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Chapter 5: Consultation and Coordination





History of Community Participation

There are many different public agencies, local governments, non-profit organizations and individual citizens who have an interest in this plan. Reaching out to the community for their ideas and expertise and listening to their concerns is an important step in the GMP planning effort. Important input into the development of this ~~draft~~ final GMP/EIS was contributed from a combination of public open houses, outdoor information sessions, electronic mail, individual meetings and letters. Concerns, opportunities, interests, expectation and suggestions were identified through consultations with park staff and during public forums and meetings with stakeholders. Press releases and invitations to public open houses and stakeholder meetings were sent to local newspapers. Gateway posted and maintained announcements regarding the status of the GMP on the park's website and Facebook page.

Scoping

The public involvement process began with a "Notice of Intent" to prepare an environmental impact statement for the general management plan; this notice was published in the Federal Register in July 2009.

In July 2009, the first GMP newsletter was introduced and more than 7,000 copies sent out to the park's mailing list. Copies of the newsletters were posted on the park's website and distributed at visitor contact stations or by staff throughout the park. In addition, the newsletter was translated and printed in Mandarin Chinese, Russian and Spanish. The park hosted five open houses at the Great Kills Beach Center (Staten Island, New York), Bay 9 at Riis Park (Queens, New York), Sandy Hook Lot D Beach Center (Sandy Hook, New Jersey), Aviator Sports at Floyd Bennett Field (Brooklyn, New York), and the Fort Wadsworth Visitor Center (Staten Island, New York) to provide people information about the GMP planning process and opportunities to participate, including an invitation to attend future public open house workshops. Members of the park's planning and civic engagement team, rangers, and other staff were on hand to share information and answer questions about the GMP process.

In September 2009, the park hosted another six public open houses at the Gateway Marina (Brooklyn, New York), World War Veterans Park at Miller Field (Staten Island, New York), Fort Hancock Chapel (Sandy Hook, New Jersey), Jamaica Bay Wildlife Refuge Visitor Center (Queens, New York), Ranger Station at Floyd Bennett Field (Brooklyn, New York), and the Fort Wadsworth Visitor Center (Staten Island, New York) to provide information about the GMP planning process and to gather public comments.

Comments were received by mail, electronic mail and through the NPS Planning, Environment, and Public Comment (PEPC) website. Almost a thousand people participated in these combined forums, which resulted in hundreds of comment sheets and thousands of individual comments. Enjoyment of the beaches and access to the Atlantic Ocean was expressed by many as their favorite feature of Gateway. The entire beach experience—clean sand, salty air, sunshine, and water—was considered exceptional, especially within a short ride from the city. One of the sentiments heard most frequently was the great value placed

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on the relatively undeveloped natural setting and open spaces throughout areas of the park. A large number of the comments received expressed appreciation for the close-to-home, affordable, and family-oriented experiences available at Gateway. Many people identified the need for connectivity to park sites and alternative transportation options, especially public transit. Some people wanted to see more trail connections (for all types of use) in the parks to increase the diversity of recreation and access opportunities. In addition, some asked for new or different opportunities for water-based trails, establishing facilities and routes. Some people identified a concern with the level of maintenance of visitor amenities, including park facilities and historic structures. People often cited concern over the balance between visitor access and resource preservation and the need for the plan to address protection of the park's unique natural and cultural resources.

Preliminary Alternatives Open Houses and Review

In the fall 2010, the Gateway planning team presented three preliminary alternative concepts and requested community input. Over 7,000 copies of the second GMP newsletter were sent to the park's mailing list. The newsletter was also posted on the park's website and distributed at visitor contact stations or by staff throughout the park. In order to reach as much of the metropolitan audiences as possible, the newsletter was translated and printed in Mandarin Chinese, Russian and Spanish. The newsletter provided a summary of the three alternative concepts, as well as an update on the planning process, the foundation for planning, a summary of your ideas from the 2009 scoping meetings, and the planning challenges. In November 2010, the NPS hosted 9 public open houses at Federal Hall National Memorial (New York, New York), Starrett City Brooklyn Sports Club (Brooklyn, New York), Monmouth University (West Long Branch, New Jersey), Brookdale Community College (Lincroft, New Jersey), Kingsborough Community College (Brooklyn, New York), Oakwood Heights Community Church (Staten Island, New York), Monmouth Beach Cultural Center (Monmouth Beach, New Jersey), Jamaica Bay Wildlife Refuge (Queens, New York), and Fort Wadsworth Visitor Center (Staten Island, New York) to gather public comment on a range of preliminary alternative concepts for future management of the park. An additional three meetings were held in March 2011 at New Jersey locations including Monmouth Beach and Highlands Borough to discuss the future preservation of Fort Hancock and Sandy Hook.

