February 20, 2026

Superintendent Melissa Trenchik
Cumberland Island National Seashore
101 Wheeler Street
St. Marys, Georgia 31558
Submitted via online portal

Re: Cumberland Island National Seashore Proposed Visitor Use Management Plan

Dear Superintendent Trenchik and the Planning Team:

Thank you for the opportunity to comment on the Visitor Use Management Plan for Cumberland Island National Seashore and Wilderness. The Center for Biological Diversity submits the following comments on behalf of our 1.8 million members and supporters.

We also submit these comments on behalf of 12 partner organizations from across the country: American Bird Conservancy, Animal Wonders KC, Sea Turtle Conservancy, Endangered Species Coalition, Environmental Protection Information Center, Kettle Range Conservation Group, New Hampshire Audubon, Endangered Habitats League, NYC Piping Plover Project, Great Lakes Wildlife Alliance, Wild Cumberland, and Wildlife for All.

The Center for Biological Diversity is a national nonprofit organization dedicated to the protection of native species and their habitats through science, policy, and environmental and administrative law. The Center has worked for 30 years to protect imperiled plants and wildlife, and much of the Center's work today focuses on protecting endangered and threatened species in the Southeastern United States. Several of these imperiled species occur on Cumberland Island National Seashore and Wilderness.

The Center for Biological Diversity is concerned that the National Park Service fails to adequately address the impacts of the Visitor Use Management Plan's proposed actions to threatened and endangered species. The Plan also fails to account for its impacts to other rare and imperiled species, including state-listed species, migratory birds, freshwater-dependent species, and other species of conservation concern.

The National Park Service has a legal obligation to protect endangered species and their critical habitat under Section 7(a)(2) of the Endangered Species Act. The National Park Service fails to meet its duty under 7(a)(2). Furthermore, the National Park Service does not rely on the best available science and arrives at arbitrary and capricious conclusions that are often contradicted by the Plan's own findings.

The Center is especially concerned about massive increases in visitation without a firm cap and the expansion of motorized access and use, which will exponentially increase impacts to federally listed species and their habitats. The Center is also concerned about permanent development near the Dungeness Beach, increased boat traffic, and significant impacts to limited freshwater resources on the island. The Plan fails to adequately evaluate these impacts under the National Environmental Policy Act (NEPA) and the Endangered Species Act.

Additionally, the Visitor Use Management Plan also fails to address impacts to Wilderness, and it does not include a Feral Horse Management Plan.

The Visitor Use Management Plan also marginalizes the concerns of thousands of visitors and members of the public. More than 2,200 comments were received by the National Park Service, and an overwhelming majority of comments opposed additional development on Cumberland Island.

The Visitor Use Management Plans violates the Endangered Species Act by more than doubling the number of visitors to the island and increasing development and motorized access without adequately analyzing its impacts to species.

I. The Visitor Use Management Plan fails to adequately address impacts to federally listed species.

Doubling the number of annual visitors to the island will have a significant impact on federally listed species and their habitats. Expanding visitor uses of the island, motorized access to the island, and development of the island also will have significant impacts to species.

A. West Indian manatee (*Trichechus manatus*)

The West Indian manatee is a federally threatened species experiencing steep and significant declines. Manatee populations have crashed: more than 1,000 manatees died in 2021. More than 11% of the total manatee population was lost last year. Continued high mortality rates are

anticipated in years to come, making Cumberland Island an even more important foraging habitat and refuge.

Boat strikes are one of the leading causes of manatee mortality. The Visitor Use Management Plan will substantially increase motorized access to the island—with no thresholds or limits.

The Plan authorizes and legitimizes illegal motorized access to Wilderness and backcountry campsites, and it proposes to construct new docks to accommodate even more motorboat use.

The Plan also significantly increases ferry schedules and transit to and from the island. The result will be substantially increased motorboat traffic, which is one of the greatest long-term causes of mortality to manatees. From 2010 to 2021, watercraft accounted for 87% of human-caused manatee deaths. In the past decade, boat strikes have killed at least 1,153 manatees, with an average of 104 manatees killed per year (FWC 2021).

In a study that examined necropsy records from of 3,786 non-perinatal carcasses, approximately 96% of adults, approximately 70% of subadults, and approximately 34% of calves had watercraft-related scars. One in four adults had been hit 10 or more times; five adult carcasses bore evidence of 40 or more strikes (Bassett et al. 2020).

