National Park Service
U.S. Department of the Interior

Cape Lookout National Seashore
Harkers Island, North Carolina

PROPOSED PASSENGER FERRY DEPARTURE SITE

Finding of No Significant Impact
August 2011

The Selected Alternative does not constitute an action that required preparation of an Environmental Impact Statement (EIS). The Selected Alternative will not have a significant adverse effect on the human environment. There are no unmitigated adverse effects to physical resources, water resources, natural resources, cultural resources, or other unique resources within the region. No highly uncertain or controversial impacts, unique or unknown risks, or known cumulative effects were identified.

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal actions are consistent with existing national environmental policies and objectives as set forth in Section 101 (a) of the National Environmental Policy Act (NEPA), and that they will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102 (2) (c) of NEPA.

Recommended: _____ Date: August 15, 2011
Patrick M. Kenney
Superintendent
Cape Lookout National Seashore

Approved: _____ Date: 8/22/11
For David Vela
Regional Director
Southeast Region, National Park Service

INTRODUCTION

This finding of no significant impact (FONSI) and the Passenger Ferry Departure Site Environmental Assessment/Assessment of Effect (EA/AoE) constitute the record of the environmental impact analysis and decision-making process for the Cape Lookout National Seashore's (the park) passenger ferry project. The National Park Service (NPS) will implement the selected alternative (proposed action), which includes establishing and managing a concessions contract for a passenger ferry system that will provide access to the park from public lands and provide a unified message and interpretation of the park and its resources. This alternative includes the development of a landside location for ferry arrivals and departures at the Front Street site in Beaufort, identification of appropriate ferry routes, and the enhancement of the park's existing message and identification. Implementation of the selected alternative will provide the NPS an opportunity to come into compliance with the Concessions Management Improvement Act of 1998 (CMIA) by providing a long-term public ferry system that will operate from a clearly identified location via a concession contract. The proposed actions include creating an official gateway into the park, better orienting visitors to park resources and facilities, improving access to the park by meeting accessibility standards at each dock, and facilitating other improvements.

This document records 1) a Finding of No Significant Impact as required by the National Environmental Policy Act of 1969 and 2) a determination of no impairment as required by the NPS Organic Act of 1916 (impairment finding can be found in Attachment A to this FONSI).

SELECTED ALTERNATIVE: FRONT STREET IN BEAUFORT

Based on the analysis presented in the EA/AoE, the NPS has selected Alternative B: Front Street in Beaufort as the selected alternative. This alternative consists of the implementation of a single, long-term concession contract with a ferry operator for use of a departure site in Beaufort with the purpose of providing ferry service to the park. The selected alternative will create an official gateway into the park in Beaufort at the old Post Office building, and the dock in Grayden Paul Park. Under this alternative, the NPS will develop a memorandum of understanding or similar agreement with the local government in order to provide a long-term commitment by both parties to the development, operation, and maintenance of the site and facilities. The following program elements were identified as essential to establishing this gateway:

- Passenger vehicle parking and recreational vehicle/bus parking
- An orientation area
- Loading/unloading area
- Ticketing area
- Passenger queuing area
- Shade/rain shelter
- Public restrooms

- Wayfinding signs from US 70
- Pedestrian connections to adjacent areas
- Ferry docks
- Accessibility (as defined by the Americans with Disabilities Act [ADA] and Architectural Barriers Accessibility Act Standards [ABAAS])

Ferry Service

The ferry will consist of a combination of two or more large, shallow-draft boats, which can each accommodate approximately 48 passengers, and several small passenger skiffs. The concession contract will require the provision of service to Shackleford Banks, whereas service to the lighthouse will be authorized, but not required. The goal is for the ferry service contract to become compliant under the Commercial Management Improvement Act of 1998 (CMIA).

Parking and Wayfinding

Under the selected alternative, wayfinding signage will be posted on U.S. Highway 70 (US 70) to guide visitors to the Post Office building on Front Street. Eighty-five parking spots will be dedicated by the Town of Beaufort to the ferry service customers. Seventy of these spaces will be located along Front Street from Queen Street west to Live Oak Street. An additional 15 spots will be designated for ferry passenger use along Pollack Street, next to the Post Office building. Any peak season overflow parking will be found along other streets within two-tenths of a mile from the proposed docks. Any large vehicles such as buses or recreational vehicles will be accommodated in parallel parking spots along the street or at another location, such as the Maritime Museum Gallant's Channel site. A drop-off area will be provided along Front Street in front of the Post Office (on the waterfront side of the street) or in the small parking lot that is located on the side of the Post Office building.

Post Office Building Improvements

The Post Office building will be reconfigured by the Town of Beaufort to include space for NPS and ferry concessioner use. Within this dedicated space, the concessioner will provide an orientation/interpretation and ticketing area. Once the renovation is completed, pedestrians will use improved crossings and sidewalks along the Post Office building, Front Street, and ferry docks.

Dock Improvements

In addition to ticketing and orientation space, a covered pavilion at the dock will provide a passenger queuing and shelter area. The NPS will use the town dock across from the Post Office building for ferry operations. The Town of Beaufort will add an adjacent floating dock, upgrade the electrical and light systems, and improve the accessibility of ferry boat operations as part of the selected alternative.

FERRY ROUTE

The ferry route from the Beaufort departure site will pass Carrot Island, along the east side of Radio Island through the Bulkhead Channel and past Fort Macon State Park. The ferry will then cross Beaufort Inlet into the Back Sound to the existing boat dock and beaches on Shackleford Banks' north side. The concessioner may also provide additional service east through the Back Sound to the Cape Lookout Lighthouse. Routes may be revised based on changing conditions (e.g; shoaling) over time to ensure safe passage.

OTHER ALTERNATIVES CONSIDERED

The EA/AoE analyzed three alternatives in detail: the no-action alternative and two action alternatives, including the NPS Selected Alternative.

NO-ACTION ALTERNATIVE

Under the no-action alternative, the NPS would continue to issue annual Commercial Use Authorizations to multiple passenger ferry operators out of Beaufort and Morehead City. This permitting method would not meet the requirements of the NPS CMIA of 1998. The level and location of ferry service, accessibility, and departure site amenities would vary between operators and from year to year. Ferry operators would continue to rely primarily on small skiffs, which are generally not accessible and offer little in the way of comfort, storage, and shelter. Visitors would receive limited interpretive information related to the park. Arrival site location would also vary, although most operators land on the dock or beaches on the northeast shore of Shackleford Banks. The park would continue to provide orientation and public restroom facilities at the arrival sites at the Cape Lookout Lighthouse and the Jetty Dock on Shackleford Banks.

10TH STREET IN MOREHEAD CITY

Under this alternative, the prohibition of left turns from US 70 (Arendell Street) onto 10th Street would be lifted by the town to facilitate access to the site. Wayfinding signs would be posted to direct visitors from US 70 to the 10th Street site. The existing paved parking area at the end of South 10th Street would be reconfigured into a "U" shape onto the gravel parking lot on the adjacent western parcel and provide 65 parking spaces. Additional spaces for recreational vehicles or overflow parking would be found on adjacent town streets. A loading and unloading area would be located at the north side of Shepard Street, along with an improved pedestrian crossing and a walkway providing direct access to the ferry dock from the street. An orientation and ticketing/restroom/concessions building would be constructed near Shepard Street, and a shelter queuing area would be constructed adjacent to the docks. Morehead City would apply for grants to develop the site if this option was chosen, but since this process could delay construction, the town offered the NPS interim use for 2 to 3 years of the Train Station building. The building is located at the corner of US 70 and 10th Street (approximately two blocks from the docks) and would assist in providing start-up service. This alternative would require several marine infrastructure improvements, including reconstruction of associated docks, decommissioning of the existing boat ramp, and construction of a western and eastern dock with

electric power pedestals, dock lighting, and water. Some dredging may be required at the dock for deep draft vessels and the existing fishing dock would remain in operation.

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER ANALYSIS

In addition, several alternatives were considered, but eliminated from further evaluation in the EA/AoE.

GALLANTS CHANNEL SITE

This site in Beaufort is large and includes an existing gravel parking lot and recently constructed concrete dock system along its waterfront. However, definitive constraints were identified during further investigation that ultimately eliminated this site from further analysis. These constraints include existing wetlands, utility extension requirements, string development requirements, future conflicting uses between museum visitors and park visitors, future transportation impacts affecting vehicular accessibility to the site, and ultimately, an incompatible partnership arrangement. In addition, the site is planned for extensive development for the Maritime Museum. Ferries departing from this site would travel under the existing US 70 drawbridge, which would be a longer ferry route, imposing constraints upon future scheduling and operations. The future realignment of US 70 would complicate access to the site. The North Carolina Maritime Museum representatives requested that this site be removed from consideration and agreed to provide remote parking and support in the development of a ferry operation at the Front Street site in Beaufort.

JAYCEE PARK SITE

The Jaycee Park Site in Morehead City offers a number of amenities already in place, such as benches and restrooms; however these amenities are already heavily utilized, and town events would create a high level of visitor conflict at the site. There is no long-term availability of dedicated parking at the site. The site would be faced with funding challenges because original dock improvements were constructed with funding which limited the use of the docks to transient boaters. As such, this location would not provide a quality gateway site.

JIB SITE

This site in Morehead City is already planned for redevelopment by the town. Limited land would be available for exclusive NPS use, and the ferry service would not be started immediately due to the redevelopment plans. This location provides very limited dedicated parking.

6TH STREET DAY DOCKS SITE

This site in Morehead City offers extremely limited dedicated area for land and waterside development. In addition, its central location attracts competing interests, and town representatives agreed that this site was not the preferred site for the ferry service.

BIG ROCK SITE

The Big Rock site in Morehead City had many of the same constraints as the 6th Street Day Docks, although the Big Rock site offers slightly more dock space. The limited landside area, congestion, and planned nearby redevelopment limit the potentials of this site for the ferry service.

