

## Chapter 5



*Lighthouse*

# Consultation and Coordination with the Public and Others

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## Chapter 5: Consultation and Coordination with the Public and Others

Public interest in the future management of Chincoteague NWR is widespread, and we understand that effective conservation usually begins with effective community involvement. The concerns and situations of the interested members of the public are diverse. The refuge has heard from businesses and full-time and part-time residents from the town of Chincoteague and neighboring communities; hunters and harvesters of waterfowl, fish, and shellfish, and upland species; visitors who come to observe birds, the Chincoteague ponies, monarch butterflies, and other wildlife or who seek solitude and respite in the natural world; beachgoers, OSV drivers, horseback riders, and other non-wildlife-dependent recreation users; and State agencies and other programs and organizations concerned about the role and contributions the refuge can play in a larger network of natural areas across the State, the mid-Atlantic, and the Atlantic coast migratory bird flyway.

To ensure that our future management of the refuge considers the issues, concerns, and opportunities expressed by the public, we used a variety of public involvement techniques in our planning process. What follows is the chronology of public outreach activities we conducted while preparing the CCP and EIS. It does not detail activities associated with studies that informed the document, such as the Chincoteague National Wildlife Refuge Alternative Transportation Study (2010), or the hundreds of informal discussions the refuge manager and his staff had. Those involved a wide range of audiences, including congressional representatives or their staffs, local community leaders and other residents, refuge neighbors, refuge visitors, and other interested individuals.

### 5.1 Public Involvement Summary

We began the CCP process for Chincoteague NWR in 2010, although pre-planning activities began in 2007. USFWS published the original Notice of Intent (NOI) in the *Federal Register* on September 17, 2010 stating that USFWS intended to prepare “a Comprehensive Conservation Plan (CCP) and associated Environmental Impact Statement (EIS) document for Chincoteague National Wildlife Refuge (NWR) and Wallops Island NWR.” During scoping, we solicited comments on the major issues that the public and others felt we should address in the CCP. We also held several public meetings during the scoping period.

USFWS received public comments from a wide range of user groups and interested parties during two formal periods prior to release of the draft CCP/EIS: the initial scoping period and the presentation of the preliminary draft alternatives. We used the input we received during the scoping periods to prepare the draft CCP/EIS. On May 15, 2014, we released the draft CCP/EIS for 60 days of public review and comment. In response to public requests, we extended that period another 30 days, to August 15, 2014. We held four public open house meetings, and one public hearing. 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. We evaluated all letters and e-mails sent to us during that comment period, along with comments recorded at our public hearing. A summary of all

comments, and our responses to them, was included as an appendix in the final CCP/EIS. Based on submitted comments, we made several modifications to alternative B in the final CCP/EIS.

USFWS issued the final CCP/EIS for a 30-day review period through a Notice of Availability in the *Federal Register* on September 11, 2015. We received a total of 10 comment letters; however, comments did not raise significant new issues, or result in changes to the analysis, or warrant any further changes to alternative B. All substantive comments were previously addressed in our response to public comments detailed in appendix R of the final CCP/EIS. Three letters of concurrence, and one letter acknowledging review, from other agencies are included in this chapter.

For further information or questions please contact:

Thomas Bonetti, Planning Team Leader  
U.S. Fish and Wildlife Service, Region 5  
300 Westgate Center Drive  
Hadley, 01035-9589 Email: northeastplanning@fws.gov

## 5.2 Outreach and Newsletters

USFWS developed and distributed a number of newsletters to inform the public of the planning process, proposed and updated schedules, summaries of public comments, potential issues, draft vision, goals and alternatives, and times and locations of upcoming public meetings. Additional details on each newsletter are provided below:

- *February 2011*: This newsletter described the NOI in the *Federal Register* to prepare the EIS/CCP and the initial public scoping process. In addition to background information on Chincoteague NWR, the newsletter provided a summary of comments from the completed public scoping process, including a categorization of all comments by topic area.
- *May 2011*: This newsletter outlined the members of the CCP/EIS Planning Team and introduced the structured decision-making processes for determining potential alternative locations for the public recreational beach as well as other parallel efforts. In addition, the newsletter presented the draft vision statement and goals for the refuge.
- *August 2011*: This newsletter provided detail on the four preliminary draft alternatives under consideration to initiate a public comment period. In addition to providing the draft preliminary alternatives and requesting comments, the newsletter announced meeting purpose, dates, locations, and times; provided USFWS contact information; provided background summary information on the CCP; provided instructions on submitting comments; and listed locations where additional information on the process was available.
- *August 2012*: This newsletter provided information on the draft alternatives, refined from public feedback. Three alternatives are presented and, in light of public concerns expressed since the release of the preliminary draft alternatives, clarification as to how the different alternatives and the larger CCP effort will impact recreational beach access and parking.
- *November 2012*: This newspaper summarized the impact of Hurricane Sandy on the refuge and addressed how Hurricane Sandy would and would not impact the CCP/EIS. Overall, Hurricane Sandy resulted in a delay in schedule but no changes to alternatives.