Boat strikes are so prevalent that the unique propeller wounds are a central component of the manatee photo identification system. In addition to the physical effects, boaters change how manatees interact with their environment. Studies found increased human interference causes manatees to leave their preferred habitats and alters biological behaviors such as resting, feeding, and suckling (Rycyck et al. 2018).

The Visitor Use Management Plan will result in more boat collisions, propeller scarring, injury, harm, harassment, and take of federally listed manatees at a perilous moment for the future of the species.

The Visitor Use Management Plan will result in direct, indirect, and cumulative impacts to the West Indian manatee, a federally threatened species recently proposed for uplisting to endangered. Manatees occur in tidal freshwater, brackish, and marine environments surrounding Cumberland Island National Seashore and Wilderness.

As the Visitor Use Management Plan acknowledges, “Manatees are observed regularly in the St. Marys River, tidal creeks, and the ocean” (Appendix G-180). The Plan will increase the number of ferries traveling into the shallow waters of the island and increase their travel to other shallow water sites along the western side of the island. Increased trips to Plum Orchard and new

development will have impacts on West Indian manatees and their habitat, including the take of manatees known to forage near docks and shallow waters along the western side of the island

The Visitor Use Management Plan also acknowledges that the leading cause of injury and death to West Indian manatees are boat collisions. The Visitor Use Management Plan would substantially increase the number of ferries traveling to the island in manatee habitat. The Plan also significantly increases motorized boat access and use of the island and its surrounding waters, which poses the greatest long-term existential threat to Cumberland Island's manatees.

The substantial expansion of motorized boats and development in critical manatee foraging areas will result in take of West Indian manatee. The Visitor Use Management Plan fails to fully acknowledge, address, analyze, and mitigate the impacts to this federally threatened species.

B. Loggerhead sea turtle *(Caretta caretta)*

Loggerhead sea turtles are protected as threatened species under the Endangered Species Act. Cumberland Island is one of the most important nesting beaches for loggerhead sea turtles in the world. The island's 18-mile undeveloped beach accounts for 25 to 30 percent of the state of Georgia's sea turtle nesting total. The southeastern United States is also the second-most important loggerhead turtle nesting site in the world.

On July 28, 1978, the Fish and Wildlife Service and National Marine Fisheries Service issued a final rule listing the loggerhead sea turtle as threatened throughout its worldwide range. On September 22, 2011, the Services determined that the loggerhead sea turtle is composed of 9 distinct population segments and listed four DPSs as threatened and five DPSs as endangered under the ESA. The Northwest Atlantic Ocean DPS that nests on Cumberland Island was designated as threatened.

On July 10, 2014, NOAA designated critical habitat for the Northwest Atlantic Ocean DPS of the loggerhead sea turtle. Designated critical habitat for the loggerhead exists along the entire eastern shore of Cumberland Island and wraps around the northern and southern tips of the island.

Federal protection of loggerhead sea turtles on Cumberland Island is paramount. Female loggerheads reach maturity at about 35 years of age, which makes even small or occasional mortality events especially significant. Loggerhead sea turtles also return to nest on a beach in the general area where they hatched decades earlier. Tagging of loggerhead sea turtles on Little Cumberland Island has recorded beach fidelity for nesting females across decades.

Loggerhead sea turtles nest in the primary dunes of Cumberland Island from April to September. Hatchlings emerge from May to October. Only an estimated 1 in 10,000 loggerhead sea turtle hatchlings survive to maturity.

The Visitor Use Management Plan's proposed actions will result in take of loggerhead sea turtles and adversely modify their critical habitat. Direct, indirect, and cumulative effects to the loggerhead sea turtle and its habitat will occur because of the Visitor Use Management Plan. The National Park Service's conclusion that the Plan "may affect but is not likely to affect" loggerhead sea turtles is not supported by the National Park Service's own analysis and data. In fact, the plan will result in the take of federally listed species and substantial harm to loggerhead sea turtles and adversely modify their critical habitat.

Construction and development of a pavilion and bathhouse near the Dungeness Beach and construction of the Nightingale Beach Trail connector will have direct and cumulative effects on loggerhead sea turtles and their habitat.

In addition, the Plan substantially increases the number of visitors to the island, especially to the south end, and it provides no cap or threshold to this visitation.

The visitation increases and motorized access and use will far exceed Plan estimates. NPS offers no accountability for exceedances or means of enforcing or controlling visitation and motorized access.