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Comments were received by mail, electronic mail and through the NPS Planning, Environment, and Public Comment website. Hundreds of comment sheets and thousands of individual comments were received. Many of the comments received indicated that all three of the alternative concepts would indeed help Gateway carry out its purpose. In general, comments favored the concepts (or elements of the concepts) fairly equally; there was not a concept that was clearly preferred by a majority. Ideas and topics included the importance of building stewardship for Gateway's resources, increasing sustainability in park management, and raising public awareness of the park. Many people suggested that park managers actively pursue the preservation, restoration, and adaptive re-use of historic structures, with many suggesting that partners could assist in this effort. Some people voiced concerns with the current level of maintenance at the park. Maintaining public access and ensuring a variety of recreation opportunities were also frequently mentioned.

Draft Management Alternatives Open Houses and Review

In July 2012, Secretary of the Interior Ken Salazar and New York City Mayor Michael Bloomberg released the third newsletter for public comment at a press conference announcing the signing of a cooperative management agreement between New York City and Gateway. Over 3,000 copies of the third GMP newsletter were sent to the park's mailing list. The newsletter was also posted on the park's website and distributed at visitor contact stations or by staff throughout the park. NPS hosted six outdoor information sessions and public open house meetings at Great Kills Beach Center and Education Center (Staten Island, New York), Riis Park Bathhouse (Queens, New York), Sandy Hook Lot D Beach Center (Sandy Hook, New Jersey), and Ryan Visitor Center at Floyd Bennett Field (Brooklyn, New York), to gather comments on the four draft management alternatives. Comments were received by mail, electronic mail and through the NPS Planning, Environment, and Public Comment website. Hundreds of comments were received and showed a strong preference for Alternative C: Experiencing Preserved Places.

Draft GMP/EIS Open Houses and Review

The Draft GMP/EIS was released for public review on August 2, 2013. Information about the comment period was sent out to the park's GMP mailing list and posted on the park's website and Facebook page. NPS hosted three public open house meetings in August at the Ryan Visitor Center at Floyd Bennett Field (Brooklyn, New York), Sandy Hook Light House (Sandy Hook, New Jersey), and the Fort Wadsworth training room (Staten Island, New York) to provide information and answer questions on the Draft GMP/EIS, distribute copies of the document and gather public comments. In September 2013, the park held another two public open houses and stakeholder meetings at the Jamaica Bay Wildlife Refuge Visitor Center (Queens, New York) and the Fort Hancock Chapel (Sandy Hook, New Jersey). The review period was 90 days and ended on October 22, 2013.

A total of 715 pieces of correspondence about the draft plan were received from individuals, organizations, and agencies. Comments and responses are summarized in Chapter 6: Comments and Responses to Comments on Draft Plan. Agency letters are reproduced in Appendix C.



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Briefings to Elected Officials

Throughout this GMP process, the park superintendent and other staff have met with members of Congress and their staffs to discuss the planning process. During these visits, information about the preliminary and draft alternatives, the Draft GMP/EIS, community outreach, and future park development was presented and discussed. In July 2012, the park superintendent joined NYCDPR staff in briefings with the Brooklyn, Queens and Staten Island Borough Presidents and community interests to discuss the GMP. These elected officials and their staff provided ideas, suggestions, and support for the continuation of the GMP process. ~~Briefings to present and discuss the Draft GMP/EIS are scheduled for Summer 2013.~~ In July 2013, the NPNH Commissioner, park superintendent and other staff met with members of Congress and their staffs to present and discuss the Draft GMP/EIS. In September 2013, the NPNH Commissioner and acting park superintendent joined NYCDPR staff in briefings with the Brooklyn and Staten Island Borough Presidents and community interests to discuss the Draft GMP/EIS.