RAILROAD SITE

This site in Morehead City offers a large undeveloped space, however the industrialized setting would create issues, since potential contamination of the site could hinder development with cleanup expenses. The location on the north side of US Route 70 also results in a counterintuitive route to the site because visitors would need to turn away from the south side to reach the site. Pedestrians would need to cross a busy intersection to connect to the commercial downtown area, and initial discussions with the North Carolina Railroad Commission indicated limited potential for a working partnership to be established in the near future. The commission expressed interest in leasing the site but was not interested in assisting the NPS develop the site.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The Environmentally Preferred Alternative is defined by the CEQ as "the alternative that will promote the national environmental policy as expressed in the National Environmental Policy Act [Section 101 (b)]." Section 101 (b) goes on to define the Environmentally Preferred Alternative through the application of six criteria listed below. Generally, these criteria define the Environmentally Preferred Alternative as the alternative that causes the lease damage to the biological and physical environment and that best protects, preserves, and enhances historic, cultural, and natural resources. The degree to which each alternative would meet these criteria is described in the EA/AoE. In this FONSI, the way in which the NPS Selected Alternative meets each criterion is presented below.

> ***1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations***. The selected alternative will enhance the park's ability to meet this criterion by establishing a long-term consolidated ferry departure site in partnership with the Town of Beaufort officials. The park will ensure long-term public access to the shoreline. Additionally, the park will provide improved guidance under which visitors will become better stewards of the environment during their visit to the park.
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> ***2. Ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings***. The selected alternative will take steps to improve the safety and accessibility of the ferry service. It will provide a consolidated departure site, designed to maximize safe, healthful, productive, and aesthetically and culturally pleasing surroundings. The selected alternative offers a site within a designated historic district. The provision of a new ferry fleet will further increase the safety and accessibility of the ferry service.

3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences. Under the selected alternative's single concession contract, the park will exert more control over the degradation, risk of health or safety, or other undesirable and unintended consequences which may be potentially associated with the ferry service. The park will do so with the goal of minimization of these risks and potential degradation. Given these risks, the park will authorize the ferry concessioner with the flexibility to offer service to the Cape Lookout Lighthouse and use of both the dock and the adjacent beach on Shackleford Banks for landing.

4. Preserve important historical, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice. Under the selected alternative, the park will provide a single departure site and a choice of landing options under the newly established ferry concession, but will limit landings to only Shackleford Banks and the Cape Lookout Lighthouse. This service will be provided by a single concessioner. This concession contract will give the NPS control over ferry operations and will provide for additional preservation of important historical, cultural, and natural aspects of our national heritage.

5. Achieve a balance between population and resource use that will permit high standards of living and wide sharing of life's amenities. The park has experienced a slow and steady increase in visitation that likely is linked to population increase. This increase is expected to continue and will be accommodated under the selected alternative. Resource use will be better informed and guided by consistent introduction to park resources and regulations at the improved departure site under the selected alternative.

6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources. There will be no change in the quality of renewable resources or the recycling of depletable resources related to the selected alternative.

Based on the analysis of environmental consequences of each alternative, and as presented in the EA/AoE and the criteria presented above, the selected alternative is the environmentally preferred alternative.

WHY THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR § 1508.27, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse. A significant effect may exist even if the agency believes that on balance the effect will be beneficial. As described in the EA/AoE, implementation of the selected alternative will result in short-term, minor, adverse impacts on soils and topography related to small but detectable disturbances during construction that will require relatively simple mitigation measures; short-term, minor, adverse impacts on visitor use and experience as facilities are established and regular visitors adjust to the new method of accessing the park; and short-term, minor adverse impacts on coastal resources related to floating

dock installation causing small but measurable impacts which are still within historical water quality conditions; long-term, negligible, adverse impacts on soils and topography related to a slight increase in impervious surface and frequency of foot traffic and long-term, negligible, adverse impacts on coastal resources because regular operations will have a relatively small impact on the shoreline with impacts within historical water quality conditions; long-term, negligible to minor, adverse impacts on essential fish habitat related to regular operations and long-term, negligible to minor, adverse impacts on operations and infrastructure related to a slight increase in the burden placed on NPS staff to oversee the ferry concession and its facilities per the final agreements with the town and the concessioner and to provide interpretive staff/volunteers; long-term, minor, adverse impacts on special status species due to effects on populations of shorebirds and sea turtles because of continued ferry service; and long-term, beneficial impacts on special status species since effects on populations of shorebirds and sea turtles are expected to be less than existing conditions due to a consolidated ferry service and improved visitor orientation, socioeconomic resources and gateway communities related to an increase in economic output, labor income/employment, and state/local tax revenues, visitor use and experience related to the establishment of improved, long-term, recognizable visitor facilities, and operations and infrastructure related to improved facilities and consolidated operations at the departure site. Overall, the selected alternative will have both beneficial and adverse impacts, but the selected alternative will not have any significant impacts on the human environment.

Degree of effect on public health or safety. As described in the EA/AoE, the NPS will take actions as part of the selected alternative to improve the safety and accessibility of the ferry service. A consolidated departure site on Front Street will be designed to maximize the safe, healthful, productive, and aesthetically and culturally pleasing surroundings. The degree to which the selected alternative will improve public health and safety will be noticeable but not significant.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. The selected alternative may include a floating dock, which will be installed adjacent to the existing dock, resulting in a temporary disturbance to benthic substrata and a temporary localized increase in dissolved solids. In addition, ferry operation may continue to disturb benthic sediment along ferry routes, and expose these routes to the potential for accidental oil or fuel spills. This impact will be less than under the no-action alternative because of refined ferry routes and a potential reduction in boat traffic.

Submerged lands will be affected during pile placement; however these wetlands are regularly disturbed by existing boat traffic and channel maintenance. They currently support little to no vegetation.

Adverse impacts will occur to essential fish habitat, but these impacts are expected to minor and short-term. In a letter dated August 5, 2011, the National Marine Fisheries Service (NMFS) has concurred with the park's assessment of potential impacts to essential fish habitat. In a separate letter dated July 21, 2011, NMFS also concluded that there is no ESA-designated critical habitat located near the project area.

Degree to which effects on the quality of the human environment are likely to be highly controversial. There were no highly controversial effects identified during preparation for the EA/AoE or the public review period.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks. There were no highly uncertain, unique, or unknown risks identified during preparation of the EA/AoE or the public review period.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The proposed action neither established a NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration.

Whether the action is related to other actions with individually insignificant, but cumulatively significant, impacts. The proposed actions analyzed in the EA/AoE included impacts to soils and topography, coastal resources, wetlands, essential fish habitat, special status species, historic structures and districts, socioeconomic resources and gateway communities, visitor use and experience, and operations and infrastructure. As described in the EA/AoE, the cumulative effects of past, present, and future actions in the area, combined with the impacts of the selected alternative, are not anticipated to produce any significant adverse cumulative effects.

The degree to which the action may adversely affect items listed or eligible for listing in the National Register of Historic Places, or other significant scientific, cultural or historic resources. Actions will take place as part of the selected alternative within the Beaufort Historic District and within the historic Post Office. Adaptive use of the historic Post Office will be carried out by the Town of Beaufort in accordance with the Secretary's Standards. The Town of Beaufort will continue consultations with the State Historic Preservation Officer (SHPO) as acquisition and renovation of the Post Office goes forward. In a letter dated April 7, 2011, the SHPO has concurred with the assessment that parking and temporary structures will not adversely affect the historic district as long as any alterations to the Post Office building take place in accordance with the *Secretary of the Interior's Standards for Rehabilitation* and as long as temporary gateway orientation and ticketing areas are removed within three years. Most ferry parking will be accommodated in the vicinity of the Post Office. Peak season overflow parking is not expected to exceed existing ferry customer use of on-street parking.

The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. The selected alternative has the potential but is not likely to adversely affect a number of threatened and endangered species, which include several bird species, several sea turtles, the West Indian manatee, and seabeach amaranth. The potential for impact is expected to be less than the current conditions due to consolidation of ferry service and education of ferry operators and park visitors. The United States Fish and Wildlife Service (USFWS) and NMFS have concurred with this finding in letters dated May 21, 2011 and July 21, 2011, respectively. Concurrence by NMFS is conditional upon implementation of measures outlined in Attachment D to mitigate against potential impacts on sea turtle species.

Whether the action threatens a violation of federal, state, or local environmental protection law. The proposed action violates no federal, state, or local environmental protection laws.

MITIGATION

Where feasible, the NPS will implement mitigation measures to minimize environmental impacts related to the selected alternative. Although the exact mitigation measures to be implemented will depend upon the final design and approval of plans by relevant agencies, the following is a list of actions that are likely to take place:

- Action will be conducted so as to avoid degrading water quality to the maximum extent practicable. Measures will be employed to prevent or control spills of fuels, lubricants, or other contaminants from entering the waterways. Actions will be consistent with state water quality standards and Clean Water Act Section 401 certification requirements.
- Appropriate erosion and sediment controls will be maintained during construction, and all exposed soil or fill material will be permanently stabilized at the earliest practicable date.
- NPS will issue a concession contract to the ferry operator that will include guidelines for avoiding impacts to the West Indian manatee, developed by the Raleigh Field Office of the USFWS.
- The Post Office building will be preserved in accordance with the *Secretary of the Interior's Standards for Rehabilitation*, with any construction, alteration, remodeling, demolition, or other undertakings on the property subject to review and approval by the SHPO.
- A temporary gateway orientation area and temporary ferry ticketing area will be removed within three years of the project initiation, at which point the Post Office renovations will be complete.
- The passenger and queuing shade structure will be designed to avoid visual intrusion and obstructions to the historic characteristics of the existing town development and its water orientation.

