



TOWN OF CHINCOTEAGUE, INC.

OFFICE OF THE MAYOR

August 15, 2014

Tom Bonetti, Refuge Planner
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035

**RE: Chincoteague National Wildlife Refuge
Draft Comprehensive Conservation Plan/EIS**

Dear Mr. Bonetti:

On behalf of the citizens of the Town of Chincoteague, please accept our appreciation for the hard work and accommodation of public concerns included within the draft CCP/EIS for Chincoteague National Wildlife Refuge. The US Fish and Wildlife Service made a clear and positive commitment toward public access, beach recreation, Chincoteague ponies, convenient parking without mandatory transit, and a host of other revisions to the ideas presented during project scoping.

We understand that the draft CCP recommends the selection of Alternative B which would relocate the recreational beach area to the north and maintain 961 parking spaces in a more stable area of Assateague Island that would be less susceptible to storm damage (according to FWS staff). Unfortunately, this solution has not been designed and consequently was not included in the economic impact analysis to evaluate whether the visitor experience and economic benefit would be diminished in the new location.

At this time, the Town of Chincoteague can only support a modification to the current management plan (Alternative A). This plan would include improved 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. A post-storm access plan is also recommended to minimize the impact of any temporary loss of visitor parking at the beach. An extended interim solution for the public recreational beach is not too far off from the USFWS 'preferred alternative'. Please note that we are opposed to Alternative C which would have a devastating effect on the local economy.

In addition to this position, we have prepared an extended series of comments and suggested revisions which follow the format of the draft CCP/EIS. The draft CCP/EIS was prepared in a way that makes public comment challenging, and needed revisions almost impossible to list because of the way changes in management were woven throughout the document. In our letter,

when a public concern or issue is stated, it is intended to apply in every applicable location of the document. Each numbered comment is presented as a separate, discrete issue to which a FWS response is requested.

The most important part of this CCP process will be to support the powerful and meaningful advantages found in the combined efforts of multiple Federal, State, County, and Town partners. ***We are still concerned that a large part of the draft CCP is a plan written only by wildlife biologists for managing a private environmental research facility and the process has excluded participation by other responsible localities and agencies.***

Many issues identified in our comments are substantive because they deal with very serious changes in federal land management which will impact the public safety, cultural traditions, and economic strength of Chincoteague Island and 1.4 million visitors to Assateague Island National Seashore.

- **Issue #1 Exceptional Visitor Experience**
- **Issue #2 Public Safety/ Resiliency Plan**
- **Issue #3 Management Area for Beach Recreation**
- **Other Substantive Issues attached**

During the CCP scoping review discussions in 2010 and 2011, the Town of Chincoteague requested (letter dated December 7, 2010) that certain issues should not ‘fall between the cracks’ of the CCP and the GMP prepared by the National Park Service for the Assateague Island National Seashore. We ask for your help to openly discuss the shared responsibilities of FWS and NPS and the overlap of the two long range plans. The MOU revision in 2012 that was completed without public review (and included in the CCP as Appendix E) does not represent a worthy effort to address this concern and should be revised to increase NPS management authority for coastal beach management within a larger ‘assigned area’ (map from 1993 Master Plan plus new areas).

In addition we are concerned that 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.

Many concepts and policies contained in the CCP such as Biological Integrity Diversity and Environmental Health (BIDEH), Wilderness, Endangered Species critical habitat, and ‘Let Nature Take Its Course’ that were written to apply across our great land, ‘*from the redwood forest to the gulf stream waters*’, should not be applied uniformly to barrier islands, and more specifically should be modified for the unique differences between Assateague Island National Seashore and the Southern Barrier Island group NWR (Assawoman, Metompkin, and Cedar Islands).

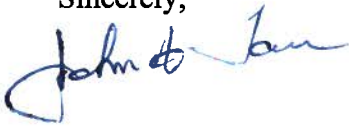
The NEPA Environmental Impact Statement process introduces several concepts such as a TIERED EIS, and a SUPER-SUBSTANTIVE issue – both of which would allow for the continued consideration of proposed management actions even if a final CCP was adopted. The

Town is deeply concerned that the proposed CCP change in federal barrier island management actions from stability to vulnerability is so serious that it would not be possible to implement Alternative B under an Environmental Assessment (EA) until outstanding environmental impact and public safety issues are resolved for the entire 17+ miles of Assateague Island coast in Virginia.

To be clear, our comments are provided with the hope of improving the CCP, not delaying its adoption. The recent ‘super moon’ which brought the high tide line within inches of the beach parking areas helps to support a sense of urgency for improving current management actions and selecting a CCP for the future which protects and maintains this treasured landscape.

Thank you

Sincerely,



John H. Tarr
Mayor

Attachments

cc. Representative Scott Rigell, Member of Congress
US Senator Mark Warner
US Senator Tim Kaine
Lt. Governor Ralph Northam
Virginia Senator Lynwood Lewis
Delegate Robert Bloxom, Jr.

“One-fifth of all the people in our Nation live within an easy day's drive of Assateague...and now...these wide sandy beaches will be the people's to enjoy forever... For the rest of this century, the shoreline within reach of the major cities of this country just must be preserved and must be maintained primarily for the recreation of our people.”

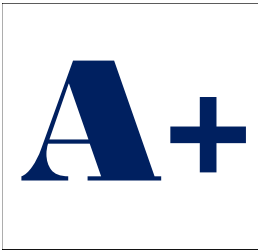
Lyndon B. Johnson. "Remarks at the Signing of a Bill Establishing the Assateague Island Seashore National Park.," September 21, 1965

“In order to comply with what we believe was the intent of Congress in passing P.L. 85-57, the US Fish & Wildlife Service has conveyed primary jurisdiction for beach use and recreation within the ‘assigned area’ to the National Park Service. Language from P.L. 85-57 makes it clear that Congress intended for a recreational beach to be constructed and maintained on the refuge. It is also apparent that Congress believed or anticipated that ‘traditional’ beach recreation could be compatible with refuge purposes...”

Draft CCP – Chapter 1 / Page 1-33, May 15, 2014

Draft CCP Issue #1 – EXCEPTIONAL VISITOR EXPERIENCE

Town Position Statement



Current management of the CNWR provides an exceptional combination of visitor experiences which support the mission of the refuge and the Eastern Shore of Virginia tourism based economy with 95% visitor satisfaction*. The preferred alternative proposes significant management changes to relocate the recreational beach which have not been evaluated through the NEPA Environmental Impact Statement process or by the FWS economic impact study. **A master plan and economic impact statement must be prepared for Alternative B to comply with NEPA/EIS review, and to assure that the exceptional visitor experience at CNWR inside the Assateague Island National Seashore is not diminished.**

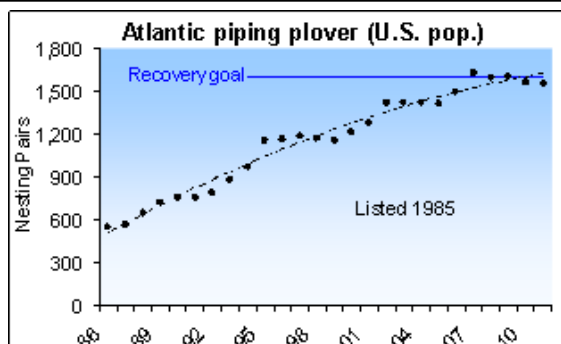
What is the Issue?

The draft CCP/EIS for Chincoteague National Wildlife Refuge has not yet hit the mark with the preferred alternative. The US Fish and Wildlife Service carefully describes the current successful management plan under Alternative A, and then selects the preferred Alternative B without providing details necessary for community support. Lacking a site design and transition plan for the new recreational beach location (CCP pg. 2-68), the preferred alternative cannot adequately demonstrate an exceptional visitor experience. In fact, significant adverse impacts are anticipated (CCP pg. 4-42) and **making the wrong decision could mean an average economic loss to the local economy of approximately \$400,000 per day over the summer months** (CCP Table 33/34). Delaying the needed study and design of the new recreational beach by two to three years until after the decision has been made to abandon the current facilities is not acceptable.

Proposed Change

The final CCP plan must be based on Alternative A (current management practices to keep the exceptional recreational beach and infrastructure in place at Toms Cove), **plus** actions taken to build up and maintain the land base necessary to provide resilience under changing environmental conditions.

This plan would allow for a long term transition to Alternative B only when studies and design of a relocated recreational beach to the north, and revised coastal management strategies for all areas within the Assateague Island National Seashore boundaries are approved under an agreement with partners including the National Park Service, Town of Chincoteague and Accomack County.



USFWS recognized for Plover Recovery

Current management at CNWR is a great success with shared use of the beach for summer recreation. (http://esasuccess.org/report_2012.html#many)

*USGS Chincoteague NWR Visitor Survey 2012 (pg.18)

95% of visitors were satisfied with the recreational activities and opportunities,

([http://pubs.usgs.gov/ds/754/NortheastRegion\(R5\)/ChincoteagueNWR-NWRvisitorsurvey2012.pdf](http://pubs.usgs.gov/ds/754/NortheastRegion(R5)/ChincoteagueNWR-NWRvisitorsurvey2012.pdf))

Voted Best Beach Award #23 in the U.S. for 2014-

Successful balance of beach recreation and conservation (<http://www.tripadvisor.com/TravelersChoice-Beaches>)



Draft CCP Appendix N (USFWS Photo)

Existing Beach currently managed by NPS to provide land base for 961 parking spaces and exceptional visitor experience versus the proposed new beach location.



See article titled: **‘Down to the Cubic Yard, Ish Ennis has Beach Plan Ready’**

<http://wildponytales.info/archives/date/2012/12>

Draft CCP Issue #2 – PUBLIC SAFETY/RESILIENCY PLAN



Town Position Statement

The CCP suggests that barrier island resiliency is an issue beyond the expertise of the USFWS. We agree. What is proposed in the draft CCP is a complete change from responsible federal management over the last 50 years to an ill advised strategy to increase vulnerability and study rapid ecological change. **If ‘Wildlife First’ means ‘Let it Go’, then another federal agency should be in charge of the Assateague Island National Seashore in Virginia.**

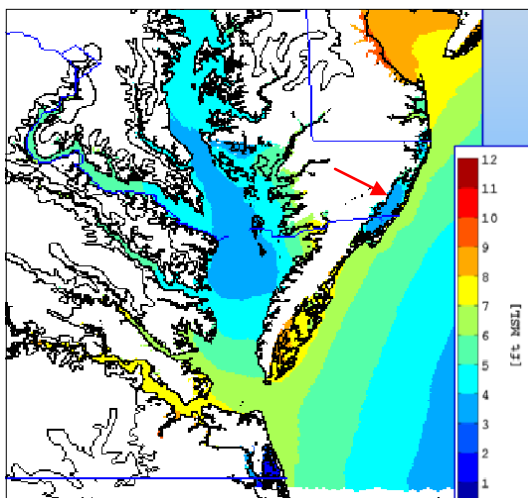
What is the Issue?

If the proposed federal management of Assateague Island by the US Fish and Wildlife Service is changed to remove dunes and create breaches, Chincoteague Island will be exposed to 8 feet of storm surge and ocean waves according to the recent FEMA Coastal Flood Risk Study. A storm damage reduction plan by the US Army Corps of Engineers study is needed in the CCP regardless of which alternative is selected. USFWS habitat management plans to increase vulnerability of the barrier islands must be limited to only the Southern Barrier Island unit.

The cumulative effects of proposed CCP changes which would place over 1.2 million summer visitors, over \$2 billion in property value, and major economic and cultural resources in Toms Cove at risk have not been reviewed by the draft EIS document.

Proposed Change



The final CCP must provide a limit on the portions of Assateague Island National Seashore and the National Wildlife Refuge Complex which would be managed for vulnerability (‘dynamic beach and overwash system’) based on the recommendations of a multi-agency review and the mandate for storm damage protection plan (P.L. 89-195). NPS management of the ‘assigned area for public recreation’ must be restored in the MOU to include all of southern Assateague Island, including the recreational beach, in order to maintain access to the former USCG Station and a stabilized beach cross section.




FEMA RiskMap Study – 2011/13
Illustration showing Chincoteague Bay protected by Assateague Island today




Monomoy NWR is managed for Wilderness and ‘dynamic beach and overwash’ – a broken barrier island is proposed for Assateague Island in CCP

Beating the Odds: A Year in the Life of a Piping Plover A story map  

Piping Plovers flock to the same shores that attract people. These birds are on the brink, with only 8,000 adults left. From Canada to the Caribbean, Audubon is working to safeguard sandy reaches critical to the birds' survival, and encouraging people to share the beach. 

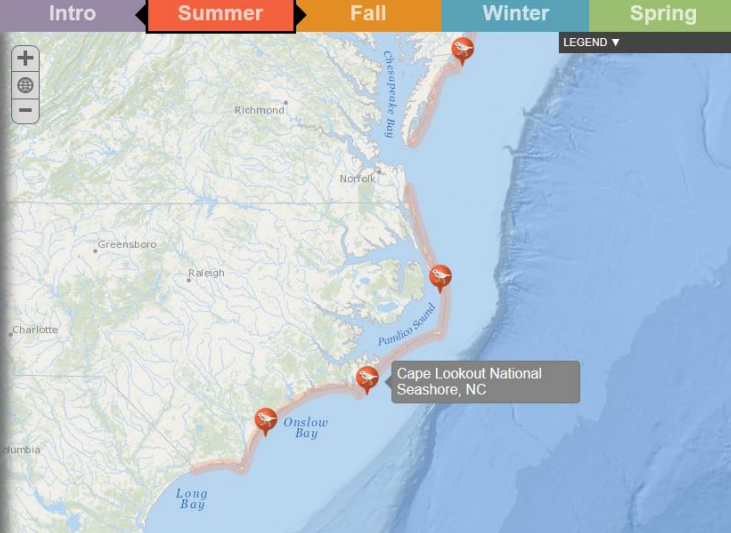
Intro
Summer
Fall
Winter
Spring




Walker Golder

Federal Lands

Cape Lookout National Seashore, NC
Federal and state lands are essential to Piping Plovers and many other shorebird species as stopover sites during migration and breeding season. Cape Lookout and Cape Hatteras National Seashores are among the few federal lands that support Piping Plovers year round. Plovers breed and winter on the seashore's beaches, and hundreds of the birds stop to rest and refuel here during migration. But plovers aren't necessarily safe on federal lands. They still face threats from off-road vehicles, abundant predators, and chronic human disturbance.

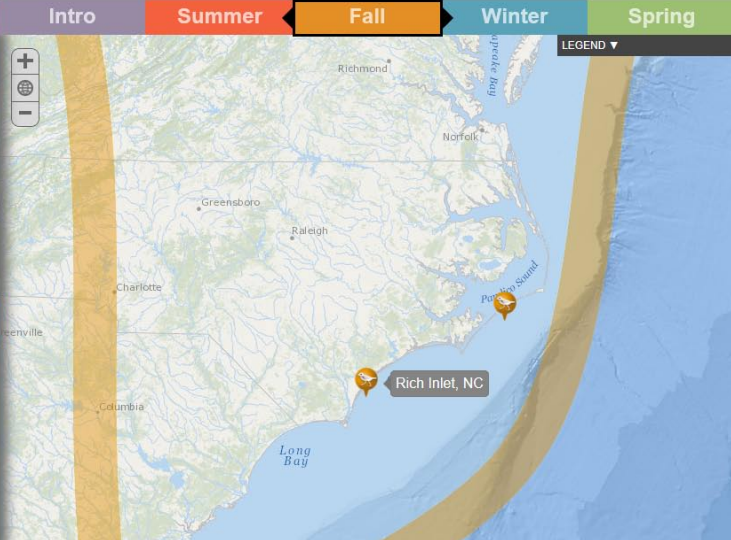





Walker Golder

Important Inlets

Rich Inlet, NC
Inlets are a Piping Plover's paradise. Calm waters and sandbars teeming with invertebrates provide a much-needed meal after a long haul, while nearby sandy beaches are a perfect place to rest. But these idyllic inlets all along the Atlantic are in trouble. Many have been dredged, walled up, channeled, mined for sand, or otherwise altered by humans. Exhausted plovers may arrive in North Carolina in August to find their resting grounds destroyed and their sandbars sunk beneath the waves. With each sandbar that is dredged and inlet that is stabilized, Piping Plovers lose critical habitat.