Substantially increasing visitation—without any ceiling or cap on visitors—will have significant long-term impacts to loggerhead sea turtles and their nesting habitat. Expanding access and use of the beach will also have significant long-term impacts to loggerhead sea turtles and their nesting habitat. The Visitor Use Management Plan and decades of sea turtle data affirm that the south end of the island "are increasing as importance in nesting areas" (Appendix G-214).

Higher use of the island will correlate with peak sea turtle nesting and hatching periods from April through October: "the anticipated heaviest uses of these areas would overlap with sea turtle nesting season" (Appendix G-214).

Increased motorized access to the island and increased ferry operations also threaten sea turtles. Boat collisions are a leading cause of mortality for sea turtles. Sea turtles occur throughout the area—not just on the ocean side of the island. The Georgia Department of Natural Resources regularly observes sea turtles in tidal marshes, creeks, estuaries, and sounds.

According to the NOAA Sea Turtle Stranding Network, boat strikes have tripled in the past 40 years. From 2000 to 2014, an estimated yearly average of 142–229 loggerheads were recorded

with vessel strike impacts. The overall mortality rate is estimated to be 5–10 times greater than numbers represented by recorded vessel strike impacts (Foley 2019).

The National Park Service has a legal obligation to protect loggerhead sea turtles and their critical habitat. The Plan will clearly result in take of federally listed species and will adversely modify critical habitat.

The National Park Service also has a legal obligation to recover loggerhead sea turtles and other endangered species under Section 7(a)(1) of the ESA. Instead of recovering the loggerhead sea turtle, NPS's Plan violates in 7(a)(1) mandate by introducing increased threats, risks, harms, and take of loggerhead sea turtles and adversely modifying its critical habitat.

The Plan also does not address requirements in NOAA's Loggerhead Sea Turtle Recovery Plan to actively aid in the recovery of loggerhead sea turtles on Cumberland Island. The Visitor Use Management Plan moves in the opposite direction by increasing development and motorboats in loggerhead sea turtle critical habitat.

The proposed mitigation strategies are not adequate to address the magnitude of the harm to endangered loggerhead sea turtles and their critical habitat on Cumberland. The proposed mitigation does not present any new measures but instead relies primarily on the sea turtle monitoring program. This program relies on two summer interns to monitor and protect sea turtle nests across the entire 18 miles of beach. The Plan also mentions vague monitoring efforts in the future but offers no specifics. Monitoring alone is not adequate to address the substantial impacts of these proposed developments on loggerhead sea turtles and their critical habitat.

C. Other federally listed sea turtles: green sea turtle *(Chelonia mydas),* leatherback sea turtle*(Dermochelys coriacea),* hawksbill sea turtle *(Eretmochelys imbricata),* and Kemp's ridley sea turtle*(Lepidochelys kempii)*

Four other endangered sea turtle species nest on Cumberland Island and utilize the same habitat as loggerhead sea turtles: the green sea turtle, hawksbill sea turtle, leatherback sea turtle, and Kemp's ridley sea turtle. Their habitat overlaps nearly identically with the loggerhead sea turtle's critical habitat. As with the loggerhead sea turtle, habitat modification will harm the federally protected leatherback, Kemp's ridley, hawksbill, and green sea turtles by disrupting key feeding, breeding, sheltering, and other behaviors. The increased development and motorized traffic will harm these federally protected sea turtles and their nests, hatchlings, and habitat.

Substantially increasing visitation—without any ceiling or cap on visitors—will have significant long-term impacts to loggerhead sea turtles and their nesting habitat. Expanding access and use of the beach and constructing permanent facilities at Dungeness Beach will also have significant

long-term impacts to loggerhead sea turtles and their nesting habitat. The Visitor Use Management Plan and decades of sea turtle data affirm that the south end of the island "are increasing as importance in nesting areas" (Appendix G-214).

Increased motorized access to the island and increased ferry operations especially threaten sea turtles. Boat collisions are a leading cause of mortality for sea turtles. Sea turtles occur throughout the area—not just on the ocean side of the island. The Georgia Department of Natural Resources regularly observes sea turtles in tidal marshes, creeks, estuaries, and sounds.

According to the NOAA Sea Turtle Stranding Network, boat strikes have tripled in the past 40 years. From 2000 to 2014, an estimated yearly average of 101–162 green turtles, 16–32 Kemp's ridleys, 4–6 leatherbacks, and 2–4 hawksbills were recorded with vessel strike impacts. The overall mortality rate is estimated to be 5–10 times greater than numbers represented by recorded vessel strike impacts (Foley 2019).