PUBLIC INVOLVEMENT AND AGENCY COORDINATION

PUBLIC INVOLVEMENT

As described in the EA/AoE, two public open houses were held at the Duke University Marine Laboratory on Pivers Island on August 27, 2009 (from 1:00 p.m. to 3:00 p.m. and 6:30 p.m. to 8:30 p.m.) and were attended by a total of 52 members of the public. The NPS solicited public input on proposed locations for the proposed ferry concessioner at the meetings. In addition, the meetings provided the public with information on the purpose and need of the project and the planning process that will be followed. A 30-day public comment period followed the meetings, during which 34 public comments were received.

In addition to involving members of the general public, NPS staff made an effort to coordinate with particular stakeholders who have specific knowledge and interest in the proposed action

from Beaufort and Morehead City during the scoping process and continuing into alternatives development. Specialized stakeholder meetings were held in June and December 2009.

The park held a public review period for the EA/AoE from March 1, 2011 to March 31, 2011. During this time, public review open house meetings were held at different locations in the vicinity of the park. The public was encouraged to submit comments through the NPS's Planning, Environment, and Public Comment (PEPC) web site. Comments were also accepted at the meetings, by postal mail, and in person at the park. Forty-eight pieces of correspondence were received during the public review period for the EA/AoE. A summary of public concerns and NPS responses to the concerns are outlined in Attachment B to this FONSI, and where necessary, errata to the EA/AoE are included in Attachment C.

AGENCY COORDINATION

In late 2009, the NPS opened scoping discussions with multiple state and federal agencies, including the North Carolina SHPO, the North Carolina Division of Coastal Management, the North Carolina State Environmental Review Clearinghouse, the USFWS, and the NMFS. The NPS reestablished communication with these groups and others in late 2010 prior to EA/AoE public release.

On April 7, 2011, the SHPO confirmed that as long as the proposed sale of the Post Office building possessed protective covenants to run with the land in perpetuity, ensuring that the building is preserved and rehabilitated in accordance with the *Secretary of the Interior's Standards for Rehabilitation*, the selected alternative should have no adverse effect on historic properties. NPS will continue to consult with the SHPO as the project moves forward and inform the agency with any construction, alteration, remodeling, demolition, or other undertaking on the property.

In a letter dated May 21, 2011, the USFWS stated that they concur with the park's determination that the proposed activity is not likely to adversely affect federally threatened or endangered species.

NOAA's National Marine Fisheries Service provided a response to the EA/AoE on March 18, 2011 requesting more information from the park after reviewing the release to the public. The park provided NMFS with a list of preventative measures proposed to prevent sea turtles from being struck by ferry traffic in order to satisfy the agency's requests and conclude consultation under the ESA for species under NMFS' purview. These measures can be found in Attachment D. NMFS provided their concurrence with the findings of the EA/AoE based up on these measures in a letter dated July 21, 2011. In addition, on August 5, 2011, NMFS concurred with the park's findings on impacts to essential fish habitat.

On March 21, 2011, the North Carolina Department of Environment and Natural Resources Division of Coastal Management provided a response to the EA/AoE. The Division requested additional analysis and information pertaining to parking, the visitor center, natural resources, and other elements related to the project. The concerns and NPS responses are outlined in Attachment B of this FONSI.

In addition, the park coordinated heavily with the Towns of Beaufort and Morehead City during the planning process. Because the selected alternative is located in the Town of Beaufort, close coordination with this town will be required for successful establishment and maintenance of the consolidated ferry departure site. The park will need to develop an agreement with the Town of Beaufort.

ATTACHMENT A

FINDING OF NO SIGNIFICANT IMPACT

PASSENGER FERRY DEPARTURE SITE
CAPE LOOKOUT NATIONAL PARK

IMPAIRMENT DETERMINATION

THE PROHIBITION ON IMPAIRMENT OF PARK RESOURCES AND VALUES

NPS *Management Policies 2006*, Section 1.4.4, explains the prohibition on impairment of park resources and values:

> While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

WHAT IS IMPAIRMENT?

NPS *Management Policies 2006*, Section 1.4.5, *What Constitutes Impairment of Park Resources and Values*, and Section 1.4.6, *What Constitutes Park Resources and Values*, provide an explanation of impairment.

> Impairment is an impact that, in the professional judgment of the responsible National Park Service manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values.

Section 1.4.5 of *Management Policies 2006* states:

An impact to any park resource or value may, but does not necessarily, constitute impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute an impairment if it is an unavoidable result of an action necessary to preserve or restore the integrity of park resources or values and it cannot be further mitigated.

Per Section 1.4.6 of *Management Policies 2006*, park resources and values that may be impaired include:

- the park's scenery, natural and historic objects, and wildlife, and the processes and condition that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

Impairment may result from NPS activities in managing the park, visitor activities, or activities undertaken by concessionaires, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park, but this would not be a violation of the Organic Act unless the NPS was in some way responsible for the action.

HOW IS AN IMPAIRMENT DETERMINATION MADE?

Section 1.4.7 of *Management Policies 2006* states, "[i]n making a determination of whether there would be an impairment, an NPS decision-maker must use his or her professional judgment. This means that the decision-maker must consider any environmental assessments or environmental impact statements required by the National Environmental Policy Act of 1969 (NEPA); consultations required under Section 106 of the National Historic Preservation Act (NHPA); relevant scientific and scholarly studies; advice or insights offered by subject matter experts and others who have relevant knowledge or experience; and the results of civic engagement and public involvement activities relating to the decision."

Management Policies 2006 further define "professional judgment" as "a decision or opinion that is shaped by study and analysis and full consideration of all the relevant facts, and that takes into account the decision-maker's education, training, and experience; advice or insights offered by subject matter experts and others who have relevant knowledge and experience; good science and scholarship; and, whenever appropriate, the results of civic engagement and public involvement activities in relation to the decision

IMPAIRMENT DETERMINATION

This determination on impairment has been prepared for the action alternatives described on pages 22-31 of the EA/AoE. An impairment determination is made for all resource impact topics analyzed for the action alternatives. An impairment determination is not made for visitor use and experience, socioeconomic resources and gateway communities, and operations and infrastructure because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values.

SOILS AND TOPOGRAPHY

Alternative B will have short-term, minor, adverse impacts on soils and topography during construction, including soil exposure and disturbance. These impacts will be minimized by implementation of best management practices such as appropriate erosion and sediment controls.

Alternative B will also have long-term, negligible, adverse impacts on soils and topography because of the slight increase in impervious surface (up to approximately 160 square feet) within the study area and the potential for increased foot traffic in this area.

Alternative B will not result in impairment of soils and topography because the disturbance of soil during construction will be temporary and the loss of sediment will be mitigated by the use of best management practices. In addition any increase in impervious surface and foot traffic will not noticeably alter the state of the existing soils and topography.

COASTAL RESOURCES

Alternative B will result in short-term, minor, adverse impacts on coastal resources related to dock upgrades and long-term, negligible, adverse impacts on coastal resources related to regular operations. Dock upgrades will replace dock piles in roughly the same locations. The current dock position and size is sufficient to serve the consolidated ferry service. Disturbance of benthic substrata will be temporary and limited to a 1,000 square foot area. Also, regular operation may cause some disturbance of benthic sediment in shallow areas and will continue to expose the ferry routes to accidental oil and fuel spills.

Alternative B will not result in impairment of coastal resources because the disturbance of benthic substrata during dock upgrades will be temporary and limited to an area of 1,000 square feet. In addition, the slight disturbance of sediment and potential spills along the ferry routes will not noticeably alter the coastal resources in the long term.

WETLANDS

Alternative B will result in a long-term, negligible, adverse impact on wetlands because the resulting impact of the structure on the wetlands will be at or below levels of detection. The shoreline at this site is stabilized with a wooden seawall that protrudes into the water beyond where natural wetlands occur adjacent to the site, to the west. Submerged lands will be affected

during pile placement; however, these lands are regularly disturbed by existing boat traffic and channel maintenance and support little to no vegetation. Construction activities are not expected to impact any other wetlands on or adjacent to the site.

Alternative B will not result in impairment of wetlands because the disturbance will be of a previously degraded site (that will continue to be degraded in the absence of the NPS concessioner) and because the disturbance will be on a small scale.

Essential Fish Habitat

Alternative B will have long-term, negligible to minor, adverse impacts on essential fish habitat related to potential disturbance of benthic sediments and submerged aquatic vegetation in addition to contributing to noise. These impacts will be limited to the ferry routes and will be minimized by consolidation of ferry service and avoidance of areas known as essential fish habitat or shellfish growing sites. Although the amount of ferry traffic may be approximately the same as exists currently, the boats will be likely to use the same routes and therefore isolate these impacts to those routes.

Alternative B will not result in impairment of essential fish habitat because habitat disturbances will be of a very low intensity and could be tolerated or avoided by most wildlife. Impacts will be reduced by consolidation of ferry service, contract requirements on the ferry operator, and increased visitor education/awareness of sensitive resources.

Special Status Species

Alternative B will be unlikely to adversely affect special status species. Effects will continue to be insignificant and discountable, as currently takes place in relation to ferry operations. As such, Alternative B will result in long-term, minor, adverse impacts on special status species.

Alternative B will not result in impairment of special status species because the potential effects will be extremely unlikely and/or will not take place in such a way that the effects of the disruptions on the populations could be meaningfully measured, detected, or evaluated.

Historic Structures and Districts

The passenger and queuing shade structure will be designed to avoid visual intrusion and obstructions to the historic characteristics of the existing town development and its water orientation. This impact will not constitute an impairment to the historic setting or contributing elements that qualify the Beaufort Historic District for listing in the National Register

ATTACHMENT B

FINDING OF NO SIGNIFICANT IMPACT

PASSENGER FERRY DEPARTURE SITE
CAPE LOOKOUT NATIONAL SEASHORE

CONCERN STATEMENTS AND RESPONSES

The Cape Lookout National Seashore Environmental Assessment/Assessment of Effect (EA/AoE) was made available for public review and comment during a 30-day period ending March 31, 2011. A total of 55 responses were received: 48 public comments and 7 agency comments. Substantive comments on the EA focused on several topics: Army Corps of Engineers dredging activities, impacts on independent ferry operators, and possible operations and facilities obstacles. A summary of the public comments received and the park responses to those comments are provided below.