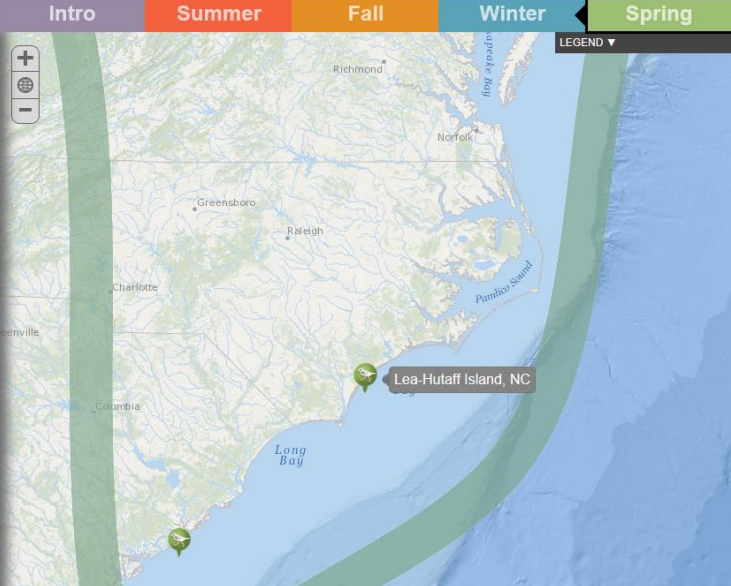


Walker Golder

Nature Knows Best

Lea-Hutaff Island, NC
Just north of Wilmington lies a barrier island that's been battered by storms, flooded, overwashed, and eroded into a low-lying ribbon of sand. For Piping Plovers, it's practically Eden. Undisturbed by development and off-road vehicles, the gently sloping beaches, sand bars, and sand flats shaped by wind and water provide excellent habitat for plovers and other shorebirds, including Least Terns and Black Skimmers.

Each year plovers and many other shorebirds lose habitat to development, coastal engineering projects, and disturbance. With each site lost, recovery becomes more distant. Fortunately for plovers, Audubon is working to protect the rare natural treasure of Lea-Hutaff.



USFWS plans for removing sand dunes to create more endangered species habitat will cause Assateague Island to break apart, sand will be diverted into Chincoteague Bay and starve the Recreational Beach, and Chincoteague Island will be exposed to 12 foot storm surge and ocean wave action.
<http://www.audubon.org/plover>

Issue #3 – MANAGEMENT AREA for BEACH RECREATION

Town Position Statement



Dual agency management of the Seashore (NPS) and Refuge (FWS) natural resources is a strong point of the CCP when both public recreation and wildlife conservation missions can be accomplished. **Specific limitations on all actions have been created in the draft CCP by repeatedly describing a ‘one-mile recreational beach’ and an ‘8.5 acre parking area’.** These terms unreasonably restrict the future design of visitor use facilities within the ‘assigned area for public recreation’ and overrule Congressional actions from 1957 and 1965.

What is the Issue?

60 Year History (1954 to 2014)

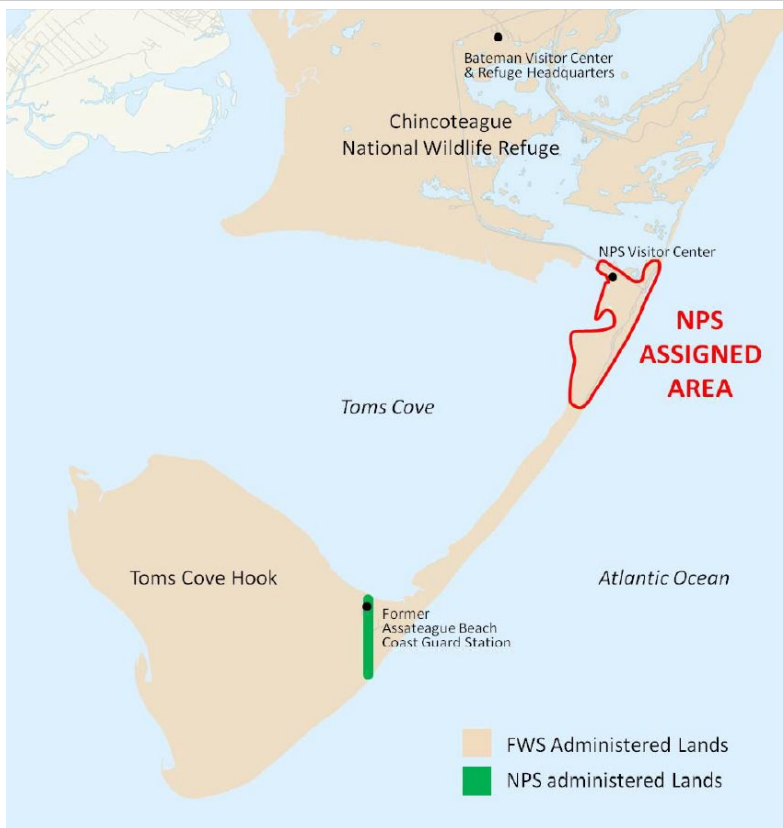
- 1954 - Chincoteague Mayor Robert M. Reed reaches agreement with U.S. Department of Interior, Fish and Wildlife Service to build a bridge to Assateague Island and a road to the Atlantic Ocean beach of the Refuge for the benefit of both Chincoteague and the FWS.
- 1957 to 1959 - A perpetual deed of easement was granted from the United States of America (by act of Congress on June 17, 1957) to the Chincoteague-Assateague Bridge and Beach Authority (a political subdivision created by act of the General Assembly of Virginia in 1956) across Assateague Channel and the National Wildlife Refuge to the Atlantic Ocean beach of Assateague Island for public road access. To have and to hold by the Authority, its successors and assigns, this deed of easement would automatically cancel with non-use for a period of two years, or if abandoned.
- 1959 – By contract agreement, the south end of Assateague Island was ‘set over and assigned by the United States to the Authority’, its successors and assigns, for public beach recreation over a term of 40 years ending in 1999 with automatic renewal for two successive terms of 15 years ending in 2014 and 2029.
- 1966 - The assets of the Authority, including the above deeded rights and contract agreement, were purchased through Congressional action, by the National Park Service, with taxpayer funds under the National Seashore authority, and have been formalized in the current Interagency Agreement between FWS/NPS.
- 2004 - The assigned area for public recreation was approved as a ‘Compatible Use’ with a 10 year re-evaluation date of 2014. This action updated the 1979 Memorandum of Understanding and the 1990 Inter Agency Agreement between FWS and NPS.
- 2012 – Outgoing NPS and FWS managers revised the ‘assigned area’ and shared responsibilities of the MOU from over 4 miles to 1 mile without Congressional approval, public review or consideration in the draft CCP/EIS.

Proposed Change

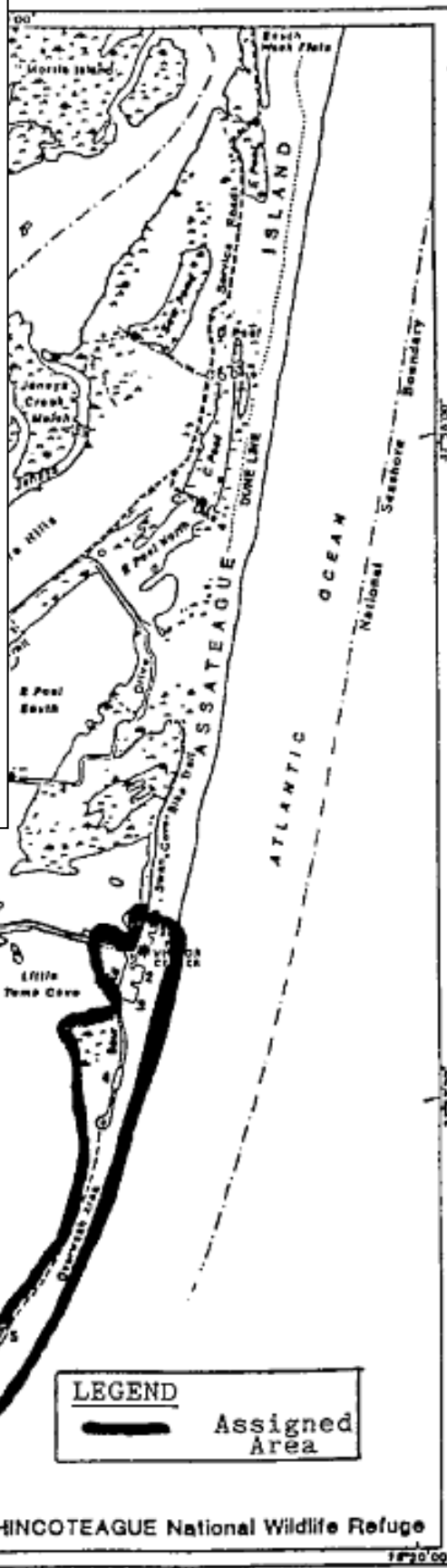
Final CCP shall remove or clarify all references to an ‘8.5 acre parking area’ and ‘1 mile recreational beach’ such that the future design and management of relocated recreational use facilities would not be limited and/or the visitor experience diminished by use of these specific terms. The Memorandum of Understanding (MOU) must be revised to restore and expand the area ‘set aside and assigned’ by Congress for public recreation and jointly managed by the National Park Service to at least 4 miles plus new areas.



Virginia Officials place public trust for Beach Recreation in the hands of the National Park Service (Town of Chincoteague file photo)



2014 Master Plan
(1 mile area)



1993 Master Plan
(4 mile area)

Town of Chincoteague Issues and Comment Worksheet

<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;">TOC proposed text or highlighted concerns</p> <p style="text-align: center;">TOC proposed strikeout</p> <ul style="list-style-type: none">• <u>TOC suggestion or concern</u> <p style="text-align: center;">Town comment</p> <p style="text-align: center;">FWS “existing text” or subject heading</p>
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Chapter 1 – Purpose, Need, Planning Background

4) Need for Action (Ch.1, Section 1.3.1/pg. 1-3)

Please consider modifying the CCP as follows:

‘Our development of this draft CCP/EIS addresses three major needs.

First, the Improvement Act (1997) requires that all national wildlife refuges have a CCP to help fulfill the mission of the Refuge System.

Second, the refuge currently has an outdated master plan. Since 1993, environmental factors, management experience and policy changes ~~have morphed~~ affecting the coastal landscape of the refuge, resulting in a need to revisit our vision statement, goals, objectives, and ~~management~~ strategies to successfully manage the refuge now and into the future. Developing this CCP/EIS provides us with an opportunity to solicit public and partner involvement throughout the planning process that will inform the framework and direction with which to manage the refuge.

Third, our management practices should be consistent with ~~current~~ applicable mandates and best management practices. This new CCP will ensure the refuge ~~conforms to all relevant~~ provides balanced solutions for implementing current law and policies within the unique legislative and planning framework that includes priorities for both wildlife refuge and national seashore.’

Analysis of the affected environment (Chapter 3) and environmental consequences (Chapter 4) should be improved or modified to separately evaluate the incremental impacts of:

- projected change caused by natural processes, and
- projected change caused by policy driven management actions of the FWS.

Rationale: The draft CCP/EIS is built on the premise of ‘drastic changes to the refuge’s environment’ that may be caused by climate change, sea level rise, human uses and natural processes. Section 1.3.1 states “we have designed this CCP/EIS to address management and protection of valuable natural resources into the future, a future where continued change is even more likely to occur.”

The Town of Chincoteague is concerned that proposed goals/objectives/strategies of the Plan go beyond responsible federal agency management of this national resource to actually create, and increase ‘drastic change’ for the purpose of scientific study (CCP pg. A-12), public education (CCP pg. 2-42), and to exhibit FWS leadership (pg. 1-Rising to the Challenge).

5) **Map Correction** (Figure 1-1/pg. 1-2)

Figure 1-1 illustrates a regional location map of the Eastern Shore that does not include the southern barrier islands of the Virginia Coast Reserve. The map should be revised to accurately show the existing land forms, or indicate that it was prepared as an exhibit to simulate future sea level rise.

Rationale: The Chincoteague National Wildlife Refuge complex is part of a barrier island system along the Eastern Shore of Virginia coast which performs an important function of protecting coastal marshes, the mainland and Chincoteague Bay from ocean wave action and storm erosion. The omission of the southern islands is presumed to be a mapping error.

6) **Purpose of the CCP** (Ch.1, Section 1.3.2/pg.1-3)

Add US Code references to Sec. 1.4.1

- *“...land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public law 87-714; 76 Stat. 653) [16 U.S.C. 460k et seq.] (Assateague National Seashore (16 U.S.C. § 459f-5(b));*

Rationale: Congressman Scott Rigell, 2nd District of Virginia, requested that the vision and purpose of the refuge should include ‘access to the seashore for public recreation’ (letter dated May 27, 2011). The purposes of the Refuge CCP (1 through 6) are incomplete and incorrect without including a reference to the overlapping federal agency jurisdiction and mandates of the Assateague Island National Seashore Act for hazard mitigation (pg. 1-29) and recreational beach use, regardless of whether it is wildlife dependent (pg. 1-30 through 1-32) This unique aspect of CNWR, established by Congress in 1965 by Public Law 89-195, affects the analysis and recommended management alternatives of the entire scope of the CCP/EIS and should be included in its purpose.

7) **Wilderness** (Ch.1,Section 1.7/pg.1-7)

Delete sections regarding future actions to pursue Wilderness designation:

~~*“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. As part of the 50th Anniversary of the Wilderness Act in 2014, USFWS has proposed to charter a Refuge System Wilderness Council to evaluate the 21 Proposed Wilderness Areas and Wilderness Study Areas within the Refuge System and to prepare a National Strategy to advance priority wilderness proposals to Congress for designation”.*~~

Rationale: Management as wilderness in the absence of Congressional designation, using a new baseline assessment for wilderness character, and management actions (example Monomoy NWR) which preclude motorized vehicles are in conflict with the mandate to protect Assateague Island (National Seashore) in the face of climate change (pg. 1-7). This issue is either outside of the scope for the CCP or its impacts need to be evaluated under the EIS.

8) **Refuge Vision and Goals** (Ch.1, Section 1.8.2, 1.13,pg. 1-23)

Modify Goals 1-7:

- Modify Goal 1,2,3 to remove the reference to a single FWS policy (BIDEH) as it conflicts with a balanced approach and the recreation mandate of the National Seashore
- Modify Goal #1 for federal consistency with Virginia’s Coastal Zone Management, and Emergency Management/Hazard Mitigation Programs such that coastal habitats must be managed for more than just endangered species habitat.

- Modify Goal 1 to include a statement of intent to manage barrier island resources for stability and resilience
- Modify Goal 5 or 6 to include a statement supporting ‘year-round human access to the recreational beach’
- Modify Goal 6 to include a clear statement including beach recreation as an integrated visitor service
- Modify Goal 7 to address the shared responsibility with NPS to administer the National Seashore Act in Virginia.

Rationale: The method of establishing goals which represent a singular focus on wildlife habitat management, and the repetitive mantra of a single policy (BIDEH) leads to Alternative B which is unbalanced in its approach to managing the whole range of needs and issues which face CNWR. Exclusion of cooperating agencies during the CCP process has resulted in a draft EIS document which defers the consideration of cumulative impacts until after the preferred alternative is selected.

9) **Significant Concerns** (Ch.1, Section 1.9/pg.1-11,12)

The scoping process and USFWS staff identified several key concerns which this CCP will address.

Add one more significant concern:

- Climate change/sea level rise
- Regional conservation
- Balance between public use and habitat and wildlife conservation
- Public access to the refuge, in particular to the recreational beach, and impact on visitor experience and the local economy.
- **Public safety and community resilience to storm damage and flooding**

Rationale: New information presented in the 1,000 page draft CCP describes a change in federal management which will create new vulnerability to storm damage and flooding (‘dynamic beach and overwash system’ habitat management strategy) which will expose Chincoteague Island and the significant economic and cultural resources in Toms Cove to the same natural forces and impacts experienced in 1962.

10) **Description of Refuge** (Ch.1, Section 1.11/pg.1-16)

Correct the following statement:

“Assateague Island National Seashore was designated in 1965 with provisions for the southern end of Assateague Island to be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses. Certain refuge lands, constituting what is known as Toms Cove Hook were set aside and assigned for the purpose of public beach recreation and other permitted activities managed by the National Park Service under an Interagency Agreement. The ‘assigned area’ is bounded on the north by Parking Lot #1, on the east and south by the Atlantic Ocean extending to Fishing Point and on the west by the waters of Toms Cove and along the canal in Swan Cove adjacent to Parking Lot #1. ~~remain a refuge under the management of the USFWS.~~”

Rationale: Given the well documented and extensive information about Assateague Island and the dual agency management of Wildlife Refuge and Seashore, the overly simplified description ‘to remain a refuge under the management of the USFWS’ appears to be an attempt to rewrite history for the next 20 years. This description is incomplete and therefore incorrect.

11) **Prescribed Fire Plan** (Ch.1, Section 1.12.2/pg.1-20)

Details of fire plans (similar to the Monomoy NWR draft CCP) are needed in order to evaluate impacts to air quality, nutrient loading to Chincoteague Bay, and to clarify the FWS intent to ‘reset ecological succession’

Rationale: Information contained in the Monomoy NWR draft CCP about managed fire burns to control vegetation and prevent its stabilizing effect on the beach, dune, and scrub shrub habitat areas has either been omitted or edited out of the draft Chincoteague NWR CCP/EIS. This habitat management approach intended to ‘reset’ and maintain an unstable and highly vulnerable condition should be described in Chapter 1 and evaluated in Chapter 4 for its effects on the human environment.