Fort Hancock 21st Century Advisory Committee

Concurrent with the development of this GMP, Gateway is working with a Federal Advisory Committee Act group, the Fort Hancock 21st Century Advisory Committee, to identify appropriate future uses and redevelopment strategies for the buildings and cultural landscape at Fort Hancock. The committee was formed in September 2012 under the Federal Advisory Committee Act of 1972 (FACA). FACA committees are formed to provide advice to the Executive Branch of government, which includes the National Park Service. The 20 committee members, who applied to serve and were chosen by Interior Secretary Ken Salazar, serve without compensation and represent a wide array of local and national leaders in government, business, recreation and real estate as well as experts in natural, scientific and education resources. The committee will meet every four-to-six weeks over a two or three year term and will strive to operate by consensus. Relevant documents, background material, meeting minutes, and other useful information used by the Committee can be found on their website at <http://forthancock21stcentury.org>. Their recommendations will guide implementation of the GMP.

Environmental Quality Review and Consultations

Section 106 Consultation

Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties listed on or eligible for listing on the National Register of Historic Places and afford the Advisory Council on

Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. The Section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties (36 CFR Part 800).

Section 106 consultation for the GMP and the alternatives proposed, including the preferred alternative, has been initiated with the New York and New Jersey Historic Preservation Officers (New York and New Jersey SHPOs) and the ACHP and has included consultation on the GMP's broader concepts and the development of the alternatives. In March 2012, Gateway sent letters to the New York and New Jersey SHPOs and the ACHP to initiate consultation for the GMP. In late March 2012, an on-site meeting was held with the New York and New Jersey SHPOs briefing them on the scope of the draft management alternatives. The New York and New Jersey SHPOs and the ACHP were updated on the status of the GMP and its Section 106 process in early June 2013. Additionally, the NPS sent letters to the New Jersey and New York SHPOs and the ACHP in July 2013 to update them in more detail on the GMP process and provide the draft GMP for review and comment.

While the GMP will be provided to the SHPOs, the ACHP and many others for review and comment, during the Draft GMP/EIS public comment period, further Section 106 consultation, including more detailed Section 106 Assessment of Effects to historic properties, will continue to take place as the GMP proceeds. The NPS is currently developing a section 106 Programmatic Agreement in consultation with the New Jersey and New York SHPOs and the ACHP. The Programmatic Agreement will extend from the section 106 steps conducted for the GMP and define the section 106 process necessary for the implementation of the GMP's final selected alternative that will be identified in the GMP/ROD. The Programmatic Agreement will be made available for public review and comment later this summer and will be included in the GMP/ROD, concluding the section 106 process for the GMP. In October 2013 the NPS invited the New Jersey and New York SHPOs, the ACHP, the Delaware Nation, Delaware Tribe of Indians, and the Stockbridge-Munsee Community to participate in consultation on the development of a Section 106 Programmatic Agreement that outlines how Section 106 will conclude for the GMP and how it will proceed as the GMP is implemented. The NPS has developed a draft Programmatic Agreement that is included in Appendix C on page 667 and was also made available for public comment in February 2014. It is the intent of the NPS to have the executed Programmatic Agreement included in the GMP/EIS Record of Decision, concluding the Section 106 process for the GMP. Implementation of the actions described in a the GMP's selected alternative will require extensive Section 106 consultation once the GMP is complete. That consultation process will be outlined within the Programmatic Agreement and will include working with the New Jersey and New York SHPOs and ACHP to identify the appropriate consulting parties for various concepts and elements of the GMP. Section 106 consultation will continue as the GMP is implemented and appropriate planning and design for individual actions is underway.

Section 7 of the Endangered Species Act of 1973, as amended (16 USC 1531 et seq.) requires all federal agencies to consult with the U.S. Fish and Wildlife Service to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat.



Tribal Consultation

American Federally-recognized Indian Tribes with possible interest in sites within Gateway were contacted to invite consultation invited to consult regarding the Draft GMP/EIS. While no pre-contact and historic period archeological sites with Native American components have been identified in the park, the Delaware Nation, Delaware Tribe of Indians and the Stockbridge-Munsee Community were invited to consult in June 2013. The Draft GMP/EIS was provided to these tribes in July 2013 and they were invited to participate in the development of the Section 106 Programmatic Agreement.