Representative quotes provided below are taken directly from PEPC and represent the text provided by the commenter, exactly as it was entered. Grammar and spelling have not been changed. These representative quotes are not the only comments received under this particular concern statement; however, these quotes have been chosen to represent those comments categorized under each concern statement.

Report Date: 06/14/2011

AL4000 - Other Alternatives

Concern ID:	28349
CONCERN STATEMENT:	The National Park Service should operate ferries at both Beaufort and Morehead City, providing taxpayers with a choice of ferry.
Representative Quote(s):	**Corr. ID:** 22 **Organization:** *Not Specified* **Comment ID:** 190998 **Organization Type:** Unaffiliated Individual **Representative Quote:** I like the idea of a ferry at Beaufort or Morehead. I just would like to see ALL the other ferries remain open. This way the taxpayer will have a choice of which ferry they want to use. The Federal operated ferry that belongs to NPS will have a chance to see "who" and the "amount" of people for the feasibility study.
Response:	The goal of the EA/AoE is to provide a single, easily recognized gateway experience to Cape Lookout National Seashore and its resources. Two gateways would cause confusion and would require additional resources, since infrastructure for two ferry operations would be required, as well as park interpretation at both locations. A concession contract for two departure sites is unlikely to be economically feasible, and as such, would not be compliant with the National Park Service Concessions Management Improvement Act of 1998. The level of investment required for two departure sites would not support the level of demand and would reduce the ability of the concessioner to profit.

IS1000 - Planning Process

Concern ID:	28410
CONCERN STATEMENT:	The National Park Service actions regarding dredging should be clarified, and corrections should be made regarding the Army Corps of Engineers dredging activities.

Representative Quote(s): **Corr. ID:** 54 **Organization:** Morehead City, North Carolina
Comment ID: 191766 **Organization Type:** Town or City Government
Representative Quote: The Corps of Engineers does not do regular maintenance dredging near the sites identified in Alternatives B and C.
Corr. ID: 54 **Organization:** Morehead City, North Carolina
Comment ID: 191765 **Organization Type:** Town or City Government
Representative Quote: In some places of the EA, it states that dredging would be required for Alternative C while other places in the document allude to the possibility of dredging. Some of the environmental impact conclusions have been based on dredging requirements that may or may not be necessary.
Corr. ID: 59 **Organization:** North Carolina Wildlife Resources Commission
Comment ID: 201379 **Organization Type:** State Government
Representative Quote: - The potential for dredging and its impacts must be taken into consideration and evaluated up front.

Response: Wording of the EA/AoE is corrected and clarified in the attached errata. Additional detail on dredging requirements will be developed during the design phases of the project.

Concern ID: 28472
CONCERN STATEMENT: The National Park Service should clarify the number of current ferry operators and how ridership was estimated.
Representative Quote(s): **Corr. ID:** 54 **Organization:** Morehead City, North Carolina
Comment ID: 191768 **Organization Type:** Town or City Government
Representative Quote: The document is inconsistent when it reports the number of ferry service operators in Beaufort and Morehead City. Because of this, the accuracy of the number of ferry riders could be skewed. Also, it appears that the Beaufort ridership totals are for a 3-year period while the Morehead City ridership totals are annual. Is this correct? It would be interesting to find out the local origination points for the ferry riders.

Response: The attached errata correct the sentence on page 78 of the EA/AoE that there is no ferry service currently operating in Morehead City. As stated in the EA/AoE, page 27, during the feasibility study for the action alternatives, the NPS modeled three different ferry forecasts for ferry ridership to determine the number of passengers that should be accommodated per trip during each season (winter, spring, summer, and fall). The consolidated ferry service is not expected to itself increase ridership; however, some increase is expected due to general population and tourism increases, especially as recent economic conditions become more favorable. The NPS based the feasibility of the ferry operations on the low- to mid-range forecasts. The mid-range forecast generally uses a 1.5 percent annual growth rate for ferry activity. These models are based on visitation data reported by ferry operators (per their authorization from the park), visitor counts conducted for this project, and anecdotal observations. This data was adjusted for seasonality and other factors to predict future ridership.

Concern ID: 28476
CONCERN STATEMENT: The industrial setting explanation under Alternative C would apply to Alternative B.
Representative Quote(s): **Corr. ID:** 54 **Organization:** Morehead City, North Carolina
Comment ID: 191771 **Organization Type:** Town or City Government

Representative Quote: The "relatively industrial setting" by which ferries would have to pass is the NC Port. The NC Port owns the majority of Radio Island (including the leased county recreational site on the east side) by which ferries from both Alternative B and C must pass.

Response: As described on page 37 of the EA/AoE, the east end of Morehead City is more heavily developed than Beaufort, with a high-rise condominium and a commercial port dominating the landscape. The Beaufort side is located on the western side of town and is less industrial in nature. Radio Island, which both ferry routes pass, does not contribute noticeably to the industrial setting.

Concern ID: 28656

CONCERN STATEMENT: The National Park Service needs to address whether any improvements or new work are proposed for the "Cape Lookout" proposed ferry landing site.

Representative Quote(s):

Corr. ID: 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201376 **Organization Type:** State Government

Representative Quote: 7) Will any improvements or new work be proposed for the "Cape Lookout" proposed ferry landing site? If none are proposed then a statement should be added to address this and if improvements or new work are proposed this should be addressed within the EA as well. Each factor such as topography, soils, navigation routes etc would need to be addressed for the Cape Lookout site.

Response: No new improvements are planned at this time for the Cape Lookout or Shackleford Docks.

IS2000 - Permitting

Concern ID: 28674

CONCERN STATEMENT: Permits will be required to carry-out the proposed project.

Representative Quote(s):

Corr. ID: 60 **Organization:** State of North Carolina Department of Environment and Natural Resources

Comment ID: 201382 **Organization Type:** State Government

Representative Quote: Permit: The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan field with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of $65 for the first acre or any part of an acre. An express review option is available with additional fees. Normal Process Time (statutory time limit): 20 days (30 days)

Corr. ID: 60 **Organization:** State of North Carolina Department of Environment and Natural Resources

Comment ID: 201384 **Organization Type:** State Government

Representative Quote: Permit: Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required. Normal Process Time (statutory time limit): 45 days (N/A)

Corr. ID: 60 **Organization:** State of North Carolina Department of Environment and Natural Resources

Comment ID: 201383 **Organization Type:** State Government

Representative Quote: Permit: 401 Water Quality Certification Normal Process Time (statutory time limit): 60 days (130 days)

Corr. ID: 60 **Organization:** State of North Carolina Department of Environment and Natural Resources

Comment ID: 201381 **Organization Type:** State Government

Representative Quote: Permit: Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters. Special Application Procedures or Requirements: Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical concurrence usual. Normal Process Time (statutory time limit): 30 days (90 days)

Response: The document addresses permits on page 13 under Regulatory Issues and Management Concerns and pages 124-125 under Future Compliance Needs/Permits. The Environmental Assessment states that prior to the implementation of the proposed action, the landowner will need to obtain appropriate local, state, and federal approval for some of the proposed activities. The NPS will comply with all applicable laws necessary to implement the plan.

IT1000 - Natural Resources

Concern ID: 28394

CONCERN STATEMENT: The environmental assessment is lacking information necessary for the National Marine Fisheries Service to determine impacts to threatened or endangered species or critical habitat.

Representative Quote(s):

Corr. ID: 37 **Organization:** National Marine Fisheries Service Office of Protected Resources

Comment ID: 191240 **Organization Type:** Federal Government

Representative Quote: As per our conversation this morning, we cannot render a determination as to impacts to threatened or endangered species, or critical habitat, under NMFS purview because the submitted documents lack sufficient information to evaluate the project. Please return a copy of the completed Interactive Section 7 checklist..

Response: Email correspondence from the National Marine Fisheries Service (NMFS) to Cape Lookout National Seashore, dated March 18, 2011, outlines data needs required for the NMFS to determine concurrence with the impacts described in the EA/AoE. The park provided NMFS with their proposed preventative measures to protect sea turtles from being struck by ferry traffic, as requested. These measures can be found in Attachment D to the FONSI. After receipt of these mitigation measures, NMFS determined that there is no ESA-designated critical habitat located near the project area and affirmed that consultation responsibilities had been met in a letter dated July 21, 2011.

Concern ID: 28468

CONCERN STATEMENT: Kayakers are concerned that coastal resources would be lost with more boat and car traffic, and the natural pristine back water areas would be encroached upon by the additional traffic.

Representative Quote(s):

Corr. ID: 1 **Organization:** *Not Specified*

Comment ID: 190879 **Organization Type:** Unaffiliated Individual

Representative Quote: We are concerned this would be lost with more boat and car traffic and also that the natural pristine back water areas would be encroached upon. (We are kayakers)

Response: The selected alternative, Alternative B: Front Street, will utilize an existing dock which extends off of Grayden Paul Town Park, and only minor upgrades to the dock's electrical and light systems and the installation of a floating dock will be necessary. The installation of the floating dock will require some disturbance of

benthic substrata and a localized short-term increase in suspended solids; however these impacts will be temporary and mitigated by best management practices. Impacts will be contained to an approximate area of 1,000 square feet. In addition, the ferry will utilize approximately the same routes as existing ferries. The service is expected to decrease boat traffic due to consolidated ferry service, decreasing impacts on coastal resources such as disturbance of benthic sediment.

Concern ID: 28635

CONCERN STATEMENT: On page 125, wording needs to be revised when referring to the Coastal Area Management Act and Coastal Zone Management Act.