12) **Draft Habitat Management Plan** (Ch.1,Section 1.12.9/pg1-22)

Include the following quote along with the reference to the draft HMP:

‘The greatest impact at CNWR is reported from continued use of the recreation beach under Alternative A. The beach would be relocated under alternatives B and C, eliminating these effects’
(Cumulative Effects on Vegetation, Wildlife, and Habitat Ch. 4, page 4-56)

Rationale: Information contained in the draft HMP has strongly influenced the consideration of alternatives and management strategies throughout the draft CCP process. A pre-decision to relocate the recreational beach has strongly influenced alternatives so that improved current management (A+) was not considered

13) **Regional Conservation** (Ch.1,Section1.14.5/pg.1-27) (Ch.2,Section5.1/pg.2-36,37)

Add notation to reference possible economic impact and consideration under a tiered EIS:

25% of southern Delmarva currently in conservation (non taxable/reduced tax base) is proposed to be significantly increased through the efforts of the North Atlantic LCC and will be evaluated through a tiered EIS when an LPP is completed for Chincoteague NWR.

Rationale: Experience in Northampton County, Virginia and other locations such as Coos County, New Hampshire indicates that permanent protection of conservation lands through purchase and easement begin to have a measurable negative effect on local government to adequately manage property tax revenue for the basic needs of the people served when reduced or tax exempt properties exceed 50% of the County land area (*Coös County Economic Impact Study of Current and Proposed New Federal Land, May 2014*).

14) **Economic Development** (Ch.1,Section 1.14.5/pg.1-28)(Ch.2,Section 5.2/pg.2-37)

Retain good description in paragraph 1,2, 5.2

Add more information about the managed Horseshoe crab hand harvest in paragraph 3:

“During a 2011 coordination meeting with NPS, it came to light that commercial harvest of horseshoe crabs is occurring within Toms Cove on lands administered as part of the refuge and in waters administered as part of Assateague Island National Seashore. USFWS policy and law require that a Special Use Permit (SUP) be issued for any commercial activity that takes place on Refuge System lands and waters. No SUP has been issued for the commercial harvest of horseshoe crabs; it is, therefore, an unauthorized activity. In order for any commercial use to be permitted on Refuge System lands or waters, it must be shown to contribute to the purposes of the refuge. We address this commercial use as part of this CCP by finding the commercial harvesting of horseshoe crabs 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.”

Rationale: Clarification and modification of term highlighted above was requested at the public hearing to clearly delineate the limits of FWS/Refuge control of this managed State permit operation. (Will the VA permit for hand harvest continue to be allowed below MLW and how will that line be demarcated for enforcement?)

15) **Hazard Mitigation** (Ch.1,Section 1.14.5/pg.1-29)

- Add language to clarify meaning and to define ‘resiliency’

Rationale: The term ‘resiliency’ has been increasingly utilized as Hurricane Sandy recovery funds are distributed to restore and enhance coastal environments with a goal of being the ‘first line of defense’ against storm damage impacts to human communities. Since the USFWS may have a interpretation of the term’s meaning for the Chincoteague NWR, a definition should be added to the Glossary and some discussion of the concept should be included in the section on Hazard Mitigation.

16) **Recreational Beach Use** (Ch.1,Section1.14.6/pg1-30)

Retain good discussion and evaluation of Recreational Beach Use.

- Concern for limit of non-wildlife dependent recreation uses to **1 mile assigned area** of the NPS (pg.1-30). The assigned area for public recreation includes over 4 miles from the north end of parking lot #1 along the Hook to Fishing Point.
- Concern for limit of recreational beach to **1 mile** under all alternatives (pg.2-10) if this repeatedly used term is used interchangeably to describe the limits of the overall assigned area for NPS management.

Rationale: The area set aside and assigned for public recreation through authorization by Congress includes over 4 miles that is managed by the NPS for a recreational beach. The assigned area allows for OSV use and access to the historic USCG station. During a proposed interim or transitional period, additional assigned area will be needed to the north to allow for a proposed relocation of the recreational beach and visitor facilities. In the future, if the recreational beach is relocated, then the assigned area will need to include the full area where the NPS will have shared management responsibilities including adequate distances to the north and south of the recreational beach to manage for coastal stability and expanded OSV access. The area for management of the recreational beach use should not be interchangeable with the ‘assigned area’ or be limited to ‘1 mile’ for the purposes of the CCP.

17) **Refuge Administration** (Ch.1,Section1.14.7/pg.1-35,35)

Provide a clear statement of intent regarding Refuge Administration in the face of Climate Change and Sea Level Rise.

- Add information regarding the historic USCG lifesaving station, and Shipwrecks (LaGalga) along with the Chincoteague ponies considered under Cultural and Historic Resources
- Climate change and sea level rise section includes Figure 1-5 map showing that Assateague Island may already be near its threshold condition which may initiate rapid barrier beach migration and segmentation (Titus et.al. 2009) – is this a warning or **statement of a preferred outcome?**

Rationale: The draft CCP/EIS has not given serious consideration to a strategy that would encourage or expand management techniques currently used by the National Park Service at the recreational beach to increase the average beach elevation in the most vulnerable areas of Assateague Island by mm/year to keep up with sea level rise and increased minor storm events. The draft CCP/EIS has not proposed any barrier island or marsh restoration projects to address the potential impacts of sea level rise over the next 20 years similar to those proposed in CCPs prepared by the USFWS Southeast Region (Cape Romain NWR, Pea Island NWR, Shell Keys NWR, Delta and Breton NWR). If the intent of the USFWS Northeast Region is to help push Assateague Island ‘over the threshold’ to initiate barrier beach migration and segmentation, then say so.

Chapter 2 – Alternatives Considered

18) Parking Area (Overall)

Remove the term: ***‘8.5 acres’*** in all locations.

- Preliminary Draft Alternative A - (pg.2-2)
“Consistent with the 1993 Master Plan, the refuge would allow NPS to maintain ***8.5 acres*** (961 spaces) at the recreational beach.”
- Alternative A – Beach Access and Parking (pg.2-12). “Consistent with the 1992/1993 Master Plan and EIS, the refuge would continue to allow NPS to maintain 961 automobile parking spaces (***8.5 acres***) at the recreational beach...”

Rationale: The description of Alternate A, the ‘no action’ alternative, is incorrect. The 1992/93 Master Plan did not limit the existing 961 spaces to 8.5 acres.

19) Alternatives Considered but Eliminated – Beach Nourishment (Ch.2,Section 2.4.1/pg.2-5)

“It is the position of USFWS that natural shoreline processes (including migration) are beneficial to maintain the biological integrity, diversity, and environmental health of barrier beach islands and salt marsh habitats in the face of rising rates of sea level and climate change.”

- A definition of ***‘natural shoreline processes’***(pg.2-5) or ***‘natural coastal processes’*** (pg.2-12)(pg.2-50) ***or ‘natural processes’***(pg. 2-54) is needed in the glossary.

Rationale: This is a failed policy – see the recent history of Prime Hook NWR which led to a revised final CCP and active management to restore coastal habitats including beach, dune and marsh areas. The cost and impact to the human environment of the ‘let nature take its course’ position has not been described or evaluated in the draft EIS document. A bayside restoration option (123 Plan) presented by the Town of Chincoteague during the scoping review was not considered in the draft CCP or evaluated in Appendix J – Cost Estimate. Since this term is used repeatedly, there should be shared understanding of its meaning and implications for future management.

20) Alternatives Considered but Eliminated – Elimination of Transit (Ch.2,Section 2.4.4/pg.2-7)

- The elimination of transit from Alternative B as a master plan element is appreciated since it should not be an independent goal.

Rationale: The language contained in the 1992 EIS/Master Plan which ties parking, transit and the available land base together has led to management conflicts whereby the National Park Service is trying to increase the land base necessary to support the parking areas, and the US Fish and Wildlife Service is trying to decrease the land base in order to force the relocation of the parking areas.

21) Existing Management Actions that Continue under all Alternatives (Ch.2,Section2.5.1/pg2-9)

- Resource Protection – add the ***barrier island land area*** as a natural resource over which USFWS is the primary federal agency responsible for its conservation for future generations
- Marine Resource Management – remove text:
“The refuge would encourage and support the Assateague Island National Seashore’s Marine Research Reserve in Central Chincoteague Bay.”

Rationale: Assateague Island is more than the sum of individual habitat segments. It is a natural resource to be responsibly managed for its unique characteristics of a single whole 37 mile long barrier island which protects Chincoteague Bay. Development of a marine sanctuary was removed from all alternatives (Section 2.3/pg.2-5/bullet 3) and the proposed action by the National Park

Service has not yet been presented for public consideration under a General Management Plan/EIS. This future proposal should not be supported within the context of the draft CCP/EIS.

22) **Community Resiliency** (Ch.2,Section 2.5.1,pg.2-10) (Ch.2,Section5.3/pg.2-37)

Clarify the intent of this section – whether USFWS will continue to manage Assateague Island to provide protection of Chincoteague Island or will CI have to construct primary frontal dunes to mitigate for a deliberate change in federal actions which lead to the overwash, breach and segmentation of AI?

- *“The town of Chincoteague, Accomack and Northampton counties, adjacent coastal communities, and NASA are concerned about future impacts of sea level rise and storm surge on infrastructure and access to the region. The refuge shares this concern and would work in coordination with other state and Federal agencies and other appropriate partners to investigate the vulnerabilities and anticipated impacts of climate change and sea level rise on the Eastern Shore. 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.*
- *Strategies:*
 - a) *Continue working with coastal geologists to model the impacts of coastal storm events and other **dune breaching scenarios on Assateague Island** to evaluate potential effects that breaches and modifications to infrastructure may have on natural and manmade habitats, refuge infrastructure, and flood control for the town of Chincoteague.”*
 - b) _____
 - c) _____
 - d) _____

Rationale: The Town objects to what appears to be a USFWS strategy which has been proposed to increase vulnerability by removing dunes and creating artificial breaches in order to sustain a destructive phase of primary ecological succession. If this is not the case, this section needs to be modified to include alternate strategies that are the result of an agreement with partners such as the National Park Service, Town of Chincoteague, Accomack County, the Army Corps of Engineers and others.

Alternative A (Ch.2,Section 2.5.2/pg.2-12)

23) **Natural Resource Management** (Ch.2,Section 2.5.2/pg.2-12)

Include the following:

- a) Provide 50 year history and congressional support for restoration of Assateague Island as a natural resource to be protected for future generations of Americans
- b) Provide history of USACE actions to restore a naturalized dune system on Assateague Island which has proven to be resilient and stable
- c) Recognize the North Assateague Restoration Plan solution for barrier island management in areas of rapid change and erosion
- d) Refer to 1992/93 Master Plan section(s) which call for dune maintenance
- e) Describe adaptive management strategy used by the NPS to maintain the existing 961 parking spaces at Toms Cove

Rationale: The CCP provides an incomplete and therefore incorrect summary of current and traditional resource management on Assateague Island.

24) Goal 1/Objective 1.1/Strategy 1 – (pg.2-15)

Revise the first goal/objective/strategy:

*“**Restrict public access**...on Assateague , Assawoman, Metompkin, and Cedar beach, dune and overwash areas...”*

Rationale: Please clarify that this restriction is not meant to apply to the area set aside and assigned by Congress in 1965 with the National Seashore Act for public recreation at the southern end of Assateague Island. This ‘first and foremost’ goal to restrict public access is in direct conflict with the Congressional mandate to make the Assateague Island National Seashore available to future generations for the purpose of ‘protecting and development Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh island for public outdoor recreation use and enjoyment...’ (Public Law 89-195)

25) Goal 1/Objective 1.1/Strategy 9 and 10 (pg.2-16)

Revise strategies for federal consistency with Virginia Coastal Zone Management primary frontal dune regulations:

- *“Continue working with coastal geologists to model the impacts of storm flooding events and other **dune breaching scenarios** on Assateague Island to evaluate potential effects that erosion of the artificial dunes may have on natural and manmade habitats, refuge infrastructure, and flood control for the town of Chincoteague.”*
- *“Allow natural geologic processes to restore overwash to a northern portion of Wild Beach (e.g., the North Wash Flats (NWF) Impoundment) on Assateague Island in order to increase nesting habitat for plover, least terns, sea turtles, and other nesting shorebirds that were lost when the artificial dune system was created. This would also allow natural island movement. The refuge would allow natural and **artificial dune breaches** in locations that would provide overwash as determined by working with coastal geologists as stated above.”*

Rationale: Please identify where these strategies are located in the 1992/93 Master Plan, or have been adopted by the USFWS through a public process under current management. Please clarify the strategy to note that removal of primary frontal dunes in the Commonwealth of Virginia is not encouraged and may only be permitted through the Virginia Marine Resources Commission ("Coastal Primary Sand Dune / Reaches Guidelines: Barrier Island Policy" REGULATION 4 VAC 20-440-10 ET SEQ. See also Coastal Primary Sand Dunes/Beaches Guidelines, effective September 26, 1980)

26) Goal 1/Objective 1.2 Barrier Beach and Dune Habitat

Revise Objective to clarify:

- *“Manage sandy beach, overwash, and dune grassland habitat along the **approximately 17 miles of Assateague Island (Hook, Overwash, Wild Beach)** and tidal flats along Toms Cove to benefit red knot, species of conservation concern, and other migrating/wintering shorebirds.”(pg.2-17) “Five miles of the refuge’s 16.8 miles of beach on Assateague Island are open to OSV use during the fall and winter (September 1 – March 14).*

Rationale: Please clarify whether ‘hook, overwash, wild beach’ is a defined term which is intended to include the entire 17 mile shoreline of Assateague Island in Virginia or the remaining area after the **‘1 mile’** recreational beach is excluded. Address concern that repeated objectives to uniformly manage approximately 17 miles of sandy beach habitat on Assateague Island for threatened or endangered species habitat (Shorebirds pg. 2-17, Turtles pg. 2-18, Rare Plants pg.2-19) will effectively remove any assurance that a public beach area will be available for recreational use during the summer months.

27) Goal 1/Objective 1.4 Federally Endangered Plants (pg.2-20)

Modify all alternatives to emphasize management for Sea Beach Amaranth under Goal 4 – Southern Barrier Island Unit where suitable habitat already exists.

- “Protect the integrity of rare plant communities and **maintain or expand 970 acres** of sandy beach and washover habitat for the federally endangered seabeach amaranth **along Assateague Island shoreline** by allowing natural processes to occur with a goal of increasing the current population of 1 to 5 plants, as averages over a 5 year period.”
- ““Soft” stabilization methods such as placement of sand fences and planting vegetation like beach grass can be detrimental; seabeach amaranth rarely persists where vegetative stabilization efforts have taken place (Weakley et al. 1996). Investigations regarding active management such as propagation/ transplanting, re-seeding, or **removing artificial dunes** that prevent suitable habitat from forming at the north end of Assateague Island are needed to re-populate the species. Suitable habitat is defined as overwash flats at accreting spits or ends of barrier islands and the lower fore-dunes and upper strands of non-eroding beaches.”

Rationale: The consequence of excluding ‘endangered plants’ from proposed Goal #4 is leading to an extreme proposal for removing dunes and maximizing the vulnerability of Assateague Island in order to encourage rapid environmental change (Figure 1-5) and create habitat which does not exist today. This management approach may be appropriate for the Southern Barrier Islands, but it is not appropriate to propose the introduction of an endangered species on Assateague Island National Seashore with the management objectives to change the environment, actions to restrict human access, and consequences of increased vulnerability to storm damage and flooding in the vicinity of Chincoteague Island.

28) **Anthropogenic** (Ch.2, Goal 3, Objective 3.1/pg.2-27)

Revise the objective:

- Remove or replace the term **‘anthropogenic’**

Rationale: The term ‘anthropogenic’ should be removed or replaced because it is technical jargon which is often used to negatively describe the interaction of people and the environment. The draft CCP is an environmental management plan otherwise written in plain language to describe positive goals, objectives, strategies to guide the actions of future refuge managers and staff. (Unless the USFWS plans to close the refuge and remove all evidence of human activity (good and bad), all actions will have anthropogenic effects on the natural systems of Assateague Island and therefore do not need to be identified and characterized as such)

29) **Recreational Beach Use** (Ch.2, Objective 6.5/pg.2-43)

Concern for the use of defined terms such as **‘1 mile recreational beach’** and **‘8.5 acres’** which suggest that these areas limit the NPS ‘assigned area for public recreation’.