In October 2013 the NPS invited the Delaware Nation, Delaware Tribe of Indians and the Stockbridge-Munsee Community along with the New Jersey and New York SHPOs and the ACHP to participate in consultation on the development of the Section 106 Programmatic Agreement that outlines how Section 106 will conclude for the GMP and how it will proceed as the GMP is implemented. Although the tribes did not choose to participate in the development of the programmatic agreement, they will continue to be included in the Section 106 consultations as the GMP is implemented.

Section 7 Consultation

Section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 USC 1531 et seq.) requires all federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat. NPS management policies also require cooperation with appropriate state conservation agencies to protect state-listed and candidate species of special concern within park boundaries.

The park corresponded with the Long Island Field Office (LIFO) and the New Jersey Field Office (NJFO) of the U.S. Fish and Wildlife Service to inform them of the GMP process and verify the federally-listed species. During previous joint LIFO/NJFO coordination, review of similar compliance documents was conducted jointly, with consolidated comments and advice to NPS on Section 7 consultation requirements handled by one of the field offices. Comments will be provided following the review of the Draft GMP/EIS.

The Draft GMP/EIS was sent to the LIFO and NJFO for review and comment in August 2013. The park received comment letters on the Draft GMP/EIS from the NJFO on November 1 and from the LIFO on December 13. Both letters expressed concerns about proposed activities in the preferred alternative that may affect federally listed species. Between November 2013 and February 2014, NPS and USFWS staff held multiple meetings and conference calls to clarify comments, discuss concerns, and propose revisions to text and management zoning maps in the Final GMP/EIS. In March 2014, NPS provided an effects analysis to USFWS pursuant to Section 7 of the Endangered Species Act (ESA).

The NPS and USFWS initially agreed that review of the GMP for effects to federally listed species would be conducted through informal consultation under Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) However,

upon completing USFWS review of the Draft GMP/EIS and the NPS's effects analysis, USFWS concluded that review under Section 7(a)(1) of the ESA was more appropriate. Section 7(a)(2) of the ESA requires consultation on all Federal agency actions may affect listed species. However, USFWS policy states that, when there is insufficient project-specific information on an agency program or management plan to support a proper effects analysis, a 7(a)(1) programmatic review is appropriate. Following USFWS review of the revised GMP and the effects analysis, the USFWS concluded that the NPS's proposed adoption of the new GMP falls into this category (i.e., of insufficient information) and therefore is more appropriately addressed by a Section 7(a)(1) programmatic review. This type of review outlines a "blueprint for conservation activities" during implementation of the GMP.

On March 10, the USFWS sent a letter to NPS concluding the Section 7 (a)(1) review of the GMP and providing the conservation framework for subsequent, project-specific 7(a)(2) consultation that will be conducted on all GMP implementation activities proposed at Gateway. A copy of the consultation letters is provided in Appendix C on pages 627-664.

In order for the GMP to be adaptive to changing conditions, the NPS would regularly review the status of threatened and endangered species and revise conservation measures as needed. Any plans or actions that include changes to the types, levels or locations of visitor use that may cause (or contribute to cumulative) impacts to Threatened and Endangered Species would be subject to consultation with USFWS. Future implementation projects resulting in site specific plans, such as expanded camping and transportation infrastructure, will include conservation measures for threatened and endangered species, following appropriate review and consultation with USFWS. Conservation measures will include, but not be limited to, those identified in this plan (e.g., see Common to Both Action Alternatives, page 62, camping, page 70 and references to Shoreside Plan throughout). Future implementation of the GMP involving change in management practices or policies will also undergo review and consultation to avoid and minimize adverse effects to threatened and endangered species.

New York City Environmental Quality Review Process

A general agreement between NPS and the City of New York established the City as a cooperating agency in the process of preparing the GMP/EIS. Representatives of various NYC agencies are participating in the EIS process and will identify potential future actions that may affect New York City and future environmental review.

City Environmental Quality Review, or CEQR, is the process by which agencies of New York City review proposed discretionary actions to identify the effects those actions may have on the environment. CEQR is New York City's process for implementing State Environment Quality Review Act. This Act requires that state and local governmental agencies assess environmental effects of discretionary actions before undertaking, funding or approving such actions, unless they fall within certain statutory or regulatory exemptions from the requirements for review. CEQR procedures pertain to proposed discretionary actions specifically taking place within the boundaries of New York City. CEQR adapts and refines the state rules to take into account the special circumstances of New York City.