The National Park Service has a legal obligation to protect loggerhead sea turtles and their critical habitat. In the Visitor Use Management Plan, NPS arrives at arrives at arbitrary and capricious conclusions that contradict its own findings and those of the wider scientific community. The Visitor Use Management Plan will result in take of these federally listed species and adversely modify their habitat.

D. North Atlantic right whale (*Eubalaena glacialis*)

The North Atlantic right whale is one of the world's most endangered large whale species; the latest estimates suggest there are fewer than 350 remaining, with fewer than 100 breeding females. The number of new calves born in recent years has been below average. North Atlantic right whales have been listed as endangered under the Endangered Species Act since 1970.

Female right whales become sexually mature at about age 10. They give birth to a single calf after a year-long pregnancy. Three years is considered a normal or healthy interval between right whale births. But now, on average, females are having calves every 6 to 10 years. Biologists believe that the additional stress caused by vessel strikes is one of the reasons that females are calving less often.

Species closely related to right whales may live more than 100 years. However, female North Atlantic right whales are now only living to around 45 years old and males only to around 65 years old. Such reduced lifespans are due to human-caused mortality, not old age.

Research demonstrates that only about 1/3 of right whale deaths are documented. In recent years, researchers have recorded more deaths among adult females than adult males, leading to a population with more males than females, a bias that is increasing over time. Females that undergo energetic stress from reproduction may be more susceptible than males to dying from chronic injuries such as those from entanglement or vessel strikes.

Groups of right whales may be seen actively socializing at the water's surface, known as surface-active groups, or SAGs. Mating and socializing occurs in SAGs, which are observed during all seasons and in all habitats.

North Atlantic right whales primarily occur in Atlantic coastal waters on the continental shelf. Right whales migrate seasonally and may travel alone or in small groups.

The waters adjacent to Cumberland Island National Seashore are the only known calving ground for North Atlantic right whales. NOAA Fisheries has designated the coast adjacent to Cumberland Island National Seashore as critical habitat.

Vessel strikes are one of the greatest threats to right whales. Right whales are active near the surface of shallow offshore waters, making them especially vulnerable to collisions with boats. These collisions can cause broken bones and massive internal injuries or cuts from propellers. Vessels of nearly any size can injure or kill a right whale.

The National Park Service's Visitor Use Management Plan will substantially increase motorized vehicle traffic in the critical habitat and only extant calving grounds for the North Atlantic right whale. The Plan's impacts to federally protected North Atlantic right whales is not evaluated anywhere in the Plan, Biological Assessment, or supporting documents. No consultation is documented between the National Park Service and NOAA Fisheries regarding the North Atlantic right whale or any other federally protected marine species.

The Plan's proposed actions will result in take of federally protected North Atlantic right whales and significant adverse modifications to their shallow offshore habitat. North Atlantic right whales are regularly observed in the offshore waters adjacent to Cumberland Island. Increasing motorized vessels will lead to more boat strikes, injury, and mortality of North Atlantic right whales—especially female right whales and their calves. The Plan's substantial increases in motorized traffic in the North Atlantic right whale's and only known calving grounds will adversely modify its critical habitat and kill, harm, harass, and threaten the most endangered marine mammal on the planet.

E. Piping plover *(Charadrius melodus)*

The piping plover is a federally listed shorebird that depends on the undeveloped beaches of Cumberland Island. On December 11, 1985, the piping plover was listed as threatened. The piping plover is also listed as threatened by the state of Georgia.

In 1988, a recovery plan was written for the Atlantic Coast population, which was revised in 1996. A third revision to the piping plover recovery plan was drafted in 2015.

Critical habitat for piping plovers was designated on July 10, 2001, for birds that nest along the Atlantic Coast (66 FR 36038). The northern, eastern, and southern shore of Cumberland Island—including 1,500 inland feet of dune and interdune habitat—is designated critical habitat for the piping plover.

Piping plovers congregate on the southern end of Cumberland Island to feed and shelter. The South End beaches are especially important to flocks of piping plovers because of their low-wave action.

The Plan proposes to construct permanent facilities and a campground near Dungeness Beach in the critical habitat of the piping plover. The Plan also proposes trail extensions that will lead to increased human traffic in piping plover critical habitat.

In addition, the Plan substantially increases the number of visitors to the island, especially to the south end, and it provides no cap or threshold to this visitation. This unchecked visitation and development increase will directly and adversely affect piping plovers and their critical habitat.

