

CHAPTER 5: CONSULTATION AND COORDINATION

History of Public Involvement

On April 10, 2002, a Notice of Scoping was published in the *Federal Register* (Volume 67, No. 69). It announced the initiation of public scoping for the environmental impact analysis process for preparation of a non-native deer management plan for Point Reyes National Seashore.

Public comments were heard at a public information meeting at the Point Reyes Dance Palace on May 4, 2002. The public meeting featured a short presentation by the Seashore wildlife biologist on the environmental planning process, background on non-native deer, and issues of importance to park management. Background informational handouts were provided. Members of the Citizen's Advisory Committee for Point Reyes National Seashore and Golden Gates National Recreation Area were given the opportunity to ask questions of park staff. Five individuals spoke at the public meeting. A sign-up sheet at the public meeting provided an opportunity for members of the public to be included on a mailing list for upcoming information on the management plan in development. Two of the speakers at the meeting asked that the EIS examine impacts to vegetation, soils and water. Two other speakers asked that the park not consider lethal removal of deer. A representative of several animal's rights organizations requested that the Seashore investigate the impact of livestock on natural ecosystems and asked that non-lethal control methods be fully investigated.

Public comments were accepted in letter or email form from May 4, 2002 until July 5, 2002. All those who sent written comments during the scoping period and included a return mailing address were also put on the mailing list. An acknowledgement of the Seashore's receipt of written comments, in postcard form, was also sent to those who wrote letters. A similar email message was sent back to those who emailed comments. The following matrix summarizes the issues raised and alternatives suggested in letters and emails sent to the Seashore during the public scoping period. The issues raised are those that the public wished to see considered in the Environmental Consequences portion of this document (Chapter 3). The alternatives are management actions recommended to address one or more issues of concern.

	Topic
Issues Raised	
	<ul style="list-style-type: none"> • Soil impacts
	<ul style="list-style-type: none"> • Water quality impacts
	<ul style="list-style-type: none"> • Impacts of non-native deer on native deer
	<ul style="list-style-type: none"> • Success, impacts and costs of NPS's previous non-native deer control program
	<ul style="list-style-type: none"> • Impacts of cattle ranching

	<ul style="list-style-type: none"> • Public attitudes towards non-native deer
	<ul style="list-style-type: none"> • Options for carcass management
	<ul style="list-style-type: none"> • Economic impacts of deer to local community
	<ul style="list-style-type: none"> • Importance of native versus non-native species in the National Park Service
	<ul style="list-style-type: none"> • Recreational value of non-native deer
	<ul style="list-style-type: none"> • Humane treatment of deer
	<ul style="list-style-type: none"> • Vegetation impacts, including wildflowers and private gardens
	<ul style="list-style-type: none"> • Impacts of No Action alternative
Alternatives Recommended	
	<ul style="list-style-type: none"> • Public hunting of non-native deer
	<ul style="list-style-type: none"> • Contraception of non-native deer
	<ul style="list-style-type: none"> • Sterilization of non-native deer
	<ul style="list-style-type: none"> • Lethal removal of non-native deer
	<ul style="list-style-type: none"> • Donation of non-native deer meat to charities
	<ul style="list-style-type: none"> • Rancher shooting of non-native deer
	<ul style="list-style-type: none"> • Trapping, shipping and slaughter of non-native deer
	<ul style="list-style-type: none"> • Herd reduction, not eradication, of non-native deer
	<ul style="list-style-type: none"> • Eradication, not herd reduction, of non-native deer
	<ul style="list-style-type: none"> • Adoption or relocation of non-native deer
	<ul style="list-style-type: none"> • Fencing to control movement of non-native deer

From February to July 2002, park staff gave presentations to local and state public groups on the Seashore's planning process and provided background information on non-native deer. Audiences ranged from local homeowners' and ranchers' associations to local branches of national environmental and animal rights groups. The following groups were addressed:

- Animal Protection Institute

- Environmental Action Committee of West Marin
- Inverness Association
- Marin Audubon
- Marin Conservation League
- Marin Humane Society
- Point Reyes Seashore Ranchers' Association
- Point Reyes Station Village Association
- Sierra Club, Marin Chapter