- *April 2013*: This newsletter provided an update on the schedule for the CCP/EIS, a review of the alternatives, and information on post-Sandy restoration and the effects of the Federal budget sequestration on the refuge.
- *May 2014*: This newsletter announced the release of the draft CCP/EIS for public review and comment. In the newsletter, we briefly summarized the three management alternatives that we evaluated, plus we explained where to get a copy of the draft plan and how to submit comments.
- *September 2015*: This newsletter announced the release of the final CCP/EIS for a 30-day review. In the newsletter, we summarized the public comments submitted for the draft CCP/EIS, what primary changes were made to the preferred alternative, and outlined the next steps in the planning process.

In addition to the newsletters, all meeting dates, updates to alternatives, and background information were made available on the refuge's CCP planning website throughout the process: [http://www.fws.gov/refuge/Chincoteague/what\\_we\\_do/conservation.html](http://www.fws.gov/refuge/Chincoteague/what_we_do/conservation.html). We further utilized media coverage through radio (WCTG 96.5 FM and Delmarva Public Radio's WSDL National Public Radio (NPR) News 90.7), newspapers (*Chincoteague Beacon*, *Eastern Shore News*, *Washington Post*), as well as on-line blogs and social media.

### 5.3 Public Meetings

#### 5.3.1 Scoping

As part of the initial scoping process, USFWS held four events across 3 separate days:

- *August 25, 2010*: Open house event from 9 a.m. to 2 p.m. at the parking area by the public recreational beach.
- *September 21, 2010*: Two public meetings and open houses at the Chincoteague Community Center in the Town of Chincoteague; one from 3 p.m. to 5 p.m. and one from 6 p.m. to 8 p.m.
- *January 13, 2011*: Public meeting from 6 p.m. to 8 p.m. at the Old Train Station in Snow Hill, Maryland.

#### 5.3.2 Preliminary Alternatives

The alternatives comment period began on August 15, 2011, and was set to end on October 1, 2011, but was extended to October 31, 2011 at the request of the public. Four public meetings were held to present the draft CCP alternatives on 3 separate days in August 2011:

- *August 22, 2011*: Two public meetings, one from 9 a.m. to noon at the recreational beach on the refuge and one from 5 p.m. to 7 p.m. at the Chincoteague Center.
- *August 30, 2011*: One public meeting from 4 p.m. to 7 p.m. at the Eastern Shore Community College in Melfa, Virginia.
- *August 31, 2011*: One public meeting from 4 p.m. to 7 p.m. at the Delmarva Discovery Center in Pocomoke City, Maryland.

#### 5.3.3 Draft CCP/EIS Open Houses and Public Hearing

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.

- *Monday, June 23, 2014:* Public open house at the refuge's Herbert H. Batemen Center (visitor center) from 5 p.m. to 8 p.m.
- *Tuesday, June 24, 2015:* Public open house from 4 p.m. to 7 p.m. at the Delmarva Discovery Center in Pocomoke City, Maryland.
- *Wednesday, June 25, 2015:* Public open house from 4 p.m. to 7 p.m. at the Eastern Shore Community College in Melfa, Virginia.
- *Thursday, June 26, 2014:* Public open house at the refuge's Herbert H. Batemen Center from 1 p.m. to 4 p.m.
- *Thursday, June 26, 2014:* Public hearing at the Chincoteague Community Center, from 6 p.m. to 9 p.m., with 28 people formally raising a variety of issues and concerns.

## 5.4 Partner Involvement and Other Meetings of Note

### 5.4.1 Pre-planning

Refuge pre-planning for the CCP began in 2007. In December, we held an initial joint planning meeting between refuge and NPS Assateague Island National Seashore staff regarding overlaps between the agencies' respective long range planning processes. Other pre-planning meetings included local outreach, participation in state events, and working meetings between the CCP consultant at the time, the Tennessee Valley Authority, and USFWS staff. Specific meetings of note were as follows:

- *May 15-16, 2007:* USFWS staff meeting to discuss the development of a draft HMP, to be incorporated into the CCP.
- *July 16, 2007:* Meeting with Town Council and Ron Wolff, Supervisor, Accomack County.
- *December 17-19, 2007:* Meeting with Seashore to identify common goals, issues of concern, and opportunities for coordination as each agency begins long range planning processes for their respective units.
- *September 2-5, 2008:* First core planning team meeting to develop work plan, discuss key issues, identify data needs, and meet with NPS for the Seashore's GMP kickoff meeting (September 3-4).
- *October 30, 2008:* Commonwealth of Virginia event, "Conserving Virginia's Fish and Wildlife for the Future: Preparing for a Changing Climate," with references to Chincoteague NWR.
- *February 26, 2009:* Technical experts meeting to discuss the overall CCP process, to discuss sea level rise, to review/rank top issues of concern, to define the study area, and to identify conservation areas and critical habitat in the study area.
- *March 10, 2009:* The Commonwealth of Virginia wildlife and climate change workshop.
- *May 11, 2009:* Town Hall Meeting in Chincoteague held by the refuge manager and Assateague Island National Seashore superintendent, with the ongoing GMP and upcoming CCP as major discussion topics.
- *February 25, 2010:* Technical experts meeting to continue discussion of the development of a draft HMP, to be incorporated into the CCP.