Representative Quote(s):

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201362 **Organization Type:** State Government

Representative Quote: Coastal Zone Management Act (Page 125): The language in the sentence beginning with "Depending" requires a minor wording correction. DCM also recommends that this section acknowledge that the development and use standards of Chapter 7 of Title 15A of the North Carolina Administrative Code would apply.

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201361 **Organization Type:** State Government

Representative Quote: Coastal Area Management Act (Page 125): DCM suggests that the phrase "to the extent practical" be deleted from this section as it would normally not be applicable to the CAMA permit review process. This phrase is usually used within the context of the consistency review process and would only apply to a proposed Federal action. Non-federal project proponents would still be subject to full consistency compliance. Please see 15 CFR 930.32(a)(1).

Response: As outlined in the Attachment C: Errata, the document has been revised by removing the phrase "to the extent practical", rewording the sentence beginning with "Depending", and the inclusion that the development and use standards of Chapter 7 of Title 15A of the North Carolina Administrative Code would apply.

Concern ID: 28641

CONCERN STATEMENT: If the proposed project area is within the 100-year floodplain, it must be addressed as such.

Representative Quote(s):

Corr. ID: 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201369 **Organization Type:** State Government

Representative Quote: Is this area within the 100 year floodplain if so it must be addressed as such.

Response: On page 16 of the Environmental Assessment, the National Park Service states that all portions of the study area are within the 100-year floodplain, and although actions are proposed within the floodplain, these actions do not have the potential to noticeably alter the natural values of the floodplain nor increase the exposure of humans to flood risk.

Concern ID: 28647

CONCERN STATEMENT: The National Park Service needs to address in detail the primary functions of the coastal wetland.

Representative Quote(s):

Corr. ID: 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201372 **Organization Type:** State Government

Representative Quote: 3) Discuss in detail the primary functions (flood control, wildlife habitat etc) of the coastal wetland.

Response: On pages 56-67 of the document, the National Park Service notes that since the

shoreline at both Beaufort and Morehead City is stabilized, it no longer provides conditions where wetlands can persist. The submerged wetlands located in the proposed project area are highly disturbed by existing boat traffic and dredging and support little to no vegetation. In the few areas where wetlands do still exist, the areas are fully inundated at high tide and support the listed types of vegetation.

Concern ID: 28650
CONCERN STATEMENT: The National Park Service needs to address how much soil is to be moved or disturbed.
Representative Quote(s):
Corr. ID: 58 **Organization:** NCDENR Division of Coastal Management
Comment ID: 201373 **Organization Type:** State Government
Representative Quote: *Soils- Discuss how many square yards or feet of soils are to be moved, disturbed etc. on the high ground if high ground disturbance is proposed

Response: Impacts to Soils and Topography can be found on pages 77-81, which address how much soil will be disturbed under each alternative.

Concern ID: 28658
CONCERN STATEMENT: The National Park Service needs to address Air Quality, Noise Levels, Forest Resources, and Water Resources in the document.
Representative Quote(s):
Corr. ID: 58 **Organization:** NCDENR Division of Coastal Management
Comment ID: 201375 **Organization Type:** State Government
Representative Quote: Air Quality, Noise levels, Forest Resources and Water Resources were not addressed. Air Quality: Identify the area's air quality classification and if any emissions, odor problems etc will exist. Water Resources: Identify surface and ground waters within this area. For the surface waters identify the name, location, classification, and which river basin it is in. Noise Levels: Discuss the current noise levels onsite with a current benchmark, if possible. Forest Resources: List if there are any and if so the type at or near the site.

Response: On page 18 of the document, the National Park Service considered the impact topics of air quality and soundscapes but dismissed each topic from further analysis. The air quality impact topic identifies the air quality classification and emissions information associated with the proposed project. Because any increases in vehicle emissions related to the selected alternative would be limited to the construction period and could be quickly dissipated by the windy conditions that are common in this area, the impact topic of air quality was dismissed from further analysis. The soundscapes impact topic describes the current conditions of the soundscape in the proposed project area. No benchmark sound measurements are available; however, the departure site undergoing development is in an already developed area. Any contributions to the soundscape are expected to be negligible; therefore, the impact topic of soundscapes was dismissed from further analysis. Lastly, there are no forest resources in the proposed project area. Water resources are addressed under the Coastal Resources impact topic, found on pages 14, 55-56, and 81-85.

Concern ID: 28660
CONCERN STATEMENT: All ferry routes should take into account impacts to submerged aquatic vegetation.
Representative Quote(s):
Corr. ID: 59 **Organization:** North Carolina Wildlife Resources Commission
Comment ID: 201378 **Organization Type:** State Government

Representative Quote: - All ferry routes should take into account impacts to submerged aquatic vegetation (SAV). SAV surveys may have to be conducted to determine resource presence, or at a minimum depth surveys should be conducted to insure adequate depths are available to minimize impacts to SAV if present on a travel route.

Response: Submerged aquatic vegetation is addressed under the Essential Fish Habitat impact topic. Impacts to submerged aquatic vegetation can be found in Chapter 4, on pages 87-91.

Concern ID: 28678

CONCERN STATEMENT: Since increased use of the Cape Lookout National Seashore can be anticipated with a new ferry service, management measures should be in place to ensure impacts to important habitat areas and wildlife are not increased, as well.

Representative Quote(s): **Corr. ID:** 59 **Organization:** North Carolina Wildlife Resources Commission

Comment ID: 201380 **Organization Type:** State Government

Representative Quote: - Increased use of the Cape Lookout National Seashore can be anticipated with a new ferry service. Management measures should be in place to insure impacts to important habitat areas and wildlife are not increased as well. This could mean additional monitoring of public use on the seashore or restricting public access to areas during certain times of the year.

Response: Park resources will continue to be managed in accordance with existing and future management plans such as the park's General Management Plan and the Interim Protected Species Management Plan.

Concern ID: 28682

CONCERN STATEMENT: The National Park Service needs to address any potential impacts by potential boaters in the form of introduction of toxins into the system.

Representative Quote(s): **Corr. ID:** 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201374 **Organization Type:** State Government

Representative Quote: *Introduction of Toxic Substances- Address any potential impacts by potential boaters in the form of introduction of toxins into the system via fuel, bottom paint, etc.

Response: As outlined in the Attachment C: Errata, the document has been revised to address any potential impacts by potential boaters in the form of introduction of toxins into the system.

Concern ID: 28685

CONCERN STATEMENT: The National Park Service needs to address whether any signs will be placed within Areas of Environmental Concern.

Representative Quote(s): **Corr. ID:** 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201377 **Organization Type:** State Government

Representative Quote: 8) Will any signs be placed within AEC's?

Response: Signs may be placed within coastal shoreline areas (land within 75 feet of the normal high water level of estuarine waters); however, final design has not been determined.

IT3000 - Socioeconomic Resources and Gateway Communities

Concern ID: 28358

CONCERN STATEMENT: The National Park Service is destroying a free-enterprise system by seeking to consolidate ferry service at one location.

Representative Quote(s):

Corr. ID: 15 **Organization:** *Not Specified*

Comment ID: 190953 **Organization Type:** Unaffiliated Individual

Representative Quote: First, for the sake of "controlling the experience" of visitors to the Cape Lookout National Seashore, the Park Service destroyed a free-enterprise system that was efficient, responsive, and economical.

Response: The issuance of the concession contract for the ferry service will occur through a competitive bid process. All entities will have equal opportunity to compete for the contract. The concession contract is expected to result in an increase in economic output, labor income/employment, and state/local tax revenues.

Concern ID: 28359

CONCERN STATEMENT: Commenters are concerned about adverse economic impacts to independent ferry operators under the proposed alternatives.

Representative Quote(s):

Corr. ID: 18 **Organization:** Harbor Specialties

Comment ID: 190976 **Organization Type:** Unaffiliated Individual

Representative Quote: We have become a destination for people wanting to get to the Cape currently with our independent ferry operators. It would be a significant negative economic impact on the community to lose this wonderful "asset". As a business owner, I am very concerned about this decision. As a resident, I am equally interested in seeing the business community prosper.

Corr. ID: 20 **Organization:** *Not Specified*

Comment ID: 190988 **Organization Type:** Unaffiliated Individual

Representative Quote: Why are we cutting down on the number of ferries, and putting these people out of work. Why buy/rent/purchase property during these harsh economic times. Set rules, and if there are "issues" deal with them one on one. Don't penalize all the business owners Down East.. gas stations, B&B's, Motels, RV Parks, shop keepers (Gift, Food).

Response: Currently, there are two ferry service providers in Beaufort, one in Morehead City and four on Harkers Island. These existing ferry operators will be free to continue providing ferry service to other locations, but will no longer be authorized to provide access to Cape Lookout National Seashore. The ferry service to Cape Lookout National Seashore will be provided by a long-term contracted ferry. This long-term contract is expected to result in growth in economic output, employment/labor income, and taxes.

Concern ID: 28474

CONCERN STATEMENT: The EA/AoE should note that Alternative C would have a more positive economic impact to Carteret County.

Representative Quote(s):

Corr. ID: 54 **Organization:** Morehead City, North Carolina

Comment ID: 191770 **Organization Type:** Town or City Government

Representative Quote: A review of the economics seems to indicate that if Alternative C was the chosen gateway, it would have a more positive economic impact to the County as a whole.

Response: Pages 105 of the EA/AoE outlines the methodology used to assess the socioeconomic resources and gateway communities for the proposed alternatives.

The analysis examined the net change in spending and employment in these communities that would occur under each alternative, which avoids double counting the magnitude of the associated impacts. IMPLAN input/output software was used to model impacts to the local economies of Beaufort and Morehead City for the action alternatives, specifically utilizing the IMPLAN 2008 County Plus Package data for Carteret County, NC. This data allows Carteret County to be separated into zip codes that can be used for individual analyses for Beaufort and Morehead City. The analysis uses public data to determine economic impacts. As described on pages 105-113 of the EA/AoE, both Alternatives B and C result in almost identical socioeconomic impacts, with Alternative B resulting in local long-term, beneficial impacts in Beaufort, local long-term, negligible, adverse impacts in Morehead City, and regional long-term, beneficial impacts in Carteret County. Alternative C would result in local long-term, beneficial impacts in Morehead City, local long-term, negligible to minor, adverse impacts in Beaufort, and regional long-term, beneficial impacts in Carteret County. Additional IMPLAN outputs are included in Appendix B of the EA/AoE to support this analysis.