- “In cooperation with the NPS, continue to provide a ~~1-mile~~4-mile recreational beach for enjoyment of an undeveloped, natural setting that is accessible by several means including private vehicles, and parking near the beach, to maintain the current level of visitor use.”
“Under a 2012 NPS-FWS MOU, the NPS manages an assigned area consisting of the ~~1-mile~~4-mile recreational beach and corresponding adjacent 961 parking spaces.” “Continue to allow NPS to maintain ~~8.5 acres of~~ land for parking, which would preserve the existing capacity of 961 spaces...”(pg.2-43)

- Please modify Objective 6.5 to state that the recreational beach would be open to the public for ‘year round’ access.
- Please identify the source of the last strategy (pg. 2-44)

- “Public use activities would be monitored and if visits increase to a point where disturbance to nesting birds becomes a problem, additional access restrictions would be implemented.”

Rationale: The 1993 Master Plan and the MOU refer to the assigned area only. This portion of the draft CCP/EIS is inaccurate and must be modified to remove the two ‘new terms’ which do not reflect current management (1993 Master Plan) under Alternative A. We agree with strategy #4 to confine recreational beach use to the assigned area in general, however the 2012 MOU incorrectly shows the area (1 mile) set aside and assigned by Congressional authorization and federal contract (4+ miles).

30) Cultural and Historic Resources (ch.2,Objective 7.5/pg. 2-48)(pg.2-51)

Add strategies:

- Please add the following strategies:
 - ‘Continue to allow year round access from Beach Road to the former USCG Lifesaving Station for regular maintenance, storm damage protection measures, and program activities by the National Park Service as approved under the MOU.’
 - ‘Allow research and interpretative activities at the location of “La Galga” and other significant shipwrecks.’

Rationale: The draft CCP/EIS omitted known cultural and historic resources which are eligible for federal or state historic register listings, and were specifically discussed in recent EIS documents prepared by NASA Wallops Flight Facility. Public hearing comments regarding the La Galga shipwreck should be addressed and included in the final CCP. Omission of the USCG Lifesaving Station in this section, in the 2012 MOU, and the draft CCP alternatives is not consistent with the purpose of the CCP to provide a management plan for the future.

31) Climate Change and Sea Level Rise (Ch.2,Objective 7.5/pg.2-48)

Revise strategies:

- Provide interpretive exhibits on climate change at the global and local levels by replacing the migration exhibit with a climate change/severe weather exhibit which illustrates the relative stability and lower rate of sea level rise along Assateague Island given its mid-point location between the Delaware Bay and Chesapeake Bay.
- Develop educational materials and visitor experiences to participate in ecological restoration activities which will help to provide natural system resilience to major storms and flooding.

Rationale: We agree with the need to adapt, respond and mitigate for climate change and sea level rise in order to conserve natural resources including the barrier island itself. The referenced *USFWS Climate Change Strategic Plan* however states ‘as concern for climate change and its impacts grows, so do the opportunities for the Service and members of the conservation community...’. We hope that the USFWS plans to mitigate the effects of climate change, rather than accelerate them for the purpose of expanding its mission.

Alternative B (Ch.2,Section 2.5.3/pg.2-50)

32) Natural Resource Management (pg.2-50)

- Please clarify the intent of the statement “natural coastal processes would continue to shape habitat on the barrier islands” in terms of whether this management approach would allow dune

maintenance consistent with the 1993 Master Plan in order to ‘protect and maintain all refuge lands’.

33) Beach Access and Parking (pg.2-50)

Revise and add text:

- Remove **(8.5 acres)**
- Please provide clarification or modification to statement ‘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’ to include **‘This plan would allow for a long term transition to Alternative B only when studies and design of a relocated recreational beach to the north are approved under an agreement with partners including the NPS, Town of Chincoteague and Accomack County.’**

Rationale: Repeated use of the term ‘8.5 acres’ to describe parking areas for the recreational beach unreasonably prevents the NPS from managing the 961 automobile parking spaces to minimize vulnerability in either the current location or in a new beach location, and creates an unexplained regulatory constraint on future permitting activities. It is important to clarify whether the refuge will allow its partner organizations to participate in the development of a site design plan for a new beach location.

34) Visitor Use and Experience (pg.2-50,51)

Revise text as follows:

- Please modify the statement ‘All public **motor vehicle** access on the Service Road north of the new recreational beach parking would be restricted unless authorized under special use permit or special day use privileges/openings.’
- Please modify the statement ‘The Beach Road causeway across Toms Cove would be closed to all public **motor vehicle** access once other equivalent public access to the new recreational beach is provided.’
- Please clarify and consider modifying the statement ‘There would be a designated, year-round area for fishing from south of the recreational beach to the point of closure that would include OSV parking **and southern emergency and pedestrian access to the Wildlife Loop.**’

Rationale: Public comment at the schedule Open House meetings indicated a desire to keep pedestrian and/or bicycle access open along the Service Road and Beach Road in the future. The context of these statements above indicate that the intent was to limit motor vehicle access which would allow greater flexibility for the next 20 years to explore appropriate levels of access to all parts of the Refuge.

35) Figure 2-3 Alternative B Exhibit

Revise text as follows:

- Please consider modifying the Proposed Year-Round OSV Access and Parking for Fishing Only to **extend further south** to the approximate point of the current pedestrian access from the Wildlife Loop. This would allow for emergency access to the OSV zone, and **alternate beach access for bicyclists.**
- Consistent with assurances from the public Open House meetings, please revise the Exhibit to illustrate the existing area of proposed **Wilderness to the mean low water mark (MLW) only.**
- Please consider adding a map of the Southern Barrier Islands as a Figure ‘2-5’ in the final CCP

Rationale: Public comment at the schedule Open House meetings and the Public Hearing should be incorporated into the CCP or addressed in the public comment responses.

36) Goal 1: Coastal Habitats (pg. 2-54)

Revise goal for the ‘balanced approach’:

- Alternative B (Balanced Approach) should modify Goal 1 to include the following: ‘Manage quality coastal habitats for biological integrity, diversity, and environmental health of refuge barrier beach and dunes in concert with natural processes **and best management practices** as part of the Delmarva Peninsula coastal barrier island system to provide habitat for species of conservation concern, **and to accommodate both wildlife-dependant and non wildlife-dependant recreational uses established by the overlay of the Assateague Island National Seashore.**’

Rationale: Management goal #1 which is built on only one USFWS policy for ‘BIDEH’ and undefined ‘natural processes’ must be expanded to incorporate management for ‘non-wildlife dependent’ beach recreation in order to achieve a ‘balanced approach’.

37) Goal 1/Objective 1.1/Strategy 1,3/Objective 1.2,1.3/Strategy 1(pg.2-54)

Modify the following strategies:

- “~~Allow-Manage~~ natural geologic processes to **restore-control** overwash ~~to-at~~ the former recreational beach and parking areas on Assateague Island in order to increase nesting habitat for plover, least terns, sea turtles, and other nesting shorebirds **and provide storm damage protection consistent with the restrained project design of the North Assateague Island Restoration Project.** This would also allow natural island movement without encouraging breaches or rapid change, ~~which-and~~ would buffer the effects of sea level rise and future storms on other wildlife habitats.”
- “Improve the beach nesting habitat at the former recreational beach parking area **(8.5 acres); for example, removal of infrastructure and other man-made structures while still allowing seasonal OSV use and access the former USCG Station.**”

Rationale: These CCP proposed strategies are in addition to those listed on pages 2-15,16, and the combination of which equals dynamic change. We object to a management approach which seeks to manage for the destruction of Assateague Island and the natural/economic/cultural resources contained in Toms Cove. Please clarify that the stated intent for ‘removal of infrastructure and other man-made structures’ does not mean dunes, beach berms, sand fence or other coastal management best practices or remove the statement.

38) Goal 1/Objective 1.4/Strategy 2 Sea Beach Amaranth (pg.2-55)

Revise the strategy:

- “Within 3 years of the CCP implementation, study restoration for dynamic beach and overwash system, particularly **on the Hook and** in the ~~Wild Beach area~~**Southern Barrier Islands unit**, in order to increase seabeach amaranth habitat ~~that was lost when the artificial dune system was created~~**in areas which are not as important to manage for stability and resilience.** ~~Improve beach/dune habitat for seabeach amaranth at the former recreational beach parking area (8.5 acres); for example, removal of infrastructure and other man-made structures.”~~

Rationale: Sea beach amaranth is a targeted species being used as a tool to accomplish other CCP goals for changing the coastal management of Assateague Island. There is no good reason that the Wild Beach area should be manipulated to remove dunes and create vulnerability to storm damage when the CCP has been identified suitable habitat on the Southern Barrier Islands unit (see pg.2-61)

39) Goal 2/Objective 2.1/Strategy 10,13 Impoundments (pg.2-57)

Revise the strategy:

- “As opportunities arise, use volunteers to plant seaside goldenrod seedlings in spring or fall on Toms Cove Hook, small dunes that dot the Overwash area, the north end of Toms Cove (including the causeway west of the NPS Toms Cove Visitor Center), and the backsides of dunes along Wild Beach. **Goldenrod p**Planting should occur on no greater than 5 percent of the Overwash area so as not to conflict with beach nesting birds, which prefer open un-vegetated beaches and shell flats.”

Rationale: Strategy #10 mentions volunteer planting of dunes which is an idea widely supported by the gateway community. The proposed limit of 5% may not be effective with a balanced approach to manage the beach for stability and resilience. This strategy should be modified so that it does not unintentionally limit other plantings and should be included under Objective 1.2 (pg. 2-54).

- “Within 3 years, **encourage public/partner participation and** use outcomes from three USFWS efforts (the Integrated Waterbird Project, Region 3/Region 5 Impoundment Study, and the Coastal Impoundment SDM Model) to refine management strategies for impoundments **which will balance wildlife benefits with long term stability and resilience for Assateague Island.**”

Rationale: Impoundment management strategies are significant for more than just wildlife management purposes. Sea level projection models such as Climate Central and the SLAMM analysis show that the impoundments are vulnerable to storm surge and long term sea level rise. The deferred planning identified in strategy #13 should include public and partner participation and the results evaluated within a continued EIS.

40) Goal 4/Objective 4.1/Strategy 2 Southern Barrier Islands Unit - Shorebirds and Turtles (pg.2-60,61)

- Note: strategy #2 regarding land transfer on Cedar Island, and strategy #3 regarding a Barrier Island management plan are misplaced and should be located under Objective 5.1 Regional Conservation.
- Note: strategy #4 and #6 regarding seabeach amaranth are misplaced because an Objective was not included for managing endangered species in the Southern Barrier Islands unit.

41) Goal 5 Partnerships/Objective 5.1 Regional Conservation/Strategy 1 Land Protection Plan (pg. 2-62)

Revise strategy #1 as follows:

- “In consultation with local and regional stakeholders, **review the cumulative impacts of the PPP, LCD and LPP under the framework of a continuing Environmental Impact Statement, and pursue completion of LPP for the Lower Delmarva Peninsula Conservation Area ~~by 2015~~ within 3 years.**”

Rationale: A land protection plan (LPP) for the Lower Delmarva Peninsula Conservation Area is proposed to be completed by 2015, and yet excluded from consideration during the draft CCP/EIS public review process. Increasing conservation land (lower or no tax liability) from the current 25% of total land area to something approaching 50% would have significant implications for both County and Town local governments.

While this plan may be considered outside the scope of the CCP it should not be outside the scope of the Environmental Impact Statement which must look at the cumulative effects of federal actions. Since the USFWS is directly in charge of the North Atlantic Land Conservation Cooperative, and much of the area under consideration is included within the ‘landscape scale’ geographic area assigned to CNWR, CCP review is closest point the general public will ever come to being able to learn about and comment on the

LPP. In fact, other CCPs have included an LPP as an appendix so that its impacts could be considered during the EIS.

42) Goal 5 Partnerships/Objective 5.2 Economic Development (pg. 2-62)

Add the following strategy to the combined A/B strategies below:

- *Participate in economic development efforts and meetings of tourism groups (State tourism, Chamber of Commerce, NASA, Mid-Atlantic Regional Spaceport, etc.).*
- *Collaborate on communication to public about activities/events.*
- *Increase participation in events with local partners to enhance refuge visibility and expand visitation during the spring and fall ‘shoulder seasons’.*
- *Continue to work with NPS, the town of Chincoteague, and other partners to provide a high-quality recreational experience.*
- ***Within 3 years, prepare an update to Appendix M which evaluates the proposed collaborative design and management plan for new recreational facilities and the projected impact on refuge visitor spending in the local and regional economy.***
- *Within 5 years, develop a visitor survey to better assess visitation levels and patterns and capture visitor feedback to inform management decisions; the survey will be conducted every 5 years.*

Rationale: The proposed relocation of public beach recreation to a new location under Alternative B would have both short term and long term economic impacts to the local economy as visitors adapt to new experiences and regulations. The draft CCP did not provide details about the new visitor experience and therefore did not evaluate Alternative B in the Economic Impact Study (Appendix M).

43) Goal 5 Partnerships/Objective 5.3 Community Resilience/Strategy 1 Within 3 years (pg. 2-62)

Revise strategy 1 as follows:

- *~~“Identify partners, which may shall include the town of Chincoteague, Accomack and Northampton counties, Commonwealth of Virginia, NPS, NASA, FEMA, USACE, etc. who may wish to would work together to develop plans and strategies toward community resilience in the face of climate change impacts.”~~*
- *“Participate in a study, which would be led by others, to determine potential impacts/vulnerabilities of the coastal communities and identify protective methods for hazard mitigation to be incorporated into the adopted CCP management plan.”*

Rationale: There must be a connection established between the draft CCP and the development of a community resilience study. Goal #5 is a good start.

44) Goal 5 Partnerships/Objective 5.4 Federal Interagency Collaboration (pg. 2-63)

Revise strategy #5 and add strategy #6 as follows:

- *“Within 3 years, pursue funding in support of the 2011 non-reimbursable umbrella agreement signed between USFWS, NASA, and the MSC (Chincoteague Bay Field Station) for establishing a leading research and teaching environment where students and staff tackle new and evolving challenges such as those posed by climate change and corresponding sea level rise to coastal environments, and work on inexpensive aerial data gathering platforms supporting the NASA mission theme of conducting earth science measurements, understanding global climate change and conducting coastal research.”*
- ***Within 3 years, pursue funding in support of a cooperative agreement with the USACE to complete and implement a storm damage reduction plan for Assateague Island in Virginia.***

- ***Before adoption of the CCP, revise the MOU with the National Park Service to include all areas authorized by Congress to be set aside and assigned for public recreation, plus any new areas necessary for the management of a relocated recreational beach, visitor facilities, OSV use area, and transitional zones both north and south of the relocated recreational beach determined to be necessary to manage for coastal stability and resilience.***

Rationale: The Town of Chincoteague is deeply concerned that the draft CCP would change the federal management of Assateague Island established over the last 50 years in order to increase the vulnerability of the coastal environment for habitat management, accelerate rapid change to study the impacts, and accelerate climate change impacts to implement environmental education priorities.

45) Goal 6 Visitor Services/Objective 6.2 Fishing and OSV Use (pg.2-65)

Add the following strategies:

- **Continue to provide pedestrian and bicycle access to the beach from the Wildlife Loop along with emergency access to the southern end of the proposed year-round OSV/Fishing beach.**

Rationale: This change would address Open House public comment and would assist in achieving the objective of increased visitor satisfaction.

46) Goal 6 Visitor Services/Objective 6.5 Recreational Beach Use (pg.2-68)

Modify the alternative as follows:

- *Objective: “~~Within 8 years, or sooner if funding is available, complete~~ Begin transition of recreational beach and associated parking from current location to new location only when studies and design of a relocated recreational beach to the north meet the objective of maintaining the current (2014) level of visitor satisfaction, and are approved under an agreement with partners including the NPS, the Town of Chincoteague and Accomack County. and, working with the NPS and town of Chincoteague, maintain current level of visitor satisfaction.”*
- *Rationale: “The proposed relocation of the ~~1-mile~~ recreational beach and associated parking...”*
- *Strategies: “Within 2 years, develop an exceptional site design plan for parking and access to new beach location based upon local knowledge and participation of partners.”*
- *“~~Within 8 years, R~~elocate the recreational beach, or “NPS assigned area” (beach and ~~8.5 acres of~~ parking), to a more stable area(s) that meets visitor service and resource management criteria (as determined through the structured decision-making process -- see Appendix N) only when studies and design meet the objective of maintaining the current (2014) level of visitor satisfaction, and are approved under an agreement with partners including the NPS, the Town of Chincoteague and Accomack County. All public vehicle access on the Service Road north of the new recreational beach would be restricted unless authorized under special use permit or special day use privileges/openings. Continue to allow vehicular access along Beach Road to its new terminus but close Beach Road causeway to all public vehicle access once new recreational beach is open.”*
- *“Within ~~8-3~~ years, revise NPS-FWS MOU to account for relocated beach/ assigned area.”*
- *“In conjunction with building a new parking area for the recreational beach, manage biting insect population at the recreational beach. Working with partners, a biting insect control program, including the spraying of adulticides based on existing documented human disease threats, shall be implemented in the recreational beach visitor use areas to avert a public health hazard. Non-native biting insect species will*

be added to management actions for Exotic, Invasive and Nuisance Species Management sections (pg.2-9). The refuge is open to using commercially available targeted devices that capture mosquitoes which would improve visitor experiences; however, we will not use adulticide.”