### 5.4.2 Planning Team Meetings

USFWS assembled a team of public stakeholders who met throughout the planning process for the CCP/EIS and included representatives from the following public agencies: USFWS, NPS Assateague Island National Seashore, town of Chincoteague, Accomack County, Accomack County Board of Supervisors, Accomack-Northampton Planning District Commission, VMRC, VDGIF, and NASA. Participants were added over time as they were identified, and although all agencies were invited to each meeting, not all were able to attend each meeting. The Volpe National Transportation Systems Center served as facilitator.

- *April 6, 2011:* Participants discussed the qualities and attributes of the refuge, reviewed and revised management issues and goals, and drafted a preliminary refuge vision statement.
- *June 21-22, 2011:* Refuge solicited feedback on preliminary draft alternatives to be presented to the public in August for comment. Participants reviewed draft, preliminary management objectives and strategies for key issues across four alternatives and provided feedback on specific content, both in terms of what range of objectives should be considered for each issue but also how specific objectives can be accomplished. On one day, visitor service issues were discussed, and on the other day, resource management issues were discussed. Each day also covered cross-cutting issues.
- *December 21, 2011:* Participants discussed comments received and proposed changes to the CCP draft alternatives. The discussion and subsequent follow-up resulted in clarifications and additional changes to the alternatives.

### 5.4.3 Other Meetings of Note

Throughout development of the plan, the refuge conducted a series of meetings with local, Federal, and State agencies and representatives to inform them of the status of the planning process and documents, and solicit input on different considerations. These included meetings specific to the economic analysis for the CCP and to the feasibility of relocating the recreational beach. Some of these meetings included the following:

- *August 10, 2010:* Meeting with Town Beach Access Committee.
- *September 9, 2010:* Coordination meeting with the VDGIF and the Wildlife Services (WS) Division of USDA-APHIS to discuss CCP issues.
- *February 4, 2011:* Coordination meeting with VDGIF and USDA-APHIS WS to discuss CCP issues.
- *March 7, 2011:* Meeting with Marine Science Consortium and NASA to discuss coastal zone research.
- *March 8, 2011:* Meeting with NPS and the VMRC to discuss CCP/GMP issues.
- *March 10, 2011:* Meeting by conference call with NPS to discuss CCP and GMP.
- *March 22, 2011:* Kick-off for SDM process for recreational beach.
- *April 28, 2011:* Webinar on sea level rise and coastal impoundment management to inform SDM process.
- *May 4, 2011:* Town Hall Meeting with NPS.
- *June 20, 2011:* Meeting with Congressman Scott Rigell (Virginia District 2) to discuss draft alternatives and tour proposed relocated recreational beach.
- *August 12, 2011:* Meeting with NPS to discuss CCP preliminary draft alternatives.
- *August 17, 2011:* Briefing by conference call of congressional staff on the CCP.

- *August 23, 2011:* Meeting with Town and USFWS Economics Division to discuss CCP economic analysis.
- *August 29, 2011:* Meeting with Mayor and Town staff to assess beach damage from Hurricane Irene.
- *September 19, 2011:* Tour of proposed beach relocation area by Town Beach Access Committee by hay wagon.
- *September 19, 2011:* Meeting with Ron Wolff, Supervisor, Accomack County and constituents in Atlantic, Virginia about CCP.
- *September 20, 2011:* Meeting with Beach Access Committee to discuss preliminary draft alternatives.
- *November 17, 2011:* Update by conference call of congressional staff on the CCP.
- *January 19, 2012:* Meeting with the Town to review the draft baseline economic analysis for the CCP.
- *February 17, 2012:* Oversight Hearing for the U.S. House of Representatives Natural Resources Committee's Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs on "Fish and Wildlife Service's Proposed Comprehensive Conservation Plan and its Potential Devastating Impact on the Economy of the Town of Chincoteague, Virginia."
- *February 22, 2012:* Meeting with USACE in Norfolk, Virginia on CCP issues.
- *February 23-24, 2012:* Presentation on the CCP at the Virginia State and Federal Partners Meeting, attended by various State and Federal agencies.
- *March 22, 2012:* Meeting with Virginia U.S. Senator Mark Warner's staff to provide overview of refuge CCP issues.
- *April 11, 2012:* Visit by representatives from the Cooperative Alliance for Refuge Enhancement to tour the refuge and discuss CCP issues.
- *May 8, 2012:* Site visit by USACE to identify issues with relocated beach and parking sites.
- *May 15, 2012:* On-site visit and meeting with USGS and Virginia Tech to discuss sea level rise and the piping plover.
- *May 16, 2012:* Meeting between USFWS Region 5 staff and U.S. Congressman Scott Rigell (Virginia District 2).
- *June 4-5, 2012:* Site visit by consultant conducting external review of the CCP/EIS process, in particular the range of alternatives and their viability.
- *June 15-16, 2012:* Presentation and beach walk on climate change and sea level rise with Orrin Pilkey, Professor Emeritus of Earth and Ocean Sciences, Nicholas School of the Environment, at Duke University, and Founder and Director Emeritus of the Program for the Study of Developed Shorelines, which is currently based at Western Carolina University.
- *July 18, 2012:* Site visit and meeting with USACE, NPS, and local government officials to discuss impacts of beach and parking relocation.
- *July 31, 2012:* Kick-off for Wilderness Review (NPS and USFWS collaboration for Assateague Island).
- *August 8, 2012:* Informal consultation with USFWS staff on Delmarva fox squirrel status.
- *August 23, 2012:* Meeting between Joe McCauley, USFWS Region 5 Realty Chief, Division of Realty, and CCP regional lead, and the Town Council and the Beach Access Committee to discuss CCP.
- *September 13, 2012:* Presentation by USFWS Economics Division to Town Council and Beach Access Committee on results of baseline economic analysis for CCP.