Concern ID: 28513

CONCERN STATEMENT: The National Park Service did not consider economic impacts on small businesses in their analysis.

Representative Quote(s): **Corr. ID:** 25 **Organization:** *Not Specified*
Comment ID: 191017 **Organization Type:** Unaffiliated Individual
Representative Quote: The economic analyses do not take the adverse affect on these small businesses into account.

Response: The National Park Service considered economic impacts on small businesses in the Socioeconomic Resources and Gateway Communities impact assessment on pages 105-113 of the EA/AoE. For the selected alternative, Alternative B: Front Street, it was determined that the alternative will result in short-term, beneficial impacts on socioeconomic resources and gateway communities in Beaufort because of the increase in spending, economic output, and labor income/employment associated with construction of the new ferry concession facilities. In addition, local, long-term, beneficial impacts to socioeconomic and gateway communities in Beaufort will result because of an increase in economic output, labor income/employment, and state/local tax revenues. These beneficial impacts will be balanced by decreased economic output, labor income/employment, and state/local tax revenues. These impacts will be closely related, and both towns will share both beneficial and adverse impacts; therefore at the regional scale of Carteret County, Alternative B will have long-term, beneficial impacts on socioeconomic resources and gateway communities because an improved gateway to Cape Lookout National Park will be provided in the Beaufort/Morehead City Area.

IT4000 - Visitor Use and Experience

Concern ID: 28364

CONCERN STATEMENT: Having a consolidated ferry service will have a negative impact on visitor experience, because the current ferry operators are part of the local community and visitor experience.

Representative Quote(s): **Corr. ID:** 24 **Organization:** *Not Specified*
Comment ID: 191008 **Organization Type:** Unaffiliated Individual
Representative Quote: We and our Canadian visitors had a wonder trip to Cape Lookout using the Local Yokel ferry of Harker's Island with Captain Ellis. We expressed our excitement to Captain Ellis and our hopes of seeing the Banks ponies.

He took us where the ponies were crossing from one island to another and idled his boat while we took all the pictures we wanted. He left us on the island and picked us up at our chosen time. On the way back to his dock he stopped again to show us a mare and her colt. He was so personable and gave our guest a taste of Downeast North Carolina. While at the Lighthouse we talked with other visitors asking them if they had seen the ponies. They had not. Captain Ellis is a part of our community who will be lost when the ferry service becomes big business in the name of efficiency.

Corr. ID: 44 **Organization:** *Not Specified*

Comment ID: 194845 **Organization Type:** Unaffiliated Individual

Representative Quote: 9. Unique Harker's Island living missed.

Response:

Currently, existing ferry service operators provide a limited and inconsistent orientation to and interpretation of park resources. Visitors will experience a single, clear gateway to the park from Beaufort. This will eliminate the current confusing operations. Visitor experience is a subjective topic, and visitors who enjoy the existing array of operators may miss the existing experience. However, the objective of the NPS is to provide a long-term, widely appealing visitor experience through these changes.

Concern ID: 28481

CONCERN STATEMENT: Consolidated ferry service will reduce public attendance at local museums.

Representative Quote(s):

Corr. ID: 44 **Organization:** *Not Specified*

Comment ID: 191756 **Organization Type:** Unaffiliated Individual

Representative Quote: 4. REDUCED attedence [sic.] for both museums.

Response:

Local museums are part of the local economies of Beaufort and Morehead City. A broad description of the local economies is included on pages 65-69 of the EA/AoE, and the anticipated impacts on both economies under all alternatives are described on pages 105-113 of the EA/AoE. A more detailed analysis regarding attendance at local museums is outside the scope of this EA/AoE.

Concern ID: 28485

CONCERN STATEMENT: Consolidated ferry service will decrease ferry route flexibility for the public.

Representative Quote(s):

Corr. ID: 44 **Organization:** *Not Specified*

Comment ID: 194843 **Organization Type:** Unaffiliated Individual

Representative Quote: 7. Fixed schedules will be a burden to the public. 8. Special requests to stop at different sites will be lost.

Response:

The ferry service under a consolidated operation will have an authorized route and the availability of the ferry will be assured throughout a 10-year contract period. Currently, the independent ferry operators are working under short-term, Commercial Use Authorization contracts, and there is no guarantee that the ferries will continue to operate, much less utilize a uniform ferry route, in the future. Full accessibility available under a consolidated ferry operation will provide more flexibility for handicapped and elderly visitors. The concessioner will be required to provide service to Shackleford Banks. The concessioner will have the option to provide additional service east through the Back Sound to the Cape Lookout Lighthouse.

Concern ID: 28522

CONCERN STATEMENT: The National Park Service should address impacts of the Gallants Channel Bridge replacement on ease of access to the Beaufort Front Street site.

Representative Quote(s):

Corr. ID: 54 **Organization:** Morehead City, North Carolina

Comment ID: 195702 **Organization Type:** Town or City Government

Representative Quote: Reading through the EA, there was no mention about the Gallants Channel Bridge replacement for which construction is scheduled to begin in 2012 (NCDOT Project R-3307). Getting to the Alternative B site will be much more complicated once the new bridge route is completed.

Response: The Town of Beaufort is currently working with the North Carolina Department of Transportation to ensure that there is adequate wayfinding to direct visitors to the downtown area of Front Street associated with the bridge project. The Town has a high level of interest in ensuring that visitors can easily find their way to this popular destination. The National Park Service also will work with the Town of Beaufort and the Department of Transportation to establish signs that clearly direct visitors to the NPS ferry service.

Concern ID: 28515

CONCERN STATEMENT: The ferry service clients will experience competition for parking, pedestrian crowding, and all of the other inconveniences of too much activity in too small a space at Beaufort.

Representative Quote(s):

Corr. ID: 43 **Organization:** Downtown Morehead City Revitalization Association

Comment ID: 191763 **Organization Type:** Civic Groups

- When a physical count of restaurants, art galleries and antique shops is conducted, both towns have similar numbers of each type of business. What MHC cannot offer is the much defined historic district and Maritime Museum. MHC suggests that this is both Beaufort's greatest advantage and disadvantage. The ferry service clients will experience competition for parking, pedestrian crowding and all of the other inconveniences of too much activity in too small a space.

Response: As noted on pages 28 to 38 of the EA, the Beaufort Front Street site will provide 85 dedicated parking spaces for NPS ferry passengers, an additional 20 spaces than the Morehead City proposed site. The current ferry operators determine their individual parking accommodations, and many spaces are provided in existing on-street public parking. Both action alternatives will provide covered pavilions for a sheltered visitor queuing area. The Beaufort Front Street site will provide a covered pavilion (approximately 400 to 600 square feet) at the dock, providing a passenger queuing area and shelter from weather. In addition, the existing Post Office building will include space for NPS/ferry concessioner use (up to approximately 1,200 square feet), including for orientation/interpretation and ticketing. The Morehead City site will provide for an approximate 500 square feet orientation area, a ticketing/restroom/concessions building (approximately 600 square feet), and a sheltered queuing area (approximately 440 square feet).

IT5000 - Operations and Infrastructure

Concern ID: 28365

CONCERN STATEMENT: The Morehead ferry site has better available facilities than the Beaufort site.

Representative Quote(s):

Corr. ID: 8 **Organization:** *Not Specified*

Comment ID: 190907 **Organization Type:** Unaffiliated Individual

Representative Quote: Morehead City affords accessibility and parking that is non-existent in Beaufort. Sending more traffic into the congested Beaufort road system creates problems for tourists and residents.

Corr. ID: 43 **Organization:** Downtown Morehead City Revitalization Association

Comment ID: 191759 **Organization Type:** Civic Groups

Representative Quote: - Both sites offer about the same amount of parking and

both are said to accommodate RV parking. MHC has the distinct advantage with more open streets and parking to allow easier access for the RV segment. - The ferry service will occupy only 1,200 feet inside the existing Post Office space and share the rest of the space with the Town of Beaufort. If expansion is needed, do you have a commitment that allows expansion?

Response: Facilities proposed at each site are similar, although unique in their size and arrangement. As described on pages 28 to 38 of the EA, both sites include space for orientation, interpretation, ticketing, and restrooms, as well as a sheltered queuing area. The Beaufort proposed ferry site will utilize the existing Post Office building, as well as an existing dock, whereas the Morehead proposed ferry site will require the construction of totally new facilities and maintenance dredging, resulting in greater impact to the biological and physical environment.

Concern ID: 28367

CONCERN STATEMENT: Large ferry operations are less safe than small operations.

Representative Quote(s):

Corr. ID: 23 **Organization:** US Taxpayer

Comment ID: 191004 **Organization Type:** Unaffiliated Individual

Representative Quote: Small ferry operations are regulated by the Coast Guard. They are very safe and efficient. With their local knowledge and shallow draft boats they can adjust their routes to varying weather conditions and provide access to wildlife and marsh vistas that larger vessels would be forced to avoid.

Response: As described in the EA/AoE, most vessels that currently provide ferry service to the park are small skiffs which provide for approximately 15 passengers. Visitors with disabilities are not guaranteed accommodations by these operations. Under certain conditions, the small skiffs used by the independent ferries offer an uncomfortable, wet ride. Some visitors may be personally uncomfortable in such a small boat. In addition, current ferry operators provide limited to no information on safety and regulations. One consolidated ferry operation under the direction of the National Park Service will guarantee safety information is uniform and distributed to all passengers aboard the ferries. Full accessibility will be a requirement of all the ferries and their complementary infrastructures. The consolidated ferry operation will increase safety for passengers traveling to and within Cape Lookout National Seashore. This ferry service will be subject to the same Coast Guard oversight as the existing ferry services.