Rationale: The stated objective to relocate the recreational beach within 8 years is unsupported by the draft CCP document as presented.

47) Goal 6 Visitor Services/Objective 6.6 Other Recreational Uses (pg.2-69)

Modify the strategies as follows:

- “Eliminate Swan Cove Bicycle Trail access and pursue alternative route north to relocated public beach (e.g., from Wildlife Loop to Mallard (C Dike))including a connection to the southern end of the year-round OSV Fishing beach. All public vehicle access on the Service Road north of the new recreational beach would be restricted unless authorized under permit.”
- ~~“End existing Beach Road access to beach.”~~
- “Work with the Commonwealth of Virginia and adjacent property owners to acknowledge the current dock/platform within Wildcat Marsh.”
- “Develop a refuge-run kayak/canoe environmental education program from Wildcat Marsh following public access improvements along Wildcat Lane to North Main Street.”

Rationale: This change would address Open House public comment and would assist in achieving the objective of increased visitor satisfaction. Access to federal property at the north end of Chincoteague Island would involve an extended trip along a privately owned and maintained street (Wildcat Lane). Any increase in use would demand an easement and maintenance agreement with affected property owners, and an evaluation by the Town of Chincoteague regarding the capacity and safety of North Main Street to serve the use.

48) Goal 7 Refuge Administration/Objective 7.4 Cultural and Historic Resources (pg. 2-72)

Modify the strategies to include:

- **‘Continue to allow year round access from Beach Road to the former USCG Lifesaving Station for regular maintenance, storm damage protection measures, and program activities by the National Park Service as approved under the MOU.’**
- **‘Allow research and interpretative activities at the location of “La Galga” and other significant shipwrecks.’**

Rationale: See #36 above.

49) Goal 7 Refuge Administration/Objective 7.5 Climate Change and Sea Level Rise (pg. 2-73)

Clarify which ‘scientific projections’ were used to determine that current successful management practices would no longer be successful.

- The Town of Chincoteague is deeply concerned that the same refuge administration policies which have limited the NPS in its ability to maintain the current recreational beach will continue in a new location as well.
- “Adaptation to climate change impacts, such as sea level rise, consists of the following options for transportation and other facilities: maintain, manage, and operate; protect and strengthen; relocate and avoid; abandon and disinvest; promote redundancy. The refuge is committed to maintaining access to the recreational beach so we are not considering abandonment. We have historically, in partnership with NPS, been maintaining the recreational beach in place.”

However, scientific projections indicate that the current segment of land may not be able to continue to sustain the same amount of parking without substantial protection and strengthening actions. As documented previously (USACE 2012), this is Protection of the existing parking areas and visitor facilities will not be considered an option within the scope of this CCP by either NPS or USFWS, except during a transition period until a new location can be designed, permitted, funded and constructed. Instead, the refuge is interested in continuing to pursue relocation of facilities to a less vulnerable location where the NPS will be granted primary agency responsibilities to manage for greater protection and resilience in visitor facilities.”

Rationale: Adaptive management techniques currently utilized by the National Park Service (correspondence from NPS to Mayor Tarr dated 1/12/11 and 5/31/12) were not given serious consideration and were not included in Appendix I – Summary Costs for evaluation. A reasonable alternative prepared by the Town of Chincoteague was also not considered or evaluated with a cost estimate. The USACE worst case estimate was used to justify a predetermined decision for relocation of the recreational beach. The documentation referenced (USACE 2012) is inadequate for such an important decision to be made.

Alternative C

50) Alternative C (Ch.2,Section 2.5.4/pg.2-74)

- The proposed elimination of OSV access along with the relocation and 50% reduction of parking for the recreational beach under this option were projected to have severe negative impacts to the local economy and cannot be supported by the Town of Chincoteague. Do not include this alternative in the final CCP.

Rationale: The USFWS Division of Economics estimates a regional economic benefit of the seashore/refuge in Virginia at \$113.8 million per year which supports approximately 1,794 jobs. The estimate for just the Town of Chincoteague is \$42.4 million and 593 jobs. The impact of reducing parking at the beach by half, either due to storm damage or as a FWS management change, is projected to reduce overall economic benefit by 34% (\$38.6 million and 609 jobs). These impacts could hit the Chincoteague economy with devastating effects during the summer months when local businesses ‘make it or break it’ over a 4 month period.

This option is far from being preferred, especially when management for wildlife purposes is met on the remaining 13, 982 acres of the Refuge. Any other comments or issues would be similar to other alternatives.

Chapter 3 – Affected Environment

51) Affected Environment (Chapter 3/pg.3-1)

Revise or clarify the chapter to address concerns and allow for a fair consideration of impacts in Chapter 4: “The information in this chapter acts as a reference for Chapter 4-Environmental Consequences (EIS). Where limited information is available, and where there is significant disagreement with regional partners over management strategies, the CCP/EIS will be continued in a tiered review process which allows new information to be considered over the entire refuge planning area”.

Rationale: Issues which the Town of Chincoteague has identified throughout the draft CCP document can be traced back to the desired narrative that barrier islands are eroding, constantly changing, and highly vulnerable to sea level rise.

The untold story of Assateague Island that makes it unique is that it is still unbroken, it protects a coastal bay that has not filled with sediment and turned to salt marsh, it continues to grow and has responded well to active management for stable dunes and limited overwash areas for the last 50 years.

This chapter of the CCP selects data and analysis at different scales to make the case for rapid environmental change that will support habitat management for endangered species and does not distinguish the differences between Assateague Island and the Southern Barrier Islands unit. It appears that the draft CCP seeks to change this natural balance in the wrong direction by proposing to remove dunes, create breaches, burn established vegetation, and increase vulnerability to storm damage.

52) Section 3.2 Physical Environment/3.2.1 Geology and Erosion(pg. 3-1)

Add missing section:

- Beach-Dune characteristics are described under section 3.3 Vegetation (pg.3-27) however they are not mentioned in Section 3.2 Physical Environment.

Rationale: Primary frontal dunes and beaches are regulated under Virginia Code and administered through the NOAA Coastal Zone Management program with Virginia DEQ. With this information as a reference, Chapter 4 should evaluate the federal consistency of proposed management to increase vulnerability by removing dunes and creating artificial breaches (pg. 2-16, draft HMP pg. 90) along the ‘wild beach, overwash area, and the hook’.

53) Section 3.2.4 Floodplains (pg. 3-15)

Add missing information:

- Data included in the section on floodplains is incomplete without reference to the current FEMA Risk Map Study that has been completed and information made available to USFWS over the last several years.

Rationale: The new FEMA Flood Risk Maps increase the potential storm surge and wave action from the Ocean across the North Wash Flats to Chincoteague Island up to 8 feet in height. With this information as a reference, Chapter 4 should evaluate the proposed management to increase vulnerability by removing dunes and creating artificial breaches (pg. 2-16, draft HMP pg. 90) along the ‘wild beach, overwash area, and the hook’. As the primary federal agency, USFWS has the sole ability and responsibility to update this information (see TOC and FEMA correspondence and emails beginning in September 2011) so that it is not incorrect for the next 15 or 20 years.

54) Section 3.4.1 Threatened and Endangered Species (pg. 3-31)

Add missing information and provide clarification:

- Add information about USFWS progress in meeting the recovery goals along the entire east coast, and provide clarification regarding the source of the following superlative statements in the section on Piping Plover:
 - “Chincoteague NWR is one of the most important plover nesting areas of any of the Virginia barrier islands and supports one of the largest concentrations of piping plovers along the Atlantic coast.”
 - “The following factors have contributed to the decline of the piping plover along the Atlantic Coast and depress plover production at Chincoteague NWR:”

55) Section 3.4.2 Birds (pg.3-37)

Add information to other sections:

- Please consider repeating the management statements about black ducks and other waterfowl in section 1.14.2 or alternative a/objective 2.1 (pg.2-24,25)
 - *“Chincoteague is not considered a significant waterfowl production refuge...intensive management activities to enhance waterfowl nesting no longer occur.”*

Rationale: Public presentations by the USFWS have not emphasized this major change in purpose and management of the Wildlife Refuge, and it would be helpful for people to understand that changes in management actions reflect a change in the mission of the Service.

56) Section 3.4.6 Invertebrates (pg. 3-48,49)

Add missing information:

- Please improve the analysis of invertebrates to discuss the public health hazard of biting insect borne diseases such as Eastern Encephalitis, Lyme, West Nile, and Chikungunya along with the CDC monitoring requirements to track any outbreaks.

Rationale: Conflicts between wetland management practices and the need for biting insect control measures in public use areas is critically important to the visitor experience and the management of a proposed relocated recreational beach. Mosquitoes are a living species that demand active management in order to mitigate their impact on the human environment. Without information in Chapter 3, there is no evaluation for the EIS in Chapter 4.

57) Section 3.5.1 Socio-Demographic Characteristics/Section 3.5.4 Environmental Justice

Clarify the purpose of the analysis and data collection contained in Section 3.5.

Rationale: We object to the characterization of Chincoteague Island residents (4,000) as predominantly ‘old’, ‘poor’, ‘white’, and ‘uneducated’. The 2010 Census data does not provide an accurate portrayal of the Town population based on survey data collection on April 1st in a seasonal tourism based community. The Town made it clear during the scoping review that Appendix M-Economic Impact Study would serve a greater purpose if it identified the primary source of visitors to the refuge (1,400,000) and visitor income that is added to the local economy. Repeating this analysis in Section 3.5.1 is out of context with the draft CCP/EIS.

Poverty levels for Chincoteague referenced in Table 3-7 have been mapped through an Environmental Justice analysis completed with a US Department of Transportation grant with Virginia DRPT. A higher percentage of poverty level income households are located in a census sub-block at the south end of Chincoteague (see exhibit) in direct alignment with a potential increase in vulnerability to the Toms Cove overwash area. With this information as a reference, Chapter 4 should evaluate changes in federal coastal management at Toms Cove for the proposed replacement of a stabilized parking area with a ‘dynamic beach and overwash system’.

58) Section 3.6.1 Land Use/Special Designations (pg. 3-64,65)

Clarify the following sentence from Assateague Island National Seashore and provide a source reference:

- *“The Seashore exists to preserve the unique Mid-Atlantic coastal resources and natural ecosystem conditions and processes upon which they depend while providing high quality resource-compatible recreational opportunities.”*
- The description of the **Maryland** Coastal Bays Program should be corrected to indicate that the Virginia portion of Chincoteague Bay is monitored but not managed as part of the National Estuary Program.

Rationale: The description of the Atlantic Coastal Bays Critical Area does not accurately describe the applicable standards for the Commonwealth of Virginia where the Chincoteague NWR is located.

59) Section 3.7 Visitor Services/Section 3.7.5 Recreational Beach Use (pg. 3-80)

Modify the analysis to describe current management and conditions as follows:

- *“At the southern end of Assateague Island within the Chincoteague NWR, the NPS manages an “assigned area” consisting of the ~~1-mile~~ recreational beach ~~and the~~ corresponding adjacent 961 parking spaces, provided via a crushed shell surface, the OSV zone extending around the Hook, and the former USCG Lifesaving Station. The NPS maintains a visitor contact station, restrooms, and pedestrian trails, as well as seasonal bathhouses, showers, and lifeguard-protected swimming beach. ~~Beyond this recreational area, only wildlife-oriented recreational activities are allowed.~~”*
- *“On April 1, 1959, the Bureau of Sport Fisheries and Wildlife (precursor to USFWS) entered into an agreement with the Chincoteague-Assateague Bridge and Beach Authority whereby a public access easement to the Atlantic Ocean beach was established (Mackintosh 1982). The deed of easement provided for the construction of a bridge and access road to the Toms Cove Hook and assigned to the Authority the south 4 miles of the island for 40 years, renewable for two 15-year periods. These rights were subject to “such terms and conditions as the Secretary of the Interior deems appropriate for the adequate protection of the wildlife refuge.” The 1959 public access easement has not been in effect since 1966, when it was acquired by the Federal government as directed by the Assateague Island National Seashore enabling legislation (Public Law 89-195), which states: “Notwithstanding any other provision of this Act [16 USCS §§ 459f et seq.], land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653) [16 USCS §§ 460k et seq.].” In 1965, the Assateague Island National Seashore was established. Under a MOU completed in the summer of 1979 between the USFWS and NPS, NPS would provide and manage visitor contact and interpretive facilities and programs on a day-use basis for public recreation and interpretation including, but not limited to, swimming and associated beach uses. Also under that agreement, we would retain the primary responsibility for managing the wildlife resources within the “Assigned Area,” with the understanding by both agencies that recreational use programs will be planned and carried out to minimize impacts on wildlife resources. In 1990, an Interagency Agreement replaced the MOU, with the new agreement allowing for the same uses as the MOU. The Agreement was renewed and revised prior to release of the draft CCP for public comment in 2012. The new agreement limits the ‘assigned area’ for NPS management from approximately 4 miles to 1 mile where the current recreational beach and parking areas are located.”*

Rationale: The area that was set aside and assigned for public beach recreation was authorized by Congress and formalized in a federal contract that included over 4 miles of beach along the southern end of Assateague Island. Please clarify the intent of limiting the ‘assigned area’ for NPS management to explain whether they will no longer administer the OSV permit, or whether it is the intent of USFWS to further restrict and eliminate the OSV zone through Biological Opinions after the adoption of the CCP.

60) Section 3.8 Refuge Administration/Section 3.8.1 Facilities and Maintenance (pg.3-88)

Add missing information:

- The record of maintenance to repair recreational beach parking areas following a storm must be improved with additional bullets to describe NPS efforts as follows:
 - **Import sand, clay and crushed shells to raise the elevation of the parking areas to approximately 5 to 8 feet in elevation above sea level to minimize damage from high tides and minor storm events from both the ocean side and the Toms Cove side.**
 - **Use excess sand and overwash material to create a low beach berm with a minimum elevation to protect the parking areas from high tides and minor storm events while still allowing overwash during major storms.**
 - **Encourage natural stabilization to occur with beach vegetation roped off between the parking areas and the beach.**

Rationale: Current NPS beach management practices are not something that needs to wait for 3 years to be included in the CCP for consideration. These ‘resiliency’ actions are an important part of demonstrating how the \$700,000 investment of Department of Transportation emergency funds will be protected so that future storm damage repairs will also qualify for assistance.

Chapter 4 – Environmental Consequences

61) Environmental Consequences (Chapter 4/Table of Contents/pg. 4-0,1)

‘This chapter describes the environmental consequences we (USFWS) predict from implementing management alternatives presented in Chapter 2. Where detailed information is available, we provide a more analytic comparison between alternatives and their anticipated consequences. These consequences are described as impacts or effects. In absence of detailed information, we make comparisons based on professional judgment and strategies of the three alternatives: Current Management (alternative A); Balanced Approach (alternative B); and Reduced Disturbance (alternative C).’

- Please consider adding the missing element of Chapter 4: **Geology**, and completing a thorough analysis of the impact of all alternatives on the physical structure of the barrier island, and providing a 60 day comment period for this new information prior to publishing the final CCP for public comment.

Chapter 4: Environmental Consequences	1
4.1 Introduction	1
<u>4.2 Geology</u>	
<u>4.2.1 Impacts on Geology in Alternative A</u>	
<u>4.2.2 Impacts on Geology in Alternative B</u>	
<u>4.2.3 Impacts on Geology in Alternative C</u>	
4.3 Soils	2
4.3.1 Impacts on Soils in Alternative A	3
4.3.2 Impacts on Soils in Alternative B	3
4.3.3 Impacts on Soils in Alternative C	4

Rationale: ‘Geology’ was omitted as a critical element of the physical environment. It is included in Chapter3 Section 3.2 but left out of Chapter4 Section 4.2. This section would allow for an evaluation of proposed management actions on the barrier island structure, stability and variety of habitats. In context with other Town concerns, this seems like a deliberate approach to minimize the consideration of the SUPER-SUBSTANTIVE issue: managing for stability or vulnerability. In this case, a response that ‘this topic is beyond

the scope of the CCP' would not be consistent with the purpose of the CCP, the EIS process or the approach stated in Section 4.1.

62) **Categorical Exclusions** (Chapter 4/Section 4.1/pg. 4-1,2)

Modify section as follows:

- Please modify the analysis and summary of qualifying categorical exclusions to specifically reference those approved in the FWS Department Manual (516 DM 6 Appendix 1) or previously approved for CNWR such as the reissuance of a grazing permit to the CVFC allowed since the 1940's.
- Regarding the last bullet: enforcement of Federal laws or implementation of policies seems to be an unnecessary categorical exclusion from the evaluation of environmental consequences. Perhaps these actions should be evaluated in Chapter 4?
- The 1993 Master Plan is referenced as the justification for a continued 'high priority' for new land and wetland acquisition. Please include references to the approved land acquisition map for CNWR and the '10% rule'.