In addition, the following groups were contacted and given the opportunity to attend an informational presentation but were either unavailable or felt they were sufficiently informed on the topic:

- Defenders of Wildlife
- Federated Indians of Graton Rancheria
- In Defense of Animals
- Inverness Ridge Association
- Marin Agricultural Land Trust
- National Parks and Conservation Association
- Natural Resource Defense Council
- Wilderness Society

History of Agency Involvement

On December 5, 2001, representatives of public agencies were invited to attend an informational meeting at the Seashore, with the objective of updating those agencies on the development of a non-native deer management plan. Attending the meeting, in addition to NPS staff, were representatives from:

- Marin County Parks and Open Space
- Marin Municipal Water District
- U.S. Geological Survey- Biological Resources Division
- California Department of Fish and Game
- California State Parks
- U.S. Department of Agriculture (Animal Plant Health Inspection Service)

Also invited but not attending were the U.S. Fish and Wildlife Service. NPS biologists informed attendees of the schedule for development of a management plan and DEIS, and gave an update on known numbers and range of non-native deer within and outside of the Seashore.

Compliance Status

Documentation of NPS compliance with federal and state laws and regulations is incorporated into the text of the DEIS. Compliance with the 9 major federal laws, executive orders, and associated state regulations is summarized here.

National Environmental Policy Act (NEPA) of 1970. PL 91-190, 83 Stat. 852, 42 USC §4341 et seq. The EIS provides disclosure of the planning and potential environmental consequences of the Preferred Alternative and alternatives, as required by NEPA. The DEIS will be made available for public review and comment for 60 days. Agency and public comments will then be considered, the draft plan will be reviewed and revised in light of those comments, and a final exotic deer management plan and environmental impact statement will be published, which will respond individually or through summaries

to all substantive comments. A Record of Decision will be published 30 days following publication of the final plan and environmental impact statement. At that time, the plan will be implemented.

Endangered Species Act of 1973, as amended, PL 93-205, 87 Stat. 884, 16 USC §1531 et seq. The Endangered Species Act protects threatened and endangered species, as listed by the U.S. Fish and Wildlife Service (USFWS), from unauthorized take, and directs federal agencies to ensure that their actions do not jeopardize the continued existence of such species. Section 7 of the act defines federal agency responsibilities for consultation with the USFWS and National Marine Fisheries Service (NMFS) (for fish and marine mammals) and requires concurrence from these two agencies with any NPS determination that intended management actions will not adversely affect listed species. The National Park Service initiated consultation on March 26, 2003. Concurrence from both USFWS and NMFS is being requested.

Archeological Resources Protection Act of 1979, PL 96-95, 93 Stat. 712, 16 USC §470aa et seq. and 43 CFR 7, subparts A and B, 36 CFR. This act secures the protection of archeological resources on public or Indian lands and fosters increased cooperation and exchange of information between private, government, and the professional community in order to facilitate the enforcement and education of present and future generations. It regulates excavation and collection on public and Indian lands. It requires notification of Indian tribes who may consider a site of religious or cultural importance prior to issuing a permit. The NPS will meet its obligations under this Act in all activities conducted in the Non-Native Deer Management Plan.

National Historic Preservation Act of 1966, as amended, PL 89-665, 80 Stat. 915, 16 USC §470 et seq. and 36 CFR 18, 60, 61, 63, 68, 79, 800. The National Historic Preservation Act requires agencies to take into account the effects of their actions on properties listed in or eligible for listing in the National Register of Historic Places. The Advisory Council on Historic Preservation has developed implementing regulations (36 CFR 800), which allow agencies to develop agreements for consideration of these historic properties. The NPS, in consultation with the Advisory Council, the California State Historic Preservation Officer (SHPO), American Indian tribes and the public, has developed a Programmatic Agreement for operations and maintenance activities on historic structures. This Programmatic Agreement provides a process for compliance with National Historic Preservation Act, and includes stipulations for identification, evaluation, treatment, and mitigation of adverse effects for actions affecting historic properties. The NPS sent a scoping notice to the state historic preservation officer and the Advisory Council for Historic Preservation to initiated consultation. Consultation will continue throughout the planning process.