Concern ID: 28368

CONCERN STATEMENT: Using the disabled as a reason for needed change is not a valid argument.

Representative Quote(s):

Corr. ID: 15 **Organization:** *Not Specified*

Comment ID: 190952 **Organization Type:** Unaffiliated Individual

Representative Quote: Second, using the disabled as the reason for the needed changes is not a valid argument for the changes. As a practical matter, the Park Service could provide a dock where all the requirements of the Federal Disabilities Act are met and make that available to disabled visitors. To impose this standard on both the able and disabled by requiring ALL facilities to be Federal Disabilities Act compliant is an exercise in political correctness.

Response: Accessibility is only one of several elements that make up the purpose and need of the Cape Lookout Passenger Ferry Departure Site EA/AoE. By law, the National Park Service needs to abide by Federal Accessibility Standards, the Americans with Disabilities Act, and the Architectural Barriers Act Accessibility Standards.

Concern ID: 28408

CONCERN STATEMENT: The National Park Service needs to look out for handicapped and elderly visitor needs.

Representative Quote(s):

Corr. ID: 26 **Organization:** *Not Specified*

Comment ID: 191026 **Organization Type:** Unaffiliated Individual

Representative Quote: The Beaufort site may cause problems for handicapped people due to a longer walk to the dock area. Emergency evacuations will take longer in bad weather and the weather changes quite rapidly in the open sound.

Corr. ID: 49 **Organization:** Personally Yours Gifts & More

Comment ID: 191628 **Organization Type:** Business

Representative Quote: The National Parks Service needs to also look at the Handicapped & Elderly. Not just walking & canes but people who are wheelchair bound or quadropleges that can not move there lower parts. There are a lot of elderly as well that need to be looked at. Ones with cane, walkers & wheelchairs. The protection of wheelchairs from sea & salt. You also need to think about bikes strollers & people who go to spend the day. They come in big groups & bring everything but the kitchen sink.

Response: The park has considered handicapped and elderly visitors during the EA/AoE analyses, including in the creation of the purpose and need (described on pages 1 to 5) and impacts on visitor use and experience (described on pages 113 to 117). Currently, private business owners provide ferry access, and the nature of the service provides inconsistent levels of service, facilities, parking, and level of accessibility, as defined by the Americans with Disability Act (ADA). Most operators do not provide access to the park in a way that complies with the ADA and Architectural Barriers Act Accessibility Standards. In addition, existing ferry operators utilize skiff-type boats, which are small boats that offer a less comfortable ride and little protection against splashing under certain conditions. Both proposed departure sites would provide a sheltered queuing area adjacent to the docks for passengers. According to the current design plans, the distance from the dock to the proposed ticketing area at Beaufort is approximately 160 feet, and the distance from the dock to the proposed ticketing area at Morehead City is approximately 200 feet. However, these design plans may change during final design stages. In addition, a drop off area would be available on the waterfront side of Front Street between the dock and the Post Office, and a loading and unloading area is proposed for the Morehead site, as well, near Shepard Street. The selected alternative, Alternative B: Front Street, will improve upon and provide full accessibility for handicapped and elderly visitors, through implementation of a long-term concession contract operating larger shallow-draft boats in combination with smaller skiffs and through provision of a loading and unloading area, connections to adjacent areas, and fully accessible facilities.

Concern ID: 28625

CONCERN STATEMENT: The proposed project will have an effect on Shell Point Visitor Center.

Representative Quote(s):

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201353 **Organization Type:** State Government

Representative Quote: Shell Point Visitor Center: What is the long term prognosis of the proposed project in relation to the existing Shell Point Visitor Center (Center)?

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201354 **Organization Type:** State Government

Representative Quote: Since the intent of the proposed project is to provide a long term visitor gateway to the Park, will the Center, at some future time, be relocated to the Beaufort location?

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201355 **Organization Type:** State Government

Representative Quote: Should such a relocation be considered, would the Beaufort site be able to accommodate a visitor center?

Response: This project is not expected to have any impacts on the NPS Harkers Island Visitor Center. This area will continue to serve as a gateway to the park.

Concern ID: 28632

CONCERN STATEMENT: The National Park Service needs to clarify what is meant by the word "dedicated" when used to discuss parking.

Representative Quote(s):

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201360 **Organization Type:** State Government

Representative Quote: Furthermore, according to the EA the ferry service would be operated by a single concessioner operating out of the Front Street site. Based on the implication of "dedicated", designating 85 parking spaces would appear to benefit the ferry operator to the detriment of casual visitors who simply wish to visit downtown Beaufort. The ability of the public to park along Front Street significantly enhances the public's enjoyment of visiting Beaufort's waterfront. Furthermore, during the peak tourist season public parking availability, especially along the waterfront, tends to be quite scarce.

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201359 **Organization Type:** State Government

Representative Quote: Parking: Table 1 is a "Summary of Alternatives". According to Table 1, parking for the proposed project would be supplied by dedicating 85 spaces (70 along Front Street and 15 along Pollock Street) for NPS ferry passengers. The topic of parking is further discussed In Chapter 3 (Affected Environment) and Chapter 4 (Environmental Consequences) under the "Historic Structures and Districts" subheading. We request that the NPS clarify what is meant by the word "dedicated". The use of the word "dedicated" would imply that these existing public spaces would no longer be available to the general public unless they are deemed to be "passengers". We also question the appropriateness of converting public street parking that is available to all to a limited "dedicated" use.

Response: The way in which these parking spots will be dedicated will be determined in additional detail during the development of an agreement with the Town of Beaufort regarding these parking spaces.

Concern ID: 28638

CONCERN STATEMENT: The National Park Service needs to address impacts on Beaufort parking if 85 spaces are dedicated to the NPS ferry.

Representative Quote(s):

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201367 **Organization Type:** State Government

Representative Quote: - The Beaufort waterfront may periodically have special events. These special events may require additional public parking and may even occupy parking sites as part of the event itself. The EA has not evaluated the effect

of the proposed project in relation to special events that may occur in Beaufort. For example, will the proposed "dedication" of parking spaces interfere with special events?

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201365 **Organization Type:** State Government

Representative Quote: - Based on the results of a parking analysis, we recommend that the NPS examine the potential to create new parking spaces, as a form of mitigation, to serve the proposed ferry operation. Intensifying the use of an area in such a manner that it increases congestion and makes parking more competitive would imply that the adverse impact be mitigated.

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201366 **Organization Type:** State Government

Representative Quote: - Ferry parking will be relatively long term. If parking on Front Street is "dedicated' to the ferry operation it will have an adverse effect on the public (who are not ferry passengers) in terms of them finding available parking, enjoying a water front experience, and visiting the nearby local commercial establishments.

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201364 **Organization Type:** State Government

Representative Quote: We request that the NPS revisit the parking subject for a variety of reasons. - A parking analysis should be conducted. The proposed ferry operation will intensify use around the proposed facility thereby making parking more competitive especially during the peak tourist season. As written the EA has not considered the impact of "dedicating" spaces to the ferry facility on the general public's ability to find parking and to enjoy the amenities of Beaufort.

Corr. ID: 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201368 **Organization Type:** State Government

Representative Quote: - We encourage the NPS to investigate an inland (walking distance) location for (long term) passenger parking. Keeping Front Street open for non-passenger visitors will promote the vibrancy of Beaufort as a visitor serving destination.

Response: During the final decision of how parking will be dedicated, the NPS and Beaufort will work together to ensure that the level of parking in downtown Beaufort is sufficient to serve general tourists as well as the NPS ferry users.

Concern ID: 28643

CONCERN STATEMENT: The National Park Service needs to discuss any impacts to traffic in the area, both boat and vehicular, as well as number of users.

Representative Quote(s): **Corr. ID:** 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201370 **Organization Type:** State Government

Representative Quote: 5) Cumulative Impacts: Discuss any impacts to traffic in the area, both boat and vehicular. Discuss the number of potential users in any given time.

Response: The number of boats and vehicles in the area is not expected to change noticeably.

Concern ID: 28645

CONCERN STATEMENT: The National Park Service needs to address current and future land use in the proposed project area, including construction.

Representative Quote(s): **Corr. ID:** 58 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201371 **Organization Type:** State Government

Representative Quote: 2) Land Use: Discuss if there is any current upland development in the area, and what the current zoning classification is. Define a time frame for the construction activities and full operational status. Define any additional areas outside the service area that may be affected by secondary impacts of the project. This may include construction entrances etc. Define what type of construction methods would be used as well as storage of equipment.

Response: Existing development is described under each alternative (pages 21-53) and again under the impact topic of Operations and Infrastructure (pages 117-122). The Town of Beaufort is supportive of this project and they have not expressed any concerns about conflicts with their land use planning rules or zoning.

IT6000 - Special Status Species

Concern ID: 28672

CONCERN STATEMENT: The EA does not address whether any sea turtles have been observed in this area, and whether there have been cases of sea turtles accidently killed by ferry operations.

Representative Quote(s): **Corr. ID:** 57 **Organization:** NCDENR Division of Coastal Management

Comment ID: 201358 **Organization Type:** State Government

Representative Quote: For example, while the EA notes that five species of sea turtles are found within the waters of the Park, the Park covers a large area. The area in question for this EA is limited to the area around Beaufort. Have sea turtles been observed in this area? Have there been cases of sea turtles being accidently killed by ferry operations?

Response: The park is unaware of any sea turtle sightings in the vicinity of the study area. Existing ferry operators are not required to report any inadvertent injuries of animals.

PN3000 - Purpose and Need

Concern ID: 28390

CONCERN STATEMENT: The need for the proposed action has not been fully justified.

