



# United States Department of the Interior

NATIONAL PARK SERVICE  
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

L14(130)

DEC 29 1982

Memorandum

To: Regional Directors

From: Director

Subject: Followup to Land Protection Training Course  
at Albright Training Center

During the period December 7-9, the training course for land protection planning was held at Albright Training Center. In addition to the specifics of preparing land protection plans, we addressed the importance of this effort to the Service and the MBO requirements for plan completion. The MBO specifies that the first one-third of the required plans will need to be approved by September 30, 1983, the second by September 30, 1984, and the remainder by September 30, 1985. Accordingly, we need to move ahead on this initiative as expeditiously as possible. This will require timely action on your part to meet, and wherever possible, to beat the established schedule.

Several important decisions were made at the training course. Let me summarize them for you.

## Notification in the Federal Register

The decision was made to publish a blanket announcement in the Federal Register for all of the plans that are to be started in fiscal year 1983. This will announce that the plans are underway and invite interested organizations or individuals to contact the park if they want to be involved in the planning process.

This office by phone will have determined your final priority list and will prepare the Federal Register notice which will include by region a list of parks in alphabetical order with the address and phone number of the Regional Director and of the Superintendent for each park.

In order to facilitate communication on this and other land protection planning matters, please provide the Office of Park Planning and Environmental Quality with the name of one member of your staff who will be primarily responsible for coordination of land protection planning. This person will be the primary contact on the status and substance of the plans and will be expected to coordinate with the Office of Park Planning and Environmental Quality in the review process.

The second list of plans due for approval by September 30, 1984 will be published in the Federal Register on or about October 1, 1983 and the final list on or about October 1, 1984.

Interested parties will be encouraged to contact either the Regional Director or Superintendent for any information they may desire on the proposed timetable for completion, how the plan may be acquired or reviewed and comments received.

Each Superintendent should make an appropriate announcement in the park vicinity of the commencement of each study. It is particularly important that those most directly affected by these plans--landowners, State and local officials, etc.--know that the plans are in progress and that they know how and when they may make their views known.

#### Notification of Advisory Council on Historic Preservation and State Historic Preservation Officer

The Regions will be responsible for sending both the Council and the SHPO a letter transmitting a copy of each task directive as it is approved inviting the Council and SHPO to participate in the development of the plan as required by the 1981 Amendment to the Programmatic Memorandum of Agreement. By that agreement the Council and the SHPO foreclose their opportunity to object to the selected alternative if they fail to participate in plan development. The Council and the SHPO shall be notified that they have 30 calendar days in which to express in writing their intent to participate.

#### Endangered Species

Each regional land protection plan coordinator should contact the U.S. Fish and Wildlife Service regional endangered species staff shortly after the initial Federal Register notice is published; and arrange for any necessary early consultation by affected Superintendents. The preparers of each plan are likely to be referred to the appropriate FWS Ecological Services Field Supervisor for such consultation where necessary.

Potential effects on endangered species should be determined early in plan preparation. By the time a draft plan is ready for in-house NPS review, any endangered species issues should be essentially resolved with FWS. If a biological assessment is necessary, it should be incorporated into the environmental document released with the plan for public review; and arrangements made with FWS for expeditious issuance of a biological opinion.

### Revisions to Land Protection Plan Instructions

In reviewing the instructions for the preparation of land protection plan previously sent to you, it became apparent that a number of minor changes are desirable. However, the present instructions will apply until the changes are made and no one should wait for additional instructions before beginning the preparation of plans.

One important change which you should know about now relates to the Background section of the instructions on page 1. The last sentence of that section will be removed in the forthcoming revision.