List of Final GMP/EIS Recipients

Copies of the final GMP/EIS were distributed to the following government officials, government agencies, and non-governmental organizations and institutions. Individuals on the GMP mailing list were contacted and copies distributed to individuals, groups, property owners, and businesses who requested the document.

Congressional Delegation

New Jersey Senator Corey Booker
New Jersey Senator Robert Menendez
New York Senator Kirsten E. Gillibrand
New York Senator Charles E. Schumer
New Jersey Representative Rush Holt
New Jersey Representative Frank Pallone, Jr.
New York Representative Yvette Clarke
New York Representative Michael Grimm
New York Representative Hakeem Jeffries
New York Representative Gregory Meeks

Federal Agencies

Advisory Council on Historic Preservation, Office of Federal Agency Programs
Army Corps of Engineers
Department of Agriculture, Natural Resources Conservation Service
Department of Defense, Army
Department of Defense, Coast Guard
Department of Defense, Marine Corps
Department of the Interior, Fish and Wildlife Service
Department of the Interior, U.S. Geological Survey
Environmental Protection Agency
National Oceanic and Atmospheric Administration

New Jersey Legislative Delegation

Senator Joseph M. Kyrillos, Jr.
Assemblywoman Amy H. Handlin
Assemblyman Declan J. O'Scanlon, Jr.

New York Legislative Delegation

Senator Joseph P. Addabbo, 15th Senate District
Senator John L. Sampson, 19th Senate District
Assemblyman Phillip Goldfeder, 23rd District

New Jersey State Agencies

State Historic Preservation Office
Department of Environmental Protection

New York State Agencies

Department of Environmental Conservation
State Historic Preservation Office

New Jersey County and Local Governments

Monmouth County Planning Department
Borough of Atlantic Highlands
Borough of Highlands
Borough of Monmouth Beach
Borough of Sea Bright

City of New York

Brooklyn Borough President Eric Adams
Queens Borough President Melinda Katz
Staten Island Borough President James Oddo
Councilman Alan Maisel, 46th District
Councilman Eric Ulrich, 32nd District
Councilwoman Inez Baron, 42nd District

NYC Agencies

Mayor's Office of Environmental Coordination
Mayor's Office of Long-term Planning
and Sustainability
Department of Environmental Protection
Historic Landmarks Commission
Law Department
Department of Parks and Recreation
Department of Planning
Department of Transportation

Tribal Organizations

Delaware Nation
Delaware Tribe of Indians
Stockbridge-Munsee Community

Businesses, Groups and Organizations

American Littoral Society
Appalachian Mountain Club
Army Ground Forces Association
Asbury Fishing Club
Audubon Society
Aviator Sports
Breezy Point Cooperative
Breezy Point Surf Club
Broad Channel Civic Association
Brooklyn Bird Club
Brooklyn Golf Center
Clean Ocean Action
Dover Gourmet Corporation
Floyd Bennett Cricket Club
Floyd Bennett Field Garden Association
Friends of Gunnison
Friends of Pennsylvania and Fountain Avenue
Landfills/Citizen Advisory Committee
Gateway Bike & Boathouse
HS Concessions Inc.
Jamaica Bay Eco Watchers
Jamaica Bay Riding Academy
Jen Marine Development LLC
Jersey Coast Anglers Association
Linnean Society of New York
Marinas of the Future
Marine Academy of Science and Technology
Metropolitan Waterfront Alliance
Midland Beach Civic Association
Miramar Yacht Club
Monmouth County Audubon Society
National Parks and Conservation Association
National Parks of New York Harbor Conservancy
Natural Resources Protective Association
New Jersey Light House Society
New Jersey Marine Science Consortium
New York/New Jersey Baykeeper
New York City Audubon Society
Protectors of Pine Oaks
Queens Bird Club
Regional Plan Association
Rockaway Artist Alliance
Rockaway Little League

Rockaway Point Yacht Club
Rockaway Theatre Company
Rockaway Waterfront Alliance
SeaStreak
Sebago Canoe Club
Sierra Club
Staten Island Museum
Staten Island Padres Athletic Association
Staten Island Soccer League
The Arts and Humanities For Staten Island
The Historic Aircraft Restoration Project
The Ocean Institute
The Sandy Hook Foundation
The Trust for Public Land