Rationale: Certain types of management actions (with impacts too trivial to matter) are proposed by the USFWS for categorical exclusion from evaluation of environmental consequences. The Town objects to the simplified listing of eligible activities which do not refer to the FWS Department Manual, or the traditionally approved activities of the CNWR that are included in the prior 1992 EIS and refuge records (see attachment). Specifically certain research activities and habitat management actions have been proposed in the 2014 draft CCP which would remove dunes, create breaches, maintain overwash habitat, and encourage rapid environmental change in order to focus environmental education on climate change and sea level rise. **This is no longer a trivial matter.**

63) **Section 4.4.2 Impacts on Hydrology/Water Quality** (Chapter 4/Section 4.4/pg. 4-6,7)

Consider the following change:

Improvements to increase tidal flow into Swan Cove Pool may have negative impacts from sedimentation into Toms Cove, excessive nutrient release, water temperature, and exposure to increased flood hazards which will require additional consultation with partners (e.g. USACE, VMRC, Town), and additional environmental analysis.

Rationale: The evaluation of proposed changes to the Beach Road Causeway and Swan Cove Pool is incomplete without including a consideration of the potential negative impacts of tidal flow on the significant economic and cultural activities at Toms Cove and the Bateman Visitor Center.

64) **Section 4.5.2 Impacts on Vegetation** (Chapter 4/Section 4.5.2/pg.4-9)

Consider the following change:

Closing all routine public motor vehicle access on the Service Road north of the relocated recreational beach, except as allowed by permit, would have a beneficial impact to vegetation by decreasing the potential for humans to trample or damage to-native vegetation adjacent to the road (management action 75b)."

Rationale: Closing all public access north the relocated recreational beach is not consistent with the mandate of the National Seashore Act and the goal to permit 'Big-6' recreational uses such as wildlife photography.

65) **Section 4.7.2 Impacts on Birds** (Chapter4/Section 4.7.2/pg. 4-13)

Consider the following change:

“The new recreational beach area was chosen through a Structured Decision Making (SDM) analysis (USFWS 2011b).¹ Through this SDM process, a 1-mile segment of beach was identified as having the least impacts to refuge habitat and wildlife. This ~~1-mile segment~~ general area would be the location for the new recreational beach in alternatives B and C (management action 52b) with some flexibility to move slightly north or south. Human disturbance to coastal nesting birds would be greatly diminished ~~since if~~ the recreational beach ~~would be~~ relocated north of the overwash and hook areas, and OSV use ~~would be~~ limited to September 16 to March 14 (management action 60b) with the exception of a year-round OSV zone for fishing that extends south of the new recreational beach to the Wildlife Loop access trail. Natural processes ~~would be~~ proposed to allow for overwash to occur in the location of the existing recreational beach, resulting in fresh sand and shell which is prime habitat for coastal nesting birds, turtles, and seabeach amaranth (management actions 2b, 3b, 6b, 8b, and 13b).”

Rationale: Presentations by FWS staff during the public hearing and open house meetings have suggested that there would be flexibility to design the location for a new recreational beach. Including specific information which limits that flexibility sends a different message to the public and unnecessarily restricts the efforts of the National Park Service to implement a national quality visitor facility for Assateague Island National Seashore in Virginia. See other concerns that future wildlife management decisions and biological opinions will continue to reduce public access and limit to area set aside and assigned for public recreation.

66) **Table 4-1 Beneficial and Adverse Impacts on Biological Resources by Management Actions** (Chapter 4/pg.4-25)

- Consider the combination of public concerns and comments from the Town of Chincoteague when updating proposed management actions for the final CCP. The Town requests the opportunity to work together with USFWS as these decisions are made.

Rational: Chapter 4 is the closest that the draft CCP comes to performing the function and purpose of the NEPA Environmental Impact Statement. By the title of this Table of management actions (Impacts on Biological Resources), and the careful consideration of over 1,000 pages in the draft CCP, we can only conclude that this plan was written by wildlife biology specialists under a self imposed limitation to only accomplish the mission and purpose of the US Fish and Wildlife Service. NEPA requires an evaluation of the full range of direct, indirect, and cumulative effects of the preferred alternative, if any, and of the reasonable alternatives identified in the draft EIS. For purposes of NEPA, “effects” and “impacts” mean the same thing. They include ecological, aesthetic, historic, cultural, economic, social, or health impacts, whether adverse or beneficial. It is important to note that human beings are part of the environment (indeed, that’s why Congress used the phrase “human environment” in NEPA), so when an EIS is prepared and economic or social and natural or physical environmental effects are interrelated, the EIS should discuss all of these effects....not just those that impact biological resources.

67) Section 4.12.1 Impacts on Socioeconomics in Alternate A (Chapter 4/pg. 4-33)

Consider a revised approach to evaluating current management under Alternative A:

“Alternative A, the no action alternative, ~~assumes that the refuge would lose a significant number of beach parking spaces due to the projected~~ recognizes that 961 parking spaces have been maintained in the current location by adaptive management and emergency funding for reconstruction. Given the historical data regarding intensity and frequency of coastal storms and sea level rise, the continuation of current management practices are considered to be a viable option as long as sufficient financial and material resources are available. 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 are currently ~~available at~~”

risk and may lose their land base over time without increased management for beach elevation and storm protection. (management action 1s).

Due to an inability to predict when that land base may be lost and whether all 561 spaces would be taken away, a conservative estimate can be made comparing a situation in which all 561 are lost to the base year of 2009. The estimate does not include any mitigating effects of alternative parking solutions or shuttle service. It assumes, given survey data, that 10 percent of visitors come in the very early morning hours and 10 percent come in the evening hours, while the remaining visitors come during the prime beach hours of 10:00 a.m. to 5:00 p.m. The estimate shows that a maximum of 1,904 vehicles could be denied entrance to the recreational beach daily in the busiest month under the 400-car parking lot scenario of the no-action alternative. Table 4-2, taken from the economic alternatives analysis performed by the USFWS Economics Division, shows the number of vehicles denied access during the busy visit times.” Cost information for repair and maintenance of the full 961 spaces provided for in the 1993 Master Plan is averaged over the last 10 years and applied to the future planning period for evaluation in the EIS cost comparison of options and the USFWS Economic Impact Study to allow comparison with the reconstruction costs and possible change in visitor experience proposed under Alternative B.

Rational: The approach taken by the draft CCP/EIS to analyze a hypothetical scenario posed by the Economic Impact Study as Alternative A-Current Management is unreasonable and does not meet the NEPA standard of ‘no-action’. This approach is strongly influenced by the pre-decision that the parking areas must be moved and the overwash area restored for overwash habitat use. An objective approach would be to evaluate the success of current adaptive management techniques and the future extension of that solution for comparative purposes. The decision to revise Alternative A management to only maintain 400 spaces at a minimum over the 15 years (Management Action 1 (pg.4-35) is not consistent with the 1993 Master Plan and has not followed a public review process to amend current management practices.

68) **Section 4.12.2 Impacts on Socioeconomics in Alternative B** (Chapter 4/pg. 4-34)

Consider a revised approach to evaluating management actions under Alternative B:

“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 until such time as a full site master plan is prepared and approved to be included in a revised Economic Impact Study and re-evaluated under a tiered EIS. , 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 this assumption is reasonable at this time. The alternative includes several expanded visitor services, such as hunting, but no significant increase in visitation would be expected, as hunting is limited by permits and other changes are aimed at benefiting current visitors. Therefore, USFWS assumes that there would not be any cannot evaluate any positive or negative economic impact per year resulting from alternative B compared to the base year of 2009.”so it was not included in Appendix M.

Rational: Alternative B was not included in Appendix M and a site design has not been completed to allow for comparative evaluation of either the visitor experience or the possible impacts associated with this change in federal management.

69) **Section 4.13 Visitor Use and Access** (Chapter 4/pg.4-36,37)

- Concern that an adequate comparison of alternative management strategies and impacts cannot be completed until the study and design of Alternative B with the proposed relocation of recreational beach use is accomplished within 3 to 8 years.

“In general, there are both beneficial and adverse impacts to all visitor uses that would result from elements that are common to all of the alternatives and environmental consequences unique to

each alternative. In all alternatives, the refuge would promote wildlife-oriented recreational opportunities that are compatible with the purpose for which the refuge was established, and would also maintain a recreational beach and many of the other recreation uses that are currently available at the refuge. The evaluation of impacts will be continued under a tiered EIS in order to allow further consideration of future studies and plans with their impacts and consequences to the entire refuge.

Rational: Adopting a new CCP based on the preferred alternative would ‘close the door’ on the decision to relocate the recreational beach until after needed studies and designs are completed. The scope of future environmental impact reviews must not be limited to just the small area of recreational beach and associated visitor use facilities currently estimated at approximately 30 acres out of the 14,000 acre refuge. The evaluation of management actions must not be limited to only 30 acres in order to understand the far reaching impacts of the proposed changes.

70) **Section 4.13.2 Impacts on Fishing Opportunities** (Chapter 4/pg.4-38)

Address the following concern:

- Concern that proposed habitat management actions common to all alternatives, and specifically the proposed relocation of the recreational beach infrastructure to allow a ‘dynamic beach and overwash system’ at Toms Cove will create increased vulnerability to storm damage, inlet creation and flooding which would cause significant adverse impact to economic and cultural resources and the public safety of an at-risk community on Chincoteague Island.

Rational: Reversing over 50 years of responsible federal management to maintain a stable beach profile and protect valuable recreational beach infrastructure will have impacts and environmental consequences that have not been discussed or evaluated in the CCP/EIS. Continued OSV use for surf fishing and protection of commercial and recreational shell fishing in Toms Cove is one area that needs a more complete evaluation.

71) **Section 4.13.5 Impacts on Recreational Beach Use Experience** (Chapter 4/pg. 4-42)

Revise Appendix M to evaluate the significant adverse impacts identified in this section for Alternative B so that they can be **measurable** and used to evaluate the proposed change in management actions.

Example: “Under alternatives B and C, the relocation of the beach (management action 12v) would have significant adverse impacts, as well as some beneficial impacts, on beach going visitors.”

Rational: Previous sections of the CCP assumed that Alternative B would have no adverse impact on the visitor experience. We agree that significant adverse impacts are possible. This is why study and design of the ‘new recreational beach’ must be completed and incorporated into the Economic Impact Study and evaluated under an extended EIS for the entire refuge before the NEPA process and public opinion may be satisfied.

72) **Section 4.14.1 Impacts on Cultural and Historic Resources** (Chapter 4/pg. 4-50)

Please address the following concern:

- Concern for the impact of proposed habitat management actions on the USCG Lifesaving Station (access and vulnerability), and the Chincoteague Pony Herd.

73) **Section 4.16 Cumulative Impacts** (Chapter 4/pg. 4-52)

Please address the following concerns:

- Concern that the CCP will be approved before cumulative impacts of federal actions proposed within a regional LPP, the NPS draft General Management Plan and the NASA Programmatic

Environmental Impact Statement can be considered or evaluated in context with the proposed FWS draft CCP alternatives as presented.

- Concern that the resources evaluated under Section 4.16.1 exclude the barrier island itself (considered under Physical Environment/Geology in Chapter 3 – Affected Environment). Choosing to exclude this important natural resource, over which the USFWS has primary federal agency responsibility, from the CEA will not allow the consideration of new federal land management policies (‘dynamic beach and overwash system’) on the vulnerability of the island or the risk of storm damage and flooding on the adjacent community.
- Concern that switching between ‘spatial and temporal boundaries’ in Section 4.16.2 is being managed in a way to diminish the potentially damaging effects of new federal land management actions.
- Concern that Section 4.16.3(pg.4-54,55) is so convoluted and full of biased and incomplete information that it should be deleted.
- Concern with statements in Section 4.16.3 (pg.4-56) that conclude: “there are no adverse cumulative impacts to threatened and endangered species”, which then does not support: “the greatest impact at Chincoteague ~~Island~~ NWR is reported from continued use of the recreation beach under alternative A”.

-continued on next page-

Selected Topics

74) OSV-Over Sand Vehicles (Page 2-15, Page 2-19)

Consider the following changes:

- Continue to implement OSV and pedestrian closures as outlined in the 2008 Biological Opinion (USFWS 2008b; Appendix F):

*“...the OSV zone on Toms Cove Hook will be closed from **the arrival of the nesting birds in May** ~~March 15 to August 31 or thereafter~~, until the last shorebird fledges **in August**. The overwash portion of the OSV zone will close 256 feet (200 meters) north of any shorebird brood, and remain closed till the last shorebird fledges. Public use above the high tide zone on Wild Beach will be closed March 15 till August 31 or thereafter, until the last shorebird fledges.”*

(Page 2-17)

~~“Shorebirds using the Overwash and Hook are subject to human disturbance during a portion of peak fall migration (September, and sometimes parts of August in the Overwash). Forgues (2010) found that abundance of sanderlings, ruddy turnstones, willets, black-bellied plovers, and whimbrels on Assateague Island during spring and fall migration significantly declined with higher OSV frequency, and concluded that OSVs can interfere with the ability of shorebirds to accumulate fuel stores for migration. OSV use caused shorebirds on Assateague Island to spend less time foraging, and to avoid areas where OSVs were present (Forgues 2010). Five miles of the refuge’s 16.8 miles of beach on Assateague Island are open to OSV use during the fall and winter (September 1—March 14). Morton’s (1996) studies of Assateague’s wintering shorebirds found that human activity, both pedestrian and vehicular, negatively impacted sanderling use of beach areas, foraging activity, and energetics. Human disturbance caused sanderlings to avoid areas which were otherwise suitable (i.e., had good food resources), flush more, and feed less. This could result in the birds being less fit to make their migration (Morton 1996).”~~

Rationale: The beach closure schedule should not be revised in this CCP. It has been established over years of experience and demonstrated success in balancing both recreational beach and beach habitat needs. Using a patchwork of speculative studies which were justification for the prior restrictions to support further limitation is not acceptable. Current management practices have minimized the impacts described, so this section is describing a problem which does not exist at Chincoteague NWR.

Objective 6.2 Fishing and OSV Use (Page 2-41)

- Close **Rope off** Overwash portion of the OSV zone March 15 through August 31 intermittingly based on nesting behavior; close **Rope off** 256 feet (200 meters) north of nesting sites from 2 days prior to any nests hatching to fledging.
- Close Hook portion of the OSV zone from **the arrival of the nesting birds in May** ~~March 15 to August 31 or thereafter~~, until the last shorebird fledges **in August**.