Representative Quote(s): **Corr. ID:** 23 **Organization:** US Taxpayer

Comment ID: 191005 **Organization Type:** Unaffiliated Individual

Representative Quote: I can't see one good reason to replace something that works this well with one large ferry that must have an inflexible schedule and route.

Corr. ID: 44 **Organization:** *Not Specified*

Comment ID: 194844 **Organization Type:** Unaffiliated Individual

Representative Quote: WHY CHANGE A SYSTEM THAT WORKS BEST FOR THE PUBLIC?

Response: The purpose of and need for action is discussed on pages 1 to 5 of the EA/AoE. The current ferry operation does not provide a single, easily recognized gateway experience to introduce Cape Lookout National Seashore to its visitors. In addition, the individual ferry operators currently in business do not comply with the National Park Service Concession Management Improvement Act of 1998 (CMIA). Thus, the park proposes to come into compliance with the CMIA and provide a unified message and interpretation of the park through a concessions contract for a single

passenger ferry system. Currently, existing ferry service operators are not obligated to provide service and are permitted through one-year by Conditional Use Authorizations, so the NPS has no control over the level of service, including the fare, the type of facilities, the type of vessel, or the level of accessibility.

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ATTACHMENT C

FINDING OF NO SIGNIFICANT IMPACT

PASSENGER FERRY DEPARTURE SITE
CAPE LOOKOUT NATIONAL PARK

ERRATA

The following changes shall be incorporated into the Environmental Assessment/Assessment of Effect:

Cover Page: In the last paragraph, replace "wildlife and wildlife habitat" with "essential fish habitat".

Page 37: Revise fifth sentence on the first paragraph to read: "Some dredging may be required for deep draft vessels…"

Page 45: Revise the second sentence under Alternative C to read: "Maintenance dredging may be needed."

Page 50: Revise the last sentence summarizing impacts of Alternative C to read: "Maintenance dredging may be required to maintain operational water depths at this site."

Page 53: Revise the second to last sentence summarizing the preferred alternative to read: "There also may be some dredging required under Alternative C for establishment of ferry service."

Page 55: Revise the last sentence of the first paragraph to read: "The marine sediments surrounding the dock are also disturbed, as this dock has been in use for many years."

Page 55: Revise the last sentence of the second paragraph to read: "As at the Front Street docks, the marine sediments surrounding the dock are also disturbed by regular use."

Page 56: Revise the last sentence of the second paragraph to read: "Since these harbors are used regularly and may occasionally be dredged for maintenance, there is very little submerged aquatic vegetation (SAV) in these areas."

Pages 75 and 76: References to "wildlife and wildlife habitat" should be changed to "Essential Fish Habitat."

Pages 76, 82, 83, 84, 89, 90, and 91: Dredging of the Beaufort and Morehead City channels should be removed as a cumulative action. It should be noted that the cumulative impacts on each resource are not expected to change as a result of the removal of this cumulative action.

Page 91: The second to last sentence of the second paragraph should be revised to read: "The dredging that may be required at this location is relatively minor.

Page 100: The second and third sentences of the second paragraph should be revised to read: "The 10th Street docks are located in an area frequented by commercial and recreational boats. The dredging that may be required at this location would be very minor."

Page 121: The last line of page 121 should be revised to read: "Some dredging may be required for deep draft vessels, and..."

Page 78: Revise the second sentence under the heading "Impact Analysis" to read, "At the time of this document, two operators are providing service from the Beaufort waterfront, and one provides service from the Morehead City waterfront."

Page 82: Under the Alternative A: No-Action Impact Analysis paragraph, revise the sentence that beings with "There is also the risk..." to read "There is also the risk of accidental spills of substances, such as motor oil or fuel, or introduction of toxins from boat bottom paint into the channels, however the contribution of toxins from NPS operations would be unnoticeable due to the wide use of the water body for other activities."

Page 83: In the second paragraph, revise the last sentence to read, "Because of refined ferry routes associated with the required and authorized services and a potential decrease in boat traffic (due to consolidated ferry service), impacts on coastal resources such as disturbance of benthic sediment and accidental introduction of toxins into the water from oil, fuel, or boat bottom pain, could be slightly less than under Alternative A."

Page 84: In the second paragraph, revise the last sentence to read, "Because of refined ferry routes associated with the required and authorized services and a potential decrease in boat traffic (due to consolidated ferry service), impacts on coastal resources such as disturbance of benthic sediment and accidental introduction of toxins into the water from oil, fuel, or boat bottom pain, could be slightly less than under Alternative A."

Page 88: Under the Impact Analysis paragraph, change the first sentence to read, "Under Alternative A, impacts on essential fish habitat would be related to ferries travelling through Back and Bogue Sounds."

Page 89: Revise the first sentence of the second full paragraph to read, "Overall, Alternative A would have a long-term, negligible to minor, adverse impact on essential fish habitat because there would be no...." Revise the first sentence under Cumulative Impacts to read, "Past, present, and reasonably foreseeable future actions have and continue to contribute to the cumulative impact on essential fish habitat in and around the study area." Revise the second to last line under Cumulative Impacts to read, "These actions, along with Alternative A, would have a long-term, minor to moderate, adverse cumulative impact on essential fish habitat. Revise the first sentence under Conclusion to read, "Overall, Alternative A would have a long-term, negligible to minor, adverse impact on essential fish habitat because there would be..." Under Alternative B:

Front Street (NPS Preferred) Impact Analysis section, revise the second sentence to read, "As under Alternative A, primary impacts on essential fish habitat would be related to…"

Page 90: Revise the second sentence in the third paragraph to read, "First, the consolidation of multiple operators using various routes to a single operator generally using a more regular route could itself reduce impacts on essential fish habitat." Revise the first line of the fourth paragraph to read, "Overall, Alternative B would have long-term, negligible to minor, adverse impacts on essential fish habitat related to regular operations…" Revise the first sentence under Cumulative Impacts to read, "Past, present, and reasonably foreseeable future actions have and continue to contribute to the cumulative impacts on essential fish habitat in and around the study area. Revise the third sentence under Cumulative Impacts to read "These actions, along with Alternative B, would have a long-term, minor to moderate, adverse cumulative impact on essential fish habitat. Revise the last sentence of the Cumulative Impacts section to read, "Alternative B would contribute an imperceptible adverse increment to this cumulative impact." Revise the first sentence under Conclusion to read, "Overall, Alternative B would have long-term, negligible to minor, adverse impacts on essential fish habitat related to…" Revise the last sentence under Conclusion to read, "Alternative B would contribute an imperceptible adverse increment to…"

Page 91: Revise the second sentence under Impact Analysis to read, "As under Alternative A and B, primary impacts to essential fish habitat would be related to…" Revise the first sentence of the third paragraph under Impact Analysis to read, "Overall, Alternative C would have long-term, negligible, adverse impacts on essential fish habitat related to…" Revise the first sentence under Cumulative Impacts to read, "Past, present, and reasonably foreseeable future actions have and continue to contribute to the cumulative impact on essential fish habitat in and around the study area." Revise the last two sentences of the paragraph under Cumulative Impacts to read, "These actions, along with Alternative C, would have a long-term, minor to moderate, adverse cumulative impact on essential fish habitat. Alternative C would contribute an imperceptible adverse increment to this cumulative impact." Revise the first sentence under the Conclusion section to read, "Overall, Alternative C would have long-term, negligible, adverse impacts on essential fish habitat related to…" Revise the last sentence under Conclusion to read, "Alternative C would contribute an imperceptible adverse increment to…"

Page 92: Revise the second sentence to read, "If the NPS determines that an action may adversely impact a federally listed species, consultation with the USFWS and/or NMFS is required…"

Page 125: Remove the phrase "to the extent practical" from the end of the last sentence under the heading "Coastal Area Management Act". Reword the first sentence under the "Coastal Zone Management Act" to read, "Both proposed departure sites would include development within Carteret County and would fall within the North Carolina coastal zone and be subject to a review under the Coastal Zone Management Act (CZMA)." Add a sentence at the end of the "Coastal Zone Management Act" section to read "The development and use standards of Chapter 7 of Title 15A of the North Carolina Administrative Code would apply to this proposed development."

Page C-4: Change the title of the Wildlife and Wildlife Habitat section to Essential Fish Habitat. Replace the phrase "wildlife and wildlife habitat" with "essential fish habitat" throughout the second impairment topic. Change "long-term, negligible, adverse impacts" in the first sentence to "long-term, negligible to minor, adverse impacts". Revise the last line under Historic Structures and Districts to read, "This impact will not constitute an impairment to the historic setting or contributing elements that qualify the Beaufort Historic District for listing in the National Register."

ATTACHMENT D

FINDING OF NO SIGNIFICANT IMPACT

PASSENGER FERRY DEPARTURE SITE
CAPE LOOKOUT NATIONAL PARK

SEA TURTLE MITIGATION MEASURES

1. Captain and crew members will observe for the presence of sea turtles while operating the vessel.

2. If sea turtles are observed greater than 50 yards from vessel, the captain will reduce vessel speed and alter vessel route to maintain a minimum 50-yard distance, if passenger safety permits.

3. If sea turtles are observed within 50 yards from vessel, the captain will reduce vessel speed to 5 knots and alter vessel route to maintain a minimum 50-yard distance, if passenger safety permits.

4. If despite efforts to maintain the distances and speeds described above and a sea turtle approaches the vessel, the captain will put the engine in neutral until the turtle is a minimum of 50 yard away, if passenger safety permits.

5. If a sea turtle is struck by the ferry, consultation must immediately be reinitiated. No take of any species is being authorized under this consultation. All injured or dead sea turtle sighting must be reported to the North Carolina sea turtle stranding network at (252) 241-7367. Incidents of take of sea turtles resulting from ferry traffic must also be reported immediately to NMFS, Southeast Regional office via phone at (727) 824-5312 or by e-mailing: takereport.nmfsser@noaa.gov.