our
3 visitors, better things happening for our little
4 birds, better things happening for our watermen.
5 When I ran for council, the first thing I
6 said, I want to get along with the county and our
7 government, and I tried my best to do that. I
8 intend to do that. If we work together, seriously,
9 we can make things better for our purposes; we can
10 have a better beach experience, not only for our
11 people that were born and raised here, but for our
12 visitors, we can have things better for our
13 watermen. We need to get together and make all that
14 happen for our youth. Thank you very much.
15 MR. ROSTER: Anybody else?
16 MS. THOMAS: My name is Peggy Thomas.
17 I've been here all my life, and this is not the
18 first time I've been down to discuss the
19 (unintelligible).
20 I want to tell you something. I don't
21 have much respect for them, I really don't. I wish

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1 did, but I don't. But I think we need to keep that
2 beach like it is. I'm living in a house that come
3 off this beach. And I think we need to leave it
4 just like it is and I think everybody will be happy.
5 Thank you very much.
6 MR. ROSTER: Anybody else?
7 MS. TURLINGTON: I wasn't planning on
8 speaking.
9 THE COURT REPORTER: Your name, please.
10 MS. TURLINGTON: My name is Jane
11 Turlington.
12 THE COURT REPORTER: Spell the last name.
13 MS. TURLINGTON: T-U-R-L-I-N-G-T-O-N.
14 I've lived here all my life. And I know a lot of
15 you who have spoke have lived here and suggested
16 that we go with Plan B. I have been on that beach.
17 As you can tell, I still love the beach. I've
18 raised my two children there, had my grandchildren
19 there this week.
20 I've seen that beach when we had to climb
21 like 30-some steps. I've climbed it with a playpen

1 every day. We went up to one platform and we took
 2 so many more steps up to another one. I'll be 64 in
 3 November, and maybe from the age of 18 to 64 -- what
 4 would that be, like 46 years? -- that beach has
 5 existed, and I think we need to leave it as it is.
 6 And yes, Chincoteague needs protection, but I think
 7 the beach needs to stay here.

8 As Jessica said -- I worked with her in
 9 school; she's a very intelligent girl -- this is our
 10 future. I want my children, my grandchildren to
 11 have a future to come back to the beach, and I
 12 think, I ask you, I beg you to support A.

13 MR. ROSTER: Anybody else? All right.
 14 Thank you for coming out tonight. We appreciate it.

15 I just want to remind you that final
 16 comments are due August 15. There's forms over here
 17 with the mailing address, as well as the email
 18 address where you can submit those comments. Thank
 19 you very much.

20 (Proceeding concluded at 8:25 p.m)

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9 I, David M. Schafer, a Notary Public, do
 10 hereby certify the foregoing a true and accurate
 11 transcript to the best of my abilities of the
 12 aforementioned Public Hearing.

13 As Witness, my hand and Notarial Seal,
 14 this 3rd day of July 2014, at Delmar, Maryland.

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16

 David M. Schafer

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My Commission expires August 2014

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