Objective 6.6 Other Recreational Uses (Page 2-45)(Page 2-51)

- Continue to only allow horseback riding in OSV zone with closures ~~March 15 through August 31 or~~ **from the arrival of the nesting birds in May** ~~thereafter~~, until the last shorebird fledges **in August**.
- *OSV use would be permitted for priority public uses, including wildlife observation, fishing and to access hunting zones. The OSV zone would be expanded from the new recreational beach to Toms Cove and would be open from approximately **the arrival of the nesting birds in May** ~~September 16 to March 14~~. The OSV zone would be closed to public access ~~March 15 through September 15 or thereafter~~, until the last shorebird fledges **in August**. There would be*

a designated, year-round area for fishing from south of the recreational beach to the point of closure that would include OSV parking. The refuge would allow recreational horseback riding in the OSV zone from approximately ~~the arrival of the nesting birds in May~~ ~~September 16 to March 14~~ **until the last shorebird fledges in August** and develop new horse trailer parking area near Mallard (C Dike)/entrance to OSV zone. The refuge would allow visitor access by foot to the OSV zone from approximately ~~the arrival of the nesting birds in May~~ ~~until the last shorebird fledges in August~~ ~~September 16 to March 14~~.
(Page 2-51, 2-66 & 2-87)

- Expand the OSV zone from the new recreational beach to Fishing Point on Toms Cove Hook and continue to keep the zone open from approximately ~~September 16 to March 14~~ **from the arrival of the nesting birds in May until the last shorebird fledges in August**.
(Page 2-66 & 2-87)
- Close the OSV zone to public access ~~March 15 through September 15 or thereafter~~ **from the arrival of the nesting birds in May until the last shorebird fledges in August**.
(Page 2-66)
- Within 8 years, allow recreational horseback riding in the new OSV zone from approximately ~~September 16 to March 14~~ **the arrival of the nesting birds in May until the last shorebird fledges in August** and develop new horse trailer parking area near Mallard (C Dike)/entrance to OSV zone.
(Page 4-9)
- The opening of the OSV zone from ~~the arrival of the nesting birds in May~~ ~~until the last shorebird fledges in August~~ ~~September 16 to March 14~~ creates negative impacts by exposing the area to potential vegetation trampling and habitat alteration. The closing of the zone to protect nesting shorebirds from ~~the arrival of the nesting birds in May~~ ~~until the last shorebird fledges in August~~ ~~March 15 to September 15~~ has beneficial impacts for vegetation; decreasing the amount of time that trampling would be possible (management action 57b). All of these impacts would not be significant due to the restricted area in which these activities are permitted, and the lack of vegetation that occurs on the beach.
(Page 4-11 & 4-69)
- Through the creation of the year-round OSV access area, all day and nighttime OSV use south of this area would be discontinued between ~~the arrival of the nesting birds in May~~ ~~until the last shorebird fledges in August~~ ~~March 15 and September 15~~ (management actions 9b, 10b, 60b, 61b). This would eliminate the potential for OSV users to run over nests, hatchlings or plants, or otherwise disturb the nesting process.
- From ~~the last shorebird fledges in August~~ ~~the arrival of the nesting birds in May~~ ~~September 16 to March 14~~, negative impacts could result from the expansion of the OSV zone from the new recreational beach location to the current zone (management action 59b). This expanded OSV area would increase the possibility of human disturbance in the coastal habitat. However, negative impacts would be minimized since OSV users would only be permitted to travel in the intertidal zone, and by management action conducted by refuge staff, usually in the form of exclosures and signs.
(Page 4-16)
- The new recreational beach area was chosen through a Structured Decision Making (SDM) analysis (USFWS 2011b).¹ Through this SDM process, a 1-mile segment of beach was identified as having the least impacts to refuge habitat and wildlife. This 1-mile segment would be the location for the new recreational beach in alternatives B and C (management action 52b). Human disturbance to coastal nesting birds would be greatly diminished since the recreational beach would be relocated north, and OSV use would be limited to ~~September 16 to March 14~~ **the last shorebird fledges in August the arrival of the nesting birds in May** (management action 60b). Natural processes would allow for overwash to occur in the location of the existing recreational beach, resulting in fresh sand and shell which is prime habitat for coastal nesting birds, turtles, and seabeach amaranth (management actions 2b, 3b, 6b, 8b, and 13b).
(Page 4-30 & 4-47)

- Keep the OSV zone open from approximately ~~September 16 to March 14~~ *the last shorebird fledges in August the arrival of the nesting birds in May* and close the OSV zone to public access ~~March 15 through September 15 or thereafter,~~ *the arrival of the nesting birds in May* until the last shorebird fledges *in August*.
(Page 4-69)
- Human disturbance to coastal nesting birds would be greatly diminished since the recreational beach would be relocated north, and OSV use would be limited to *the arrival of the nesting birds in May until the last shorebird fledges in August* ~~September 16 to March 14~~.
(Page 4-69)
- OSV use would be allowed to access surf fishing areas but would be limited in the Overwash area from *the arrival of the nesting birds in May until the last shorebird fledges in August* ~~March 15 to September 15 or whenever the last shorebird chick fledges. This would be a slight decrease over present opportunities, creating an adverse impact to anglers. Anglers may benefit from reduced crowding within the OSV zone.~~

75) Service Road and Beach Road Causeway

2.5.3 Alternative B (Balanced Approach)

Consider text revisions as follows:

(Page 2-50)

“Visitor Use and Experience. Existing public uses would continue with some exceptions. All public access on the Service Road north of the new recreational beach parking would be *allowed* ~~restricted unless authorized under special use permit or special day use privileges/openings~~. A joint NPS and USFWS Visitor Contact Station would be developed near the new recreational beach. The Beach Road causeway across Toms Cove would be closed *from the arrival of the nesting birds in May until the last shorebird fledges in August* ~~to all public access once other equivalent public access to the new recreational beach is provided~~. The refuge would continue to allow vehicular access along Beach Road to its new terminus to provide multi-habitat viewshed, access to trails, and viewing of Chincoteague ponies and wildlife. A vehicle turn-around area, crabbing dock, and launch point for non-motorized boats would be constructed at the new terminus of Beach Road. Assawoman Island would be completely closed to all forms of public use, including fishing, from March 15 through September 15 or thereafter, until the last shorebird fledges. Swan Cove Bicycle Trail would be replaced by an alternative bicycle trail from Wildlife Loop north to the south end of the relocated recreational beach, near the OSV zone entrance.”

(Page 2-68)

“Within 8 years, relocate the recreational beach, or “NPS assigned area” (beach and 8.5 acres of parking), to a more stable area(s) that meets visitor service and resource management criteria (as determined through the structured decision-making process -- see Appendix N). All public access on the Service Road north of the new recreational beach would be *allowed* ~~restricted unless authorized under special use permit or special day use privileges/openings~~. Continue to allow vehicular access along Beach Road to its new terminus but close Beach Road causeway *from the arrival of the nesting birds in May until the last shorebird fledges in August* to all public access once new recreational beach is open.”

(Page 2-69, 2-86 & 4-32)

“Revise public access policy:

- All public access on the Service Road north of the new recreational beach would be *allowed* ~~restricted unless authorized under permit~~.
- End Existing Beach Road access to beach *will be closed from the arrival of the nesting birds in May until the last shorebird fledges in August*. “

(Page 4-9 & 4-68)

~~Closing all routine public access on the Service Road north of the relocated recreational beach would have a beneficial impact to vegetation by decreasing the potential for humans to trample or damage native vegetation adjacent to the road (management action 75b).~~

- Please consider an alternate opinion: folks that walk north are very cautious and do not walk off service road. This has been a compatible use for over 50 years.

(Page 4-47)

“Maintain current public access by foot to the Service Road. “

- Please consider placing this in Alternate B.

“Close Service Road to all public access north of relocated parking except by special use permit or refuge event. “

- Please consider taking this out of Alternate B

76) Shipwrecks (Objective 7.4 Cultural and Historic Resources)

Consider text revisions as follows:

(Page 2-48 & 2-73)

“Strategies:

- *Allow investigative research into seeking shipwrecks or any known historic structures. Allow outside nonprofit source to seek funding for excavation and preservation of shipwrecks and any known historic structures.”*

Rationale: Known historic structures, grave sites and historic building structures are part of the visitor experience and interpretation of refuge. The significant research and history of the shipwreck La Galga would be a great addition to any local history and interpretation under Visitor Services.

(Page 2-85)

Same as alternative A, except:

- Do not invest resources in seeking shipwreck or any new historic structures.

77) Sika Deer (Objective 6.1 Hunting, Page 2-40)

Consider text revisions as follows:

Strategies:

- *Discontinue to utilize depopulation permits for sika from VDGIF to assess and monitor sika population.*

Visitor Use and Experience, Page 2-74

“The refuge would maintain recreational hunting opportunities with a focus on local, regional, and state wildlife priorities like sika, light goose, and non-migrant Canada goose. ~~The refuge would work to phase out the sika population through continued recreational hunt and professional contracts within 5 years.~~ The refuge would expand non-migrant Canada goose and light goose hunting opportunities to other refuge properties where feasible and work to reduce those populations. The refuge would continue to manage opportunities for recreational shellfish and crab harvest.”

Management Strategies/Biological Monitoring: Page 2-79

- ~~Within 5 years, reduce sika population through continued recreational hunt and professional means of elimination.~~
- ~~Within 15 years, eliminate the sika population, using an aggressive recreational hunt and year-round removal contract for sika, and monitor population and make adjustments to program as necessary to eliminate this exotic species.~~

Objective 6.1 Hunting and Trapping Page 2-81

- ~~Within 15 years, work to phase out sika and non-migrant Canada goose populations.~~
- ~~Within 15 years, eliminate the sika population, using an aggressive recreational hunt and year-round contract for sika removal, and monitor population and make adjustments to program as necessary to eliminate this exotic species.~~

Rationale: To have language like Maryland DNRC. Maryland annual Deer Report states “However, Maryland sika deer display no ill effects from the small founder population and appear as healthy as or healthier than native white - tailed deer. Currently, DNR’s sika deer management goal is to maintain this exotic species at current levels so that hunting opportunities are balanced with agricultural depredation and whitetail competition issues across the lower Eastern Shore.” Sika Deer is a preferred hunt for Hunting season and Sika is also a tourist attraction to wilderness observation and photography which are part of the big 6 for FWS.

78) 2.4.1 Beach Nourishment, (Page 2-5&6)

Consider text revisions as follows:

“Several public comments indicated a desire to maintain the current recreational beach and parking locations through beach nourishment activities and other engineering strategies, such as ~~site-specific beach nourishment jetties and groins~~. As shown in Table 2-1, these components would ~~not~~ contribute to achieving the purpose of the CCP and would in fact, ~~detract from~~ achieving ~~on the Assateague National Seashore~~ nearly all of the elements of ~~it’s~~ the purpose. It is the position of USFWS that natural shoreline processes (including ~~migration mitigation~~) are beneficial to maintain the biological integrity, diversity, and environmental health of barrier beach islands and salt marsh habitats in the face of rising rates of sea level and climate change. Infrequently, USFWS has utilized site-specific beach nourishment to accomplish other habitat goals, such as at Prime Hook NWR in Delaware to fill breaches as part of a broader marsh restoration project.

A ~~site-specific~~ beach nourishment “only” project is ~~un~~likely to persist over time. Assateague Island is strongly influenced by a net movement of sand from north to south. As evidenced by the formation of Toms Cove Hook over the past 150 years, any sand artificially placed along the ocean beach can be expected to ~~rapidly mobilize and~~ move south away from the placement site ~~overtime~~. ~~There is also large scale movement of sand on and offshore, reflected by a network of shoals adjacent to the southern end of the island.~~ Because of these processes, beach nourishment would ~~need to be repeated on a regular, recurring basis to be effective in creating a wider and more stable beach, or to~~ prevent the island from breaching during some future storm event.

Beyond the concerns about significantly adverse habitat and aesthetic impacts, it should be noted that ~~site-specific~~ beach nourishment ~~is very costly~~ keeps the Island from ripping apart. The U.S. Army Corps of Engineers (USACE) ~~policy~~ requires a study to determine movement of sand and the areas that would require specific beach nourishment ~~that 35 to 50 percent of planning, implementation, and maintenance costs be borne by a state or local government partner (USACE, “Continuing Authorities Program”).~~ 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. Using research and analysis undertaken for the Wallops Flight Facility (WFF) Shoreline Restoration and Infrastructure Protection Program as a model, the USACE provided an analysis and cost estimate for stabilizing the current recreational beach and parking lots. The resulting analysis estimated that a beach nourishment project of similar scope 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. Adding this component to alternative A or substituting it for the development of a new beach and parking lot proposed in alternative B would result in costs of approximately \$54 million dollars, which is 240 percent more than alternative B, the most costly alternative. NEPA requires alternatives to be reasonable from a technical, economic, and common sense

~~perspectives 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. As described in chapter 1, the purpose and need associated with this CCP requires alternatives to include strategies in accordance with the refuge goals and mission, which would uphold our long-term agreement with the NPS to provide recreational beach access, while also considering its long term sustainability. Because of the predicted short term viability, and environmental factors, in addition to significant estimated cost, the USFWS considers beach nourishment to be ~~outside~~ *inside* the scope of the CCP, and will ~~not~~ be evaluating nourishment as part of the alternatives under consideration.*

Rationale: Jetties and groins are not suggested and should be struck-out. Site specific beach nourishment should be consistent with other USFWS CCPs such as Prime Hook NWR and Chandeleur Island/Breton NWR. It is the purpose of the Assateague National Seashore to have the USACE study the dynamics of the Island and have a Storm Damage Reduction Plan completed (see 1965 Seashore act #8). The paragraph with the dollar figures are with jetties and groins, so it is not applicable. We understand through the USACE that they would need to do a Storm Damage Reduction study to determine costs to a potential project. To put cost into the CCP without site specific beach nourishment study would be unreliable.

Appendix J

- Appendix J should be struck out in its entirety.

Rationale: The information contained in this appendix does not have a source reference and does not represent a scientific analysis of this location which meets the standards of USACE storm damage reduction study. Assumptions were made to mimic the extensive reconstruction that was recently completed for Wallops Flight Facility which resulted in a worst case scenario which would not apply in this location.

- Please consider including the multi-agency North Assateague Island Restoration Project (1995-97) completed in Maryland which successfully implemented beach restoration, nourishment and construction on storm berms based on minimum elevations to provide storm damage protection while still allowing for periodic overwash and habitat development.

Rationale: This solution has already been worked out, built, tested and evaluated for use at the south end of Assateague Island.

79) Selected text from the draft CCP/EIS, May 2014 (*with requested changes*)

Visitor Survey (pg. 2-10)

The refuge would seek approval from the Office of Management and Budget to develop and conduct a visitor survey every 5 years to assess visitor experience and measure level of satisfaction with visitor service programs. The refuge will use the 2012 Visitor Use Survey conducted by USGS as a baseline which indicates up to 95% visitor satisfaction based on current management practices (Alternative A).

Alternative B (Balanced Approach) (pg. 2-50)

Alternative B would continue established habitat and wildlife management strategies but would pursue additional management activities for resources and public use. As introduced in section 1.9.3, a “balanced approach” here still upholds the statutory and policy framework of the Refuge System that states that wildlife and wildlife conservation must come first on refuge lands and waters, while recognizing the unique overlapping management responsibilities of the Assateague Island National Seashore. Figure 2-3 and Figure 2-4 provides an illustration of major spatial elements of the alternative.

Beach Access and Parking. 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 improved management strategies for maintaining the current beach and parking areas 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 Use and Experience. Existing public uses would continue with some exceptions. All public motor vehicle access on the Service Road north of the new recreational beach parking would be restricted unless authorized under special use permit or special day use privileges/openings. A joint NPS and USFWS Visitor Contact Station would be developed near the new recreational beach. The Beach Road causeway across Toms Cove would be closed to all public motor vehicle access once other equivalent public access to the new recreational beach is provided. The refuge would continue to allow vehicular access along Beach Road to its new terminus to provide multi-habitat viewshed, access to trails, and viewing of Chincoteague ponies and wildlife. A vehicle turn-around area with new a parking area, crabbing dock, and launch point for non-motorized boats would be constructed at the new terminus of Beach Road. Assawoman Island would be completely closed to all forms of public use, including fishing, from March 15 through September 15 or thereafter, until the last shorebird fledges. Swan Cove Bicycle Trail would be replaced by an alternative bicycle trail from Wildlife Loop north to the south end of the relocated recreational beach, near the OSV zone entrance.

The refuge would maintain and where possible expand current hunting opportunities by including additional species, extending hours, and providing special events and opportunities for youth and women. The refuge would add mourning doves, light geese, and non-migratory Canada goose hunting opportunities to the refuge’s migratory bird hunting program. Additionally, the refuge would allow migratory bird hunting on Federal holidays within the Commonwealth of Virginia hunting seasons. The refuge would also add turkeys to the big game hunting program and pursue development of a trapping program for furbearers. The refuge would continue sika hunting and would conduct research to identify a desired population size. The refuge would continue to manage opportunities for recreational shellfish and crab harvest.

OSV use would be permitted for the Big-6 priority public uses, including wildlife observation, fishing and to access hunting zones. The OSV zone would be expanded from the new recreational beach to Toms Cove and would be open from approximately September 16 to March 14. The OSV zone would be closed to public access March 15 through September 15 or thereafter, until the last shorebird fledges. There would be a designated, year-round OSV area

for fishing from south of the recreational beach to the point of closure that would include OSV parking on the beach with an emergency access connection to the Wildlife Loop. The refuge would allow recreational horseback riding in the OSV zone from approximately September 16 to March 14 and develop new horse trailer parking area near Mallard (C Dike)/entrance to OSV zone. The refuge would allow visitor access by foot to the OSV zone from approximately September 16 to March 14.

Objective 6.6 Other Recreational Uses (pg. 2-67)

Within 8 years, expand non-wildlife dependent recreation opportunities by adding facilities and improving accessibility, among other strategies, to achieve a 10 percent increase in maintain visitor satisfaction and increase tourism activities during non-peak seasons.

Rationale:

The refuge has identified the opportunity for increased non-wildlife dependent recreation that is still appropriate and compatible for the refuge, especially as it supports wildlife-dependent recreation, while also improving visitor experience. In addition, the various actions under this alternative, such as the relocation of the beach, provide opportunities to expand and enhance non wildlife dependent recreation opportunities with minimal disruption and in some cases, mitigation of impacts by improvements in previous sites of disturbance, such as relocating bicycle trails.

Alternative C (Reduced Disturbance)(pg. 2-74)

Alternative C would direct staffing and funding towards maximizing habitat and wildlife management strategies. As a result of prioritizing habitat and wildlife management, public use activities and access would be reduced. Figure 2-5 provides an illustration of major spatial elements of the alternative for Chincoteague NWR; Figure 2-2 provides an illustration for Wallops Island NWR (same as alternative A). Appendix M evaluates the negative economic impacts to the local economy, and loss of jobs that would occur with reduced public use activities and access.