- *October 17, 2012*: Presentation by USFWS Economics Division to Accomack County Board of Supervisors on results of baseline economic analysis for CCP.
- *October 17, 2012*: Meeting and site visit with U.S. Congressman Scott Rigell (Virginia District 2) and staff, as well as the Mayor of Chincoteague and representative from the Accomack County Board of Supervisors.
- *January 30, 2013*: Briefing on status of CCP by Joe McCauley for the Town of Chincoteague's Beach Access Committee via phone.
- *April 5, 2013*: Visit and meeting with Virginia U.S. Senator Tim Kaine, as well as the Mayor of Chincoteague and a representative of the Beach Access Committee, to discuss the CCP.

## 5.5 List of Preparers and Partners

### U.S. Fish & Wildlife Service

#### *Region 5*

Thomas Bonetti, Senior Refuge Planner, B.S. Biology, M.S. Recreation Administration  
 Scott Kahan, Regional Chief, National Wildlife Refuge System (NWRS), B.S. Wildlife Biology  
 Tylar Greene, Public Affairs Officer, B.A. Geography/Geographic Information Systems and Journalism

Timothy Binzen, Archaeologist, B.A. & M.A. Anthropology

Meredith Bixby, Outreach Assistant, B.S. Arts and Letters, M.S. Wildlife Conservation

Margaret Engesser, Outreach Assistant, B.A. Environmental Studies, Anthropology, M.R.P. Regional Planning

Kathryn Fox, Assistant Planner, B.A. Environmental Studies and Sociology

Sharon Marino, Deputy Regional Chief, NWRS, B.S. Wildlife Biology, M.S. Wildlife Ecology

Joseph McCauley, Wildlife Administrator, B.S. Wildlife Management

Andrew Milliken, North Atlantic Landscape Conservation Cooperative Coordinator, B.A. Northern Studies/Biology, M.S. Biological Oceanography

Janith Taylor, Division of Natural Resource Chief, B.S. Wildlife Biology

Les Vilchek, Biologist (GIS), B.S. Conservation and Resource Development (retired)

John S. Wilson, Regional Historic Preservation Officer/Archaeologist, B.A. & M.A. Anthropology (retired)

Amy B. Wood, Regional Historic Preservation Officer/Archaeologist, B.A. Anthropology, M.A. Archaeology and Heritage

#### ***Chincoteague & Wallops Island National Wildlife Refuge***

Amanda Daisey, Deputy Refuge Manager, B.S. Wildlife Science, M.S. Natural Resources

Michael S. Dixon, Supervisory Park Ranger, B.S. Park Administration, M.A. Corporate and Organizational Communication

Kim Halpin, Deputy Refuge Manager, B.S. Biology (retired)

Louis Hinds, Refuge Manager, B.S. Wildlife Biology (retired)

Kevin Holcomb, Supervisory Wildlife Biologist, B.S. Environmental Studies/Biology

Robert J. Leffel, Deputy Refuge Manager, B.S. Agriculture - Animal Science

Brian Richardson, Supervisory Federal Wildlife Officer, B.S. Natural Resource Management

Kevin Sloan, Refuge Manager, B.S. Wildlife Biology

**Virginia Ecological Services Field Office**

Cindy Schulz, Field Supervisor, B.S. Forestry, Fisheries, and Wildlife, M.S. Wildlife Ecology

**USFWS Economics Division**

James Caudill, Division Chief, B.A. Geography, M.A. Agricultural Economics, M.A. Architecture and Urban Planning, Ph.D. Agricultural Economics