American Indian Religious Freedom Act, PL 95-341, 92 Stat. 469, 42 USC §1996. This act declares policy to protect and preserve the inherent and constitutional right of the American Indian, Eskimo, Aleut, and Native Hawaiian people to believe, express, and exercise their traditional religions. It provides that religious concerns should be accommodated or addressed under NEPA or other appropriate statutes. The National Park Service, as a matter of policy, will be as nonrestrictive in permitting Native American access to and use of identified traditional sacred resources for traditional ceremonies.

Executive Order 11988: Floodplain Management. This Executive Order requires federal agencies to avoid, to the extent possible, adverse impacts associated with the occupancy and modification of floodplains, and to avoid development in floodplains whenever there is a practical alternative. If a proposed action is found to be in the applicable regulatory floodplain, the agency shall prepare a floodplain assessment, known as a Statement of Findings. All of the actions proposed in the Non-Native Deer Management Plan are consistent with this executive order.

Executive Order 11990: Protection of Wetlands. This Executive Order established the protection of wetlands and riparian systems as the official policy of the federal government. It requires all federal agencies to consider wetland protection as an important part of their policies and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands. All of the actions proposed in the Non-Native Deer Management Plan are consistent with this executive order.

Executive Order No. 13112: Invasive Species. This Executive Order prevents the introduction of invasive species and directs federal agencies to not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species. Actions proposed in the DEIS include measures to prevent the introduction and spread of invasive species.

California Zone Management Act. This act protects coastal environments. While this act transferred regulatory authority to the States and excluded federal installations from the definition of the “coastal zone,” it requires that federal actions be consistent with state coastal management plans. Activities taking place within the coastal zone under the definition established by the California Coastal Management Plan require a federal consistency determination. The DEIS will be submitted to the Coastal Commission for federal consistency determination.

List of Preparers

Between August 2001 and September 2003, an interdisciplinary team of Seashore biologists, administrators, and specialists met 9 times and supervised the drafting of this document. In addition, personnel from Golden Gate National Recreation Area and the NPS Pacific West Regional office were instrumental in providing guidance. NPS personnel who assisted in drafting the management plan were:

Dawn Adams, Inventory and Monitoring Coordinator, PRNS; BS, General Biology, University of Illinois.

Sarah Allen, Ecologist, PRNS; PhD, University of California, Berkeley, MS, University of California, Berkeley; BS, Conservation of Natural Resources, University of California, Berkeley.

Ben Becker, Marine Ecologist, PRNS; PhD, University of California, Berkeley; MS, Yale University; BA, University of California, Los Angeles.

John Dell’Osso, Chief of Interpretation, PRNS; B.S. Environmental Planning and Management, University of California, Davis.

Gary Fellers, PhD, Research Biologist, Western Ecological Research Center, US Geological Survey; PhD, University of Maryland; M.S, University of Maryland; BA, University of California, Berkeley.

Natalie Gates, Wildlife Biologist, PRNS; MS, Environmental Science and Policy, University of California; DVM, New York State College of Veterinary Medicine (Cornell);. BA, Biology, Harvard University.

Daphne Hatch, Chief of Natural Resource Management and Science, GGNRA; M.S. Range Management and PhD Candidate Wildland Resource Science, University of California, Berkeley, CA.

Brannon Ketcham, Hydrologist, PRNS; MEM, Water Resources Management, Duke University; BA, Geology, Pomona College.

Bill Merkle, Wildlife Ecologist, GGNRA; PhD, Department of Environmental, Population, and Organismic Biology, University of Colorado, Boulder; BA, Stanford University.

Barbara Moritsch., Plant Ecologist, PRNS; MS, Environmental Science, Oregon State University; BS, Resource Planning and Interpretation, Humboldt State University.

Don Neubacher, Superintendent, PRNS; MS Resource Management, Humboldt State University; BS, Environmental Planning, University of California, Davis.