### Sequence of Planning

In order to expedite the process of planning, public involvement, review, and approval, we will adhere to the following sequence:

1. Notification-A consolidated Federal Register notice of all plans due to begin in fiscal year 1983 will be issued as soon as possible. This is the responsibility of the Office of Park Planning and Environmental Quality-WASO. The Advisory Council on Historic Preservation will receive a notification of the intent to prepare plans as noted above for the Federal Register from the Director. The Regional Director will be responsible for preparing a letter transmitting an approved task directive for each planning effort to the Advisory Council and the SHPO. The Superintendent is responsible for notification of the intent to prepare a plan in the local and regional media.
2. Public Involvement-The Superintendent is responsible for identifying and providing information to those who will be affected by or particularly interested in the plan. The specifics of public involvement will be spelled out in the task directive. Involvement may be informal or formal commensurate with the complexity of or interest in the plan. Because of tight time constraints, we should assume that planned public involvement ends after the public review stage with only such subsequent contacts as may be necessary to approve the plan.
3. Plan Preparation and Concurrent Review-Plan preparation should move ahead as rapidly as circumstances permit. Public involvement during this stage should be such as is needed for information and preparation of a draft

plan as spelled out in the task directive. Once a draft has been prepared, it should be put on concurrent in-house review as soon as possible. This includes the park, region, Washington Office of NPS, the Regional or Field Solicitor, The Washington Solicitor's Office, and the Assistant Secretary, Fish and Wildlife and Parks. The Office of Park Planning will distribute plans in Washington and consolidate comments from the Solicitor's Office, the Assistant Secretary's Office, and the Washington Office of the National Park Service.

We are condensing the WASO review period to be not more than 30 days. The Washington Office of Park Planning and Environmental Quality should receive 14 copies of the review draft.

4. Public Review—Once the Region has received the consolidated comments and made the necessary changes in a land protection plan, it will be released for public review. If in the opinion of the Regional Director, a Federal Register notice of availability is desirable (remembering the earlier notification) it should be prepared and ready for publication in advance so that no time is lost between completion of the final draft and publication.
5. In-house Adjustments—Following regional review, any necessary adjustments should be made and five copies of the final plan sent to the Office of Park Planning and Environmental Quality. A concurrence memorandum signed by the Director and the Assistant Secretary, Fish and Wildlife and Parks will be returned to the Regional Director at the earliest possible moment following receipt of the final plan.
6. Approval—Upon receipt of the WASO concurrence memorandum, the Regional Director should approve the plan, print the requisite number and distribute the document. The Washington Office should receive no less than five copies of the approved plan.

#### Environmental Compliance and Findings of No Significant Impact

Unless categorically excluded or covered by a prior environmental document, each land protection plan must be accompanied by an environmental document. Usually, an environmental assessment will suffice. If a Finding of No Significant Impact is appropriate, the regions should normally execute a FONSI after public review and before approval. If a compliance document is required, it should be scheduled to avoid unnecessary delay in the review and approval process.

Also in regard to content of an assessment, your attention is called to Section 3, Page 2, C. 2. of NPS-12 dated September 1982 which states:

"...NEPA requires agencies to study, develop, and describe alternatives to recommended courses of action 'in any proposal which involves unresolved conflicts concerning alternative use of available resources.' It is thus possible to have an EA which evaluates only the proposed action, if it meets the criterion of having no unresolved conflicts concerning alternative uses of resources."

The EA shall contain the information required by Section 3, Page 2, C. 2. of NPS-12. If it is to be permanently attached to the plan, the "Need for the Proposal" and "Alternatives" sections may simply reference the appropriate sections of the plan, rather than repeat them.

#### Training

As noted in my memorandum of November 29, the Regional staff members who attended the training course at Grand Canyon have the responsibility directly, or through such other means as you choose, of training and providing assistance to those who will be preparing the plans (e.g. other Regional personnel, park managers, etc.). You should assure that all Superintendents who will have plans approved by September 30, 1983 are trained as necessary at the earliest possible time. This should include:

- a thorough understanding of the Department's policy;
- the importance of the initiative and timetables;
- the planning process and the components of the land protection plan;
- the tools, methods, and alternatives to be considered;
- the need to be innovative and search for new solutions in identifying the necessary level of protection for non-Federal lands within park boundaries; and,
- the review process and the responsibilities of various offices for getting the plan approved.

The San Antonio Missions draft plan, which was distributed at Grand Canyon, may be used with the instructions and this memorandum in organizing the necessary training sessions.

I particularly want to recommend to you that we keep open lines of communication to resolve problems, expedite review and approval, and otherwise assure the smooth functioning of a rather large and very important undertaking.

*Russell E. Dickenson*