Edward Mailllett, Senior Economist, B.A. and M.A. Economics

**U.S. Department of Transportation Volpe National Transportation Systems Center**

Becky Blatnica, AICP, Environmental Protection Specialist, B.A. History and Geography, Master of Community and Regional Planning

Jonathan Cybulski, Environmental Protection Specialist, B.S. Environmental Science

David Daddio, B.S. Environmental Policy, Master of City and Regional Planning

Marla Engel, AICP, Environmental Protection Specialist, B.A. Urban Planning/Political Science, Master of Regional Planning

Travis Mast, Biologist, B.S. Natural Resources and Environmental Science

Lindsey Morse, AICP, Community Planner, A.B. Social Studies with a Certificate in Health Policy, Master of Urban Planning

George Noel, Civil Engineer, B.S. Civil Engineering

Rosalie Ray, Economist, B.A. Economics

Frank Smigelski, Environmental Protection Specialist/NEPA Team Leader (until August 2011), B.S. Biology, M.S. Engineering

**Tennessee Valley Authority**

Anne Aiken, Program Manager

Winifred Nannette Brodie, Senior Environmental Scientist

Patricia Ann Hamlett, Geographic Information and Engineering

Shawn Markus, Geographic Information and Engineering

Chevales Williams, Environmental Engineer

**Planning Team**

Jack Tarr, Mayor, Town of Chincoteague

Rob Ritter, Town Manager, Town of Chincoteague

Bill Neville, Town Planner, Town of Chincoteague

John Jester, Town Councilman, Town of Chincoteague

Trish Kicklighter, Superintendent, Assateague Island National Seashore

Carl Zimmerman, Management Assistant, Assateague Island National Seashore (retired)

Deborah Darden, Superintendent, Assateague Island National Seashore

Todd Engelmeyer, District Wildlife Biologist, Virginia Division of Game and Inland Fisheries

Hank Badger, Chief Engineer – Eastern Area, Virginia Marine Resources Commission

Caroline Massey, Assistant Director, NASA/Wallops Island

Elaine Meil, Executive Director, Accomack-Northampton Planning District Commission

Curt Smith, Director of Planning, Accomack-Northampton Planning District Commission

Rob Testerman, Accomack County Planning Department

Steve Miner, Accomack County Administrator

Robert Crockett, Supervisor, Accomack County Board of Supervisors

Wanda Thornton, Supervisor, Accomack County Board of Supervisors

**Technical Experts**

Participants and invitees to the February 2009 Technical Experts Meeting; titles and affiliations listed are as of February 2009.

***U.S. Fish and Wildlife Service***

Richard Roberts, Volunteer Biologist, Chincoteague NWR

Hal Laskowski, Biologist, Region 5 (retired)

Delissa Padilla Nieves, Coastal Biologist, NWRS

Brian Czech, NWRS, Conservation Biologist

Tom Penn, Wildlife Refuge Biologist, Blackwater NWR/Chesapeake Marshlands NWR Complex

Suzanne Baird, Refuge Manager (Project Leader), Chesapeake Marshlands NWR Complex

***Other Federal Agencies***

David Allaben, Southeast District Supervisor, Wildlife Services, USDA

Steve Kendrot, Biologist, Animal and Plant Health Inspection Service, USDA

Brian Scharle, Biologist, Animal and Plant Health Inspection Service, USDA

Sam Droege, Biologist, Patuxent Wildlife Research Center, USGS

Adrianna Ortiz, Student Ecologist, U.S. Navy Surface Combat Systems Center (Wallops Island)

Marilyn Ailes, Ecologist, U.S. Navy Surface Combat Systems Center (Wallops Island)

Carolyn Turner, Group Lead/Environmental Program Manager, NASA

Joshua Bundick, Lead, NEPA and Water Programs, NASA

Joel Mitchell, Lead, Hazardous Waste & Natural Resources Program, NASA

***Local Government***

Katherine Munson, Planner (Land Preservation), Worcester County, Maryland

Ray Rosenberger, Member, Eastern Shore Resource Conservation and Development Council and  
Chincoteague Planning Commission

***Commonwealth of Virginia***

Ruth Boettcher, Biologist, VDGIF

Dot Field, Eastern Shore Steward, VDCR

Robbie Lewis, Area Forester, VDF

Tony Watkinson, Deputy Chief Habitat Management Division, VMRC

***The Nature Conservancy***

Joe Fehrer, Nassawango Land Manager, Maryland/DC Field Office

Alexandra Wilke, Bird Conservation Specialist, Virginia Field Office

Joe Scalf, Habitat Restoration Specialist, Virginia Field Office

Steve Parker, Director, Virginia Coast Reserve

Barry Truitt, Chief Conservation Scientist, Virginia Coast Reserve

***Academic Institutions***

Dr. Michael Fenster, Professor, Environmental Studies Program, Randolph-Macon College