Lorraine Parsons, Wetland Ecologist, PRNS, M.S. San Diego State University, BA University of Southern California, BS University of Southern California.

Suzanne Pettit, Exotic Deer Biotechnician, PRNS: BS, Biology, University of Michigan.

Wendy Poinot, Environmental Planner, BA, Park History, Colorado State University.

Jane Rodgers, Plant Ecologist, PRNS; BS, Forestry University of California, Berkeley.

William Shook, PRNS; BS, Secondary Education, Pennsylvania State University.

Gordon White, Chief of Cultural Resources, PRNS; MA, Architecture, University of California, Berkeley; BA, Environmental Design, University of California, Berkeley.

List of Agencies and Organizations to Whom Notices of the Draft Environmental Impact Statement are Being Sent

Federal Agencies

U. S. Army Corps of Engineers

U. S. Coast Guard

U. S. Department of Commerce National Oceanic and Atmospheric Administration

U. S. Geological Service

U. S. Fish and Wildlife Service

U. S. Natural Resources Conservation Service

U. S. National Marine Fisheries

Federal Advisory Groups

Advisory Council for Historic Preservation

Elected Officials

California State Assemblyperson Joe Nation

California State Senator John Burton

Marin County Supervisor Steve Kinsey

U. S. Representative Lynn Woolsey

U. S. Senator Barbara Boxer

U. S. Senator Dianne Feinstein

State Agencies

Bodega Marine Lab

California Coastal Commission

State of California Department of Environmental Science

State of California Department of Fish and Game
State of California Department of Parks and Recreation
State of California Department of Transportation
State of California Office of Planning and Resources State Clearinghouse
State Historic Preservation Office
University of California, Berkeley
University of California Cooperative Extension
Wildlife Health Center, University of California, Davis, School of Veterinary Medicine

Regional, County, and Municipal Agencies

Bolinas Fire Department
Bolinas Community Public Utility District
Inverness Fire Department
Marin Humane Society
Marin County Fire Department
Marin County Open Space
Marin County Planning and Acquisition
Marin County Sheriff's Department
Marin County Resource Conservation District
Marin Municipal Water District
Nicasio Fire Department
San Francisco Regional Water Quality Control Board
Sonoma County Agriculture Preservation and Open Space District
Sonoma County Water Agency

Non-Governmental Organizations, Non-Profit Organizations, etc.

Animal Protection Institute
Audubon Canyon Ranch & Cypress Grove Preserve
Audubon Society, Marin Chapter
Bay Area Ridge Trail Council
Bay Institute
Bicycle Trails Council
Bolinas Community Parks Planning
California Native Plant Society
Coastwalk
Committee for the Preservation of Tule Elk
Defenders of Wildlife
East Shore Planning Group
Environmental Action Committee of West Marin
Environmental Forum of Marin
Federated Indians of Graton Rancheria
Friends of the Estero
Gardener's Guild
In Defense of Animals
Inverness Association
Inverness Ridge Association
Marin Agricultural Land Trust
Marin Audubon Society
Marin Conservation League
Marin County Farm Bureau
Marin Horse Council

National Parks and Conservation Association
North American Trail Ride Conference
Planning and Conservation League
Point Reyes Bird Observatory
Point Reyes Light
Point Reyes Seashore Rancher's Association
Point Reyes Village Association
Preserve Historic Olema Valley
Sierra Club, Marin Group
Sonoma Horse Council
Sonoma County Farm Bureau
Sustainable Conservation
Tomales Bay Advisory Committee
Tomales Bay Watershed Council
Trout Unlimited
Trust for Public Lands
Vedanta Society
West Marin Chamber of Commerce
West Marin Community Radio
West Marin Paths
Wilderness Society

Libraries

Bolinas Library
Inverness Library
Marin County Library
Point Reyes Library
Stinson Beach Library
San Rafael Library

The plan will be placed on the Point Reyes National Seashore website at www.nps.gov/pore/planning. A notice will be mailed to all individuals that have indicated interest in PRNS planning and management activities.