Beach Access and Parking. The refuge would work with NPS to relocate the recreational beach, as indicated in alternative B. The refuge and NPS would allow and maintain 480 automobile parking spaces (approximately 4.25 acres) at the new recreational beach. The new recreational beach would offer accessible parking, pedestrian and bicycle connections, and safe storm shelters for visitors. We would coordinate with NPS and the town of Chincoteague to identify a suitable off-site beach parking area, as close to the beach as possible, and institute a shuttle service from off-site parking to recreational beach for use during specific times of the year when parking capacity is exceeded. The shuttle would have stowing capacity for beach cargo and shelters would be provided for shuttle riders at the beach in case of storms. The refuge would fund both capital costs and annual operational costs of the proposed shuttle service and off-site parking area including PILT payments for loss of local tax revenue.

The refuge in consultation with NPS would provide improved 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 Use and Experience. Existing public uses would continue but with several exceptions. All public access on the Service Road north of the new recreational beach parking would be restricted unless authorized under permit, and public access to the beach south of the new recreational beach would be allowed from approximately September 16 to March 14. A joint NPS and USFWS Visitor Contact Station would be developed near the new recreational beach. The Beach Road causeway across Toms Cove would be closed to all public access as soon as the relocated recreational beach was accessible.

Assawoman Island would be completely closed to all forms of public use, including fishing, from March 15 through September 15 or thereafter, until the last shorebird fledges. The refuge would discontinue recreational horseback riding and OSV use. The refuge would prohibit smoking on the recreational beach.

These actions are intended to reduce adverse impacts ~~on~~ ~~of~~ humans ~~and on selected~~ wildlife species. The refuge would maintain recreational hunting opportunities with a focus on local, regional, and state wildlife priorities like sika, light goose, and non-migrant Canada goose. The refuge would work to phase out the sika population through continued recreational hunt and professional contracts within 5 years. The refuge would expand non-migrant Canada goose and light goose hunting opportunities to other refuge properties where feasible and work to reduce those populations. The refuge would continue to manage opportunities for recreational shellfish and crab harvest.

80) Wilderness Designation

Consider changes to the following sections in the final CCP.

- Chapter 2-page 11 policy recommends advancing wilderness areas to Congress for designation in 2014/2015 which would limit public access to large areas of Assateague Island, and permanently remove options for coastal management in the face of climate change and sea level rise
- Ch.2-page 47 is a new directive to follow wilderness protocols written by a grant-funded intern who prepared guidelines without regard for other CCP issues
- Ch.2-page 52 illustrates proposed wilderness extending into waters of Chincoteague Bay which would eliminate motorized boats and a significant number of aquaculture leases
- Appendix A, page A-12 – statement of intent to abandon current coastal management practices in order to study the substantial alteration of Assateague Island due to natural forces

Requested Change:

- 1) Delete Appendix A from the CCP because it was not prepared in context with other elements of the NEPA/EIS and the impacts of the proposed coastal management strategies are in conflict with Virginia policies for protection of primary frontal dunes and natural resource management policies for use of state-owned bottom lands.
- 2) Amend proposed federal actions throughout the CCP that encourage rapid environmental change, removal of the ‘artificial dunes’ and restricted access to natural resources held in the public trust for all Virginia residents and visitors to the Refuge/Seashore.
- 3) Remove Assateague Island from the active list of proposed wilderness areas prepared by the Refuge System Wilderness Council.
- 4) Modify Goal #1(Ch.1-page23) for federal consistency with Virginia’s Coastal Zone Management, and Emergency Management/Hazard Mitigation Programs such that coastal habitats must be managed for more than endangered species habitat.
- 5) Consider modifying Goal #1, Objective #1.1, Management Strategy #1to something other than ‘restrict public access’.

Rationale: There is a big difference between voluntarily managing 5,000 acres in the center of Assateague Island for wilderness character, and enforcing a formal wilderness designation that would prohibit public access, restrict traditional water dependent uses, and outlaw storm damage repair in the face of climate change.

81) Aquaculture

Consider changes to the following sections in the final CCP.

- Ch.2-page 54/55 will remove all current management for recreational beach parking areas from the Toms Cove spit and encourage natural forces to overwash and breach into Toms Cove separating the Hook (OSV use and access to National Historic Register eligible Coast Guard Station) from the rest of Assateague Island.

- *Ch.2-page 9 provides support for a Marine Research Reserve in central Chincoteague Bay prior to public review of the proposed federal action in the National Park Service draft General Management Plan (GMP) for Assateague Island National Seashore.*
- *Ch.2-page 10/11 for all alternatives, in consultation and cooperation with the NPS and the Virginia Marine Resources Commission, 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.*

Requested Change:

- 1) Specific management actions are necessary to protect and maintain the barrier island spit (land base) at Toms Cove that supports the current recreational beach use and provides protection of natural, cultural and economic resources
- 2) Modify the ‘dynamic beach and overwash system’ policy to include a balanced management strategy similar to the North Assateague restoration plan and consistent with the Virginia Coastal Zone Management Program along the wild beach, overwash and hook areas.
- 3) Evaluate the economic and cultural resource impacts to aquaculture of all changes in federal actions including the proposed management for increased vulnerability to Toms Cove (Ch.4-page16), conversion of Swan Cove to salt marsh(Ch.4-page 6/7), and proposed wilderness area management (A-12).
- 4) Remove support for the proposed Marine Research Reserve
- 5) Support the carefully managed hand harvest of horseshoe crabs as a traditional commercial use that supports a sustainable management practice with negligible impact to Refuge resources.
- 6) Delay the final CCP/EIS until the draft GMP is available so that cumulative impacts of federal actions can be evaluated.

Rationale: Toms Cove and the waters surrounding the Chincoteague National Wildlife Refuge support over \$50,000,000 in economic value of native and commercially raised shellfish that drives the local economy, provides over 100 critical subsistence-level jobs and continues the tradition and cultural history of a 334 year old community. Proposed changes in federal action regarding Swan Cove impoundment, barrier island breaches/inlets, and control of the public waters in Toms Cove/Chincoteague Channel/Chincoteague Bay will adversely impact economic assets and natural resources that are already managed by existing Virginia state agencies and multi jurisdiction bodies. Many of these federal actions are not fully disclosed due to the delay in presenting the overlapping jurisdiction of the NPS General Management Plan for Assateague Island National Seashore.

82) Dune and Coastal Management

Consider changes to the following sections in the final CCP.

- *Ch.2-page 16 states that the Refuge would allow natural and artificial dune breaches in locations that would provide overwash...*
- *Ch.3-page23 reports that over 60% of the 37 miles of Assateague Island shoreline is classified as highly vulnerable, and the areas most vulnerable to sea level rise are those with highest occurrence of overwash*
- *Appendix F-page17/18 Seabeach amaranth, one of USFWS managed species, is described as a dynamic, early successional pioneer species. Seabeach amaranth habitat exists in dynamic conditions. The same physical forces (e.g., storms, extreme high tides) that create the plant’s specific and ephemeral coastal habitat also destroy it. Coastal storms are probably the single most important natural limitation on the abundance of seabeach amaranth. Existing habitat is eroded away, but new habitat is created by island overwash and breaching. Therefore, seabeach amaranth requires extensive areas of barrier island beaches and inlets, functioning in a relatively natural and dynamic manner. Such conditions allow the species to move around in the landscape, occupying suitable habitat as it becomes available (U.S. Fish and Wildlife Service 1996b).*

- *Draft Habitat Management Plan-page 85 discusses manipulations of the environment, with the goal of creating early successional habitat favored by ...species that prefer edge and early succession habitats.*
- *Appendix F-page 47 recommends the expansion of a dynamic beach and overwash system that existed prior to dune construction and restore natural processes to an extensive area that would be isolated from high public use*
- *North Assateague Restoration project established a precedent to widen the beach up to 100 feet at an elevation of not more than 8.2 feet (2.5 meters) National Geodetic Vertical Datum (NGVD). In addition, a low storm berm, not to exceed 10.8 feet (3.3 meters) NGVD, with a crest width of 16 feet was constructed and maintained.*

Requested Change:

- 1) Identify and acknowledge that proposed federal actions to manage all coastal areas for sustained ‘early successional habitat’ are inconsistent with the Coastal Primary Sand Dunes/Beaches Guidelines (VMRC) and the Virginia Coastal Zone Management program.
- 2) Revise all goals, objectives, strategies and actions in the CCP to adopt a ‘balanced approach’ for continued management of an unbroken Assateague Island which works with natural forces to achieve stability and resiliency, rather than rapid physical change to benefit only select managed species.
- 3) Include a minimum standard for management of any portion of coastal Assateague Island in Virginia to meet the established and balanced solution established for the North Assateague restoration project.

Rationale: What is unique about Assateague Island is the foresight and responsible stewardship of federal agency actions from the last 50 years which re-established a naturalized beach and dune system following years of storm damage and the 1962 Ash Wednesday Hurricane. This strategy to manage a national resource for future generations by working with natural systems to achieve stability and resiliency rather than rapid physical change is a proven success. The proposed removal of dunes and facilitation of breaches/inlets does not seem to be consistent with Virginia Coastal Policies. The proposed change in federal management actions under all Alternatives along the thin barrier island spit separating the Atlantic Ocean from Toms Cove will have environmental and socioeconomic impacts that have not been reviewed under the NEPA/EIS.

83) Community Resiliency

Consider changes to the following sections in the final CCP.

- *Ch.2-page 15 establishes Goal #1 to manage coastal habitats without people (BIDEH policy), in concert with natural processes (dynamic beach and overwash system), to provide habitat for species of conservation concern (not a balanced approach)*
- *Appendix F-page 47 recommends the expansion of a dynamic beach and overwash system that existed prior to dune construction and restore natural processes to an extensive area that would be isolated from high public use*
- *Ch.2-page 16 proposes Goal #1, Objective #1.1, Management Strategy 9 to model the impacts of storm flooding events and other dune breaching scenarios on Assateague Island to evaluate potential effects that erosion of the artificial dunes may have on natural and manmade habitats, refuge infrastructure, and flood control for the town of Chincoteague.*
- *Ch.2-page 16 proposes Goal #1, Objective #1.1, Management Strategy 10 to allow natural geologic processes to restore overwash to a northern portion of Wild Beach (e.g., the North Wash Flats (NWF) Impoundment) on Assateague Island in order to increase nesting habitat for plover, least terns, sea turtles, and other nesting shorebirds that were lost when the artificial dune system was created. This would also allow natural island movement. The refuge would allow natural and artificial dune breaches in locations that would provide overwash as determined by working with coastal geologists as stated above.*

- *Chincoteague NWR Draft Habitat Management Plan, page 90 seeks to design natural or engineered breaks in the artificial dunes to restore overwash and their natural processes, and the locations of natural or artificial breaches to allow such overwash.*
- *Appendix A, page 12 declares that any engineering, such as dune maintenance or shoreline stabilization would interfere with the true, natural processes of the barrier island and be considered incompatible with the wilderness designation.*
- *Appendix A, page 50 identifies one issue of environmental concern, that the barrier island may undergo significant alterations from future climate change. There may be pressures for dramatic intervention to preserve the island at a certain state. When deciding on how to treat the barrier island dynamics, consideration should also be given to wilderness character.*

Requested Change:

- 1) Request participation in draft CCP review by Virginia Department of Emergency Management (and the Silver Jacket team) to evaluate the community resiliency and flood risk impacts of proposed changes in federal management actions.
- 2) Include an appendix which estimates damage (HAZUS) to Chincoteague Island from FEMA model storms (www.r3coastal.com) if USFWS eliminates dunes, creates breaches and locks out any future management changes with a wilderness designation.
- 3) Support management of a primary frontal dune system to protect both human and wildlife habitat

Rationale: Chincoteague Island, as the gateway community to the National Seashore and Wildlife Refuge with over \$0.9 billion in real estate value, is sheltered and protected by Assateague Island today. The recent FEMA Coastal Flood Hazard Risk Maps illustrate an historic flood risk reduction of 3 to 4 vertical feet of storm surge as a direct result of coastal dunes and an unbroken barrier island. NASA Wallops Island federal facilities (\$1 billion value) have recently installed coastal restoration/storm damage protection. Chincoteague’s at-risk population & NASA Wallops Island infrastructure (NAVY and Virginia Spaceport) relies on responsible federal management actions by the USFWS.

84) Public Health / Mosquito Control

Consider changes to the following sections in the final CCP.

- *Ch.2-page 69 states an objective to manage biting insect populations at the recreational beach...using commercially available targeted devices that capture mosquitoes which would improve visitor experiences; however, we (USFWS) will not use adulticides*
- *Ch.4-page 75 acknowledges that visitors could experience increased exposure to mosquitoes in the relocated parking areas; however, the refuge would take measures to reduce the mosquito population, avoiding or minimizing this impact.*

Requested Change:

- 1) Insist that a biting insect control program, including the spraying of adulticides based on existing documented human disease threats, shall be implemented in the recreational beach visitor use areas to avert a public health hazard.
- 2) Add non-native biting insect species to management actions for Exotic, Invasive and Nuisance Species Management sections (Ch.2-page 9)

Rationale: Town of Chincoteague residents and around 1,500,000 visitors rely on a licensed, experienced mosquito control program operated by the Town to protect public health from the risk of disease transmitted by biting insects. USFWS proposes to relocate the major visitor use area from Toms Cove with natural cross breezes that control the problem to a north beach location where humans will be subjected to a dangerous health risk from swarms of mosquitoes and other biting insects without a realistic control program.

85) NEPA consideration of alternatives

Consider changes to the following sections in the final CCP.

- *Ch.1-page 1 informs the public that the necessary format and supplemental documentation required for a NEPA Environmental Impact Statement has been integrated into the CCP.*
- *Ch.4-page 2 states there are additional actions proposed under the alternatives that are not fully analyzed in this draft CCP/EIS because they would require additional information and a level of analysis that is beyond the scope of this EIS. These larger actions would require further planning by the refuge. Once detailed proposals for these actions have been developed, a separate environmental analysis and associated environmental assessment (EA) document would be prepared, which would include public involvement and comment at that time.*
- *Ch.4-page 52 CEQ defines cumulative effect as the “impact on the environment which results from the incremental impact of the action(s) 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” (40 CFR 1508.7). The purpose of cumulative effects analysis (CEA) is to determine if, when they are added together, the adverse impacts would be significant. Therefore, cumulative effects can result from individually minor but cumulatively significant adverse effects. As noted elsewhere in this CCP/EIS, there are management actions proposed by the alternatives for which the details are not available at this time, and will therefore be addressed in a separate NEPA analysis, including relocation of the recreational beach (alternatives B and C) and relocation of parking at an offsite location (alternatives A and C). The potential cumulative impacts of these actions are addressed conceptually in this section.*

Requested Change:

- 1) Adaptive management actions proposed by the National Park Service but not considered by USFWS to make the current recreational beach visitor use facilities at Toms Cove more resilient should be included in the EIS evaluation of alternatives.
- 2) Prior to closing the EIS process and eliminating the consideration of alternatives, more detailed information is needed for Alternative B, and partner participation is required in order to fairly evaluate criteria that go beyond just wildlife management principles.
- 3) Existing historic and cultural resources such as the ‘La Galga’ shipwreck and the USCG Life Saving Station should be included in the EIS review.
- 4) A National Park Service draft GMP is necessary in order to evaluate the cumulative impact of federal management actions within the Virginia portion of the Assateague Island National Seashore boundary.

Rationale: Adaptive management changes to Alternative A (existing 1993 Master Plan) must be evaluated and plans for coastal resiliency are needed for all options. A restoration project to build beach elevations along the Toms 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 Alternative B can be successfully designed, permitted, and financed and that responsible federal management actions are maintained at Toms Cove. Deferral of this evaluation to a future Environmental Assessment of Alternate B would be completed after the EIS alternative process is closed to public review.

86) Land Protection Plan (LPP)

Consider changes to the following sections in the final CCP.

- *Ch.3-page 91 describes landscape scale plans for conservation by the North Atlantic Landscape Conservation Cooperative (LCC) without providing any information.*

Requested Change:

- 1) Identify a public review and participation strategy for LCCs and the preparation of an LPP for Virginia’s Eastern Shore (including the Eastern Shore of Virginia NWR, Wallops NWR and Chincoteague NWR).

- 2) Prepare a landscape level economic impact study similar to the one completed in New Hampshire (Coos County) to evaluate the impact of federal land ownership and conservation properties.

Rationale: Most recent CCPs have included an appendix which describes larger goals for land conservation beyond the current boundaries of the Wildlife Refuge (a Land Protection Plan (LPP)). As Northampton and Accomack Counties reach a majority percentage of land which is tax exempt or reduced for conservation, there is an increased financial burden placed on towns and businesses.

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