Dr. George Oertel, Professor, Associate Director for the Program for Spatial Analysis of Coastal  
Environments Program and Director of the Barrier Island Program, Department of  
Ocean, Earth and Atmospheric Sciences, Old Dominion University

**Attachment 1: Letter from Environmental Protection Agency, Region 3**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

October 19, 2015

Mr. Thomas Bonetti,  
Natural Resource Planner  
U.S. Fish and Wildlife Service  
300 Westgate Center Drive  
Hadley, MA 01035

Re: Final Environmental Impact Statement, Chincoteague and Wallops Island National Wildlife Refuges Final Comprehensive Conservation Plan and Environmental Impact Statement August 2015, Chincoteague, Virginia CEQ# 20150262

Dear Mr. Bonetti:

In accordance with the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act and the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), the United States Environmental Protection Agency (EPA) has reviewed the Final Chincoteague and Wallops Island National Wildlife Refuges Final Comprehensive Conservation Plan and Environmental Impact Statement (FEIS). In our letter dated August 14, 2014 we rated the Draft Environmental Impact Statement Lack of Objection. Alternative B is the preferred alternative selected in the FEIS. Based on our review and the responses to our letter we have no objection to the project.

Please continue to work with EPA and other stakeholders as the Record of Decision and additional NEPA analysis for the various components moves forward. Please include EPA in the scoping and planning process for future studies done in accordance with NEPA. In addition to the other sources used in the DEIS, we also suggest that FWS consider the Council on Environmental Quality's December 2014 revised draft guidance for Federal agencies' consideration of Greenhouse Gas (GHG) emissions and climate change impacts in NEPA.

Thank you for providing EPA with the opportunity to review this project. If you have questions regarding these comments, the staff contact for this project is Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Rudnick".

Barbara Rudnick  
NEPA Team Leader  
Office of Environmental Programs

## Attachment 2: Letter from Commonwealth of Virginia, Department of Historic Resources



## COMMONWEALTH of VIRGINIA

## Department of Historic Resources

Molly Joseph Ward  
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
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September 29, 2015

Thomas Bonetti, Natural Resources Planner  
United States Department of the Interior  
Fish and Wildlife Service  
300 Westgate Center Drive  
Hadley, MA 01035-95

Re: Chincoteague and Wallops Island National Wildlife Refuges  
Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS)  
DHR File No. 2013-0966

Dear Mr. Bonetti:

Thank you for providing us with a copy of the final Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS) prepared for the Chincoteague and Wallops Island National Wildlife Refuges. As we have previously stated in our letter of July 7, 2014, we find the CCC/EIS exceptionally thorough. Based upon the materials presented, we find the balanced alternative, Alternative B, reasonable and fully support this alternative.

We look forward to working with the refuges in the interagency monitoring program that will record wreck fragments on the refuge beaches and so serve both as a useful monitoring tool for cultural resources as well as assessing the movement of the barrier islands. As acknowledged in Chapter 4.14, the proposed actions associated with the relocated beach parking and road expansion are conceptual and not finalized. We will continue to advise and assist the refuges in assessing potential effects to historic properties from any proposed ground disturbance and in resolving any impacts as development progresses in accordance with Section 106 of the National Historic Preservation Act.

Thank you for offering us the opportunity to comment. If you have any questions or if we may provide any further assistance, please do not hesitate to contact me at (804) 482-6088; fax (804) 367-2391.

Sincerely,

Ethel R. Eaton, Ph.D., Senior Policy Analyst  
Division of Review and Compliance

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Northern Region Office  
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**Attachment 3: Letter from Commonwealth of Virginia, Department of Environmental Quality (pages 1,2,3 and 20)**



*COMMONWEALTH of VIRGINIA*

*DEPARTMENT OF ENVIRONMENTAL QUALITY*

*Street address: 629 East Main Street, Richmond, Virginia 23219*

*Mailing address: P.O. Box 1105, Richmond, Virginia 23218*

*Fax: 804-698-4019 - TDD (804) 698-4021*

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Molly Joseph Ward  
Secretary of Natural Resources

David K. Taylor  
Director

(804) 698-4020  
1-800-592-5462

November 5, 2015

Mr. Thomas Bonetti  
National Wildlife Refuge System  
US Fish and Wildlife Service, Northeast Region  
300 Westgate Center Drive, Hadley, MA 01035

RE: Final Environmental Impact Assessment and Federal Consistency Determination:  
Chincoteague and Wallops Island National Wildlife Refuge Comprehensive  
Conservation Plan (DEQ 15-146F)

Dear Mr. Bonetti:

The Commonwealth of Virginia has completed its review of the response to comments in the Final Environmental Impact Statement (EIS), including a federal consistency determination (FCD), for the above-referenced project. The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal environmental documents prepared pursuant to the National Environmental Policy Act (NEPA) and responding to appropriate federal officials on behalf of the Commonwealth. DEQ is also responsible for coordinating state reviews of federal consistency determinations (FCD) submitted under the Coastal Zone Management Act. This letter is a response to the FCD and the Fish and Wildlife Service's (FWS) analysis of the comments received on the draft Comprehensive Conservation Plan (CCP) and EIS. The following agencies and locality participated in this review:

Department of Environmental Quality  
Department of Game and Inland Fisheries  
Department of Conservation and Recreation  
Marine Resources Commission  
Department of Health  
Department of Historic Resources  
Department of Forestry  
Town of Chincoteague

FWS Chincoteague & Wallops Island NWR  
Final CCP/EIS & FCD  
DEQ 15-146F  
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The Department of Agriculture and Consumer Services, Virginia Institute of Marine Science, Accomack County and the Accomack-Northampton Planning District Commission also were invited to comment.

### **PROJECT DESCRIPTION**

The U.S. Fish and Wildlife Service (FWS) submitted a federal consistency determination (FCD) for the CCP and EIS on the 15-year management of the Chincoteague and Wallops Island National Wildlife Refuges. DEQ reviewed the draft CCP and EIS under DEQ 14-084F. Alternative B is the FWS' preferred alternative and would continue established habitat and wildlife management strategies but would pursue additional management activities for resources and public use. The refuge would protect and maintain all lands it administers, primarily focusing on the needs of threatened and endangered species, with additional emphasis on the needs of migratory birds and resident wildlife. The FCD identifies future projects under the CCP, including the following:

- Construction of a new water control structures to improve tidal flow to Swan Cove Pool (F Pool);
- Improvement or replacement of all water control structures to maximize flow capabilities;
- Relocation of the recreational beach and parking (and necessary road widening and infrastructure);
- Construction of a vehicle-turnaround area with parking, crabbing dock and launch point for non-motorized boats in the Beach Road/South Pony Corral area; and
- Improvement of the existing septic system.

The refuge also plans to restore a light keeper's house and continue to manage other cultural resources. While some strategies may be implemented immediately after a final decision is made, other actions like those listed above would require additional analysis and documentation prior to implementation. According to the FCD, the CCP will be consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management (CZM) Program.

### **FEDERAL CONSISTENCY PURSUANT TO THE COASTAL ZONE MANAGEMENT ACT**

Pursuant to the Coastal Zone Management Act of 1972, as amended, activities both within and outside of the Commonwealth's designated coastal zone with reasonably foreseeable effects on any coastal uses or resources resulting from a Federal agency activity (15 CFR Part 930, Subpart C) must be consistent, to the maximum extent

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practicable, with Virginia's CZM Program. The Virginia CZM Program consists of a network of programs administered by several agencies. DEQ coordinates the review of FCDs with agencies administering the enforceable policies of the Virginia CZM Program.

#### **PUBLIC PARTICIPATION**

In accordance with 15 CFR §930.2, a public notice of this proposed action was published in OEIR's Program Newsletter and on the DEQ website from September 17, 2015 to October 2, 2015. No public comments were received in response to the notice.

#### **FEDERAL CONSISTENCY CONCURRENCE**

The FCD states that the CCP is consistent with the enforceable policies of the Virginia CZM Program. The reviewing agencies that are responsible for the administration of the enforceable policies generally agree with the FCD. Based on the review of the FCD and the comments submitted by agencies administering the enforceable policies of the Virginia CZM Program, DEQ concurs that the CCP, including those activities that do not require future environmental review, is consistent, to the maximum extent practicable, with the enforceable policies of the Virginia CZM Program. However, DEQ anticipates that the FWS will submit a FCD pursuant to the Coastal Zone Management Act (CZMA) of 1972, as amended (16 USCA, CZMA § 307, § 1456(c)(3)(A)) and its implementing federal consistency regulations (15 CFR Part 930, subpart C) for the proposed relocation of the beach and parking, and construction of water control structures, the crabbing dock and boat launch as well as any applicable activities for which additional site-specific environmental analysis is required. In addition, other state approvals which may apply to this project are not included in this FCD. Therefore, the responsible agency must also ensure that this project is constructed and operated in accordance with all applicable federal, state and local laws and regulations.

#### **ANALYSIS OF ENFORCEABLE POLICIES**

The analysis which follows responds to the discussion of the enforceable policies of the Virginia CZM Program that apply to this project and review comments submitted by agencies that administer these enforceable policies.

**1. Fisheries Management.** The FCD (page S-12 and S-13) states that the FWS determined that 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.

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**7. Shoreline Sanitation.** Contact the VDH Office of Environmental Health Services (Dwayne Roadcap at [Dwayne.Roadcap@vdh.virginia.gov](mailto:Dwayne.Roadcap@vdh.virginia.gov) or 804-864-7458) for guidance on maintenance of the existing septic system.

**8. Dunes Management.** Contact VMRC (Tony Watkinson at [Tony.Watkinson@mrc.gov](mailto:Tony.Watkinson@mrc.gov)) for additional information about its comments.

**9. Solid and Hazardous Waste Management.** Contact DEQ TRO (Sean Priest at 757-518-2141) for additional information on waste management as necessary.

**10. Natural Heritage Resources.** DCR DNH (Rene Hypes at [Rene.Hypes@dcr.virginia.gov](mailto:Rene.Hypes@dcr.virginia.gov)) for additional information regarding its attached comments.

**11. Federal Consistency Determination.** DEQ anticipates that the FWS will submit a FCD pursuant to the Coastal Zone Management Act (CZMA) of 1972, as amended (16 USCA, CZMA § 307, § 1456(c)(3)(A)) and its implementing federal consistency regulations (15 CFR Part 930, subpart C) for the proposed relocation of the beach and parking, and construction of water control structures, the crabbing dock and boat launch as well as any applicable activities for which additional site-specific environmental analysis is required. Coordinate directly with OEIR for the submittal of future FCDs. Information on document submission is available at [www.deq.virginia.gov/Programs/EnvironmentalImpactReview/DocumentSubmissions.aspx](http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview/DocumentSubmissions.aspx).

Thank you for the opportunity to comment. Detailed comments of reviewing agencies are attached for your review. If you have questions, please do not hesitate to call me at (804) 698-4204 or Julia Wellman at (804) 698-4326.

Sincerely,



Bettina Sullivan, Manager  
Environmental Impact Review and Long Range  
Priorities Program

Enclosures

ec: Amy Ewing, DGIF  
Keith Tignor, VDACS  
Robbie Rhur, DCR  
Keith Tignor, VDACS

**Attachment 4: Letter from Town of Chincoteague, Inc.****TOWN OF CHINCOTEAGUE, INC**

October 8, 2015

Wendi Weber, Regional Director and  
 Scott Kahan, Regional Chief/National Wildlife Refuge System  
 US Department of Interior, Fish and Wildlife Service  
 300 Westgate Center Drive  
 Hadley, MA 01035-9589

**RE: Review of the Final CCP/EIS for Chincoteague NWR**

Dear Ms. Weber and Mr. Kahan:

A short 30 day review of the Final Comprehensive Conservation Plan (CCP) for Chincoteague National Wildlife Refuge brings an end to a 5 year long planning process. On many important points, the plan is responsive to concerns raised by the Town of Chincoteague and is a much better document following your work this year. Thank you.

The Final CCP/EIS however stopped short of meeting our concern for resiliency and flood protection along the entire 17 miles of Assateague Island in Virginia. The wording in the final CCP draft that states "The USFWS is committed to exploring the implementation of resiliency strategies informed by the latest science available" is lacking in a commitment.

USFWS intends to address coastal resiliency on the Eastern Shore of Virginia through the Mid-Atlantic Coastal Resiliency Institute (MACRI) which excludes the Town of Chincoteague, Accomack County and Northampton County from participation. This solution does not adequately protect the public health, safety and welfare of the Chincoteague Island community.

The Final CCP/EIS still proposes to use the NEPA review process to manage the important work ahead that would plan/design/permit/build a new sustainable and resilient recreational beach by completing a limited and superficial Environmental Assessment. This process has not worked well to allow community participation or to accomplish the needed study. A better management plan is needed.

The Final CCP/EIS defers consideration of the adverse Cumulative Impacts of FWS management actions which are both specific and predictable to make it the responsibility of other federal agencies at some point in the future. The impacts of wildlife management strategies on the southern end of Assateague Island have still not been evaluated.

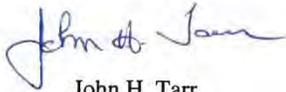
6150 COMMUNITY DRIVE, CHINCOTEAGUE ISLAND, VIRGINIA 23336  
 (757) 336-6519 FAX (757) 336-1965

The Final CCP/EIS was written to support the relocation of the recreational beach under all alternatives as the final outcome before the NEPA document was even prepared. Alternative B is proposed without preparing the necessary documents or detail to allow for community support.

It is important however, that we as a community and as a nation continue to invest in these treasured public lands. On this basis, if you select Alternative B as the best option presented for the Final Comprehensive Conservation Plan at Chincoteague National Wildlife Refuge, then our community requests that these outstanding issues be carried forward under future NEPA reviews, and that long term planning for the recreational beach relocation will be completed under a full EIS and MOU as stated in our letter dated August 18, 2015 with all stakeholders at every meeting.

Not knowing the length of time or the final cost of such a project, we would also request a stronger commitment to protect the parking at its current location until such a time everyone is in agreement that all the issues have been addressed and the land base at the current beach parking location is no longer sustainable.

Sincerely,



John H. Tarr  
Mayor

cc: Town Council  
Honorable Robert Bloxom  
Honorable Lynwood Lewis  
Honorable Terry McAuliffe  
Honorable Mark Warner  
Honorable Tim Kaine  
Honorable Scott Rigell