Ferry visitation alone more than doubles in the plan, and private and commercial developments will likely lead to at least a quadrupling of the total number of visitors and their impact. The Plan also increases the use of bicycles, e-bicycles, and kayaks. The Plan facilitates increased motorboat access to the island and disturbance to piping plovers.

The Plan proposes more than one kilometer of new trails within the critical habitat of the piping plover. The construction of these trails will result in significant alteration to their habitat in these areas. In the long-term, it will result in substantial human impacts to their habitat by more than doubling the number of visitors in their critical habitat.

Flocks of piping plovers on Cumberland Island are known to scatter upon the approach of bicycles and hikers. As a result, they often congregate on the southernmost end of the island, where, until recently, there has been less human use and disturbance.

Despite all these direct, indirect, and cumulative impacts, the Plan attempts to conclude that the Plan "may affect but is not likely to adversely affect" piping plovers. This finding is inconsistent with the Plan's own findings and not supported by evidence.

The Plan's proposed construction and development will result in take of federally listed piping plovers and adversely modify their designated critical habitat.

F. Red knot (*Calidris canutus*)

The red knot is a federally threatened species that completes one of the world's longest distance migrations. Each year, red knots travel up to 19,000 miles round trip annually from as far south as Tierra del Fuego to the Canadian Arctic. It depends on the habitat of Cumberland Island to fuel its long-distance journey to the Arctic each year. Without adequate food resources, red knots die or fail to breed.

The Plan proposes to construct permanent facilities and a campground near Dungeness Beach—known red knot habitat.

In addition, the Plan substantially increases the number of visitors to the island, especially to the south end, and it provides no cap or threshold to this visitation. This unchecked visitation and development increase will directly and adversely affect red knots and their habitat.

In addition, the Plan increases the use of bicycles, e-bicycles, and kayaks. The Plan facilitates increased motorboat access to the island and disturbance to red knots.

The Plan proposes more than one kilometer of new trails where red knots are known to feed and shelter. The construction of these trails will result in significant alteration to red knot habitat. In the long-term, it will result in harm, harassment, and take of federally listed red knots and substantial adverse impacts to their habitat.

Flocks of red knots on Cumberland Island are known to flush easily upon the approach of bicycles and hikers. The Plan would more than double—and likely quadruple—the number of visitors to the island, especially its beaches, where motorized visitors are not necessarily counted among the total visitors to the island. These repeated and increased disturbances will force red knots to exert energy and use resources needed for their long journeys.

Despite all these direct, indirect, and cumulative impacts, the Plan attempts to conclude that the Plan "may affect but is not likely to adversely affect" red knots. This finding is inconsistent with the Plan's own findings and not supported by evidence.

The Plan's proposed construction and development will result in take of federally listed red knots and adversely modify the habitat on which they depend for their long migrations.

G. Wood stork (*Mycteria americana*)

Wood storks continue to use Cumberland Island's freshwater marshes, swamps, and lagoons as well as brackish wetland habitat wetlands as foraging grounds. Wood storks have previously nested near Lake Whitney, the largest body of freshwater on Cumberland Island, and Sweetwater Lakes, the second-largest source of freshwater on the island.

The Visitor Use Management Plan proposes to create a new campsite near Sweetwater Lakes within 250 feet of freshwater wetlands used by wood storks. The Plan also will substantially increase access, visitation, and impacts to the area around Plum Orchard Pond, where wood storks also forage. The Plan also proposes increased use of the Hunt Camp near Plum Orchard, further increasing impacts to wood stork habitat and feeding grounds.

Wood storks are especially dependent on freshwater habitat, and the Plan will have serious and significant impacts on the island's limited freshwater resources. The Plan doubles—and likely quadruples—visitation to Cumberland and significantly affects the use of the island's aquifers and freshwater resources. Already on Cumberland Island, saltwater intrusion, loss of artesian wells, and diminished freshwater availability has affected the island and its inhabitants. The diminished freshwater available in island ecosystems will adversely modify wood stork habitat and result in take of federally listed wood storks.

H. Impacts to other rare and imperiled species

More than 55 bird species of conservation concern inhabit Cumberland Island National Seashore, especially its beaches and marshes. Many of these bird species are listed as threatened or endangered by the state of Georgia. All these birds are protected under the Migratory Bird Treaty Act. Some are currently candidates for federal protections under the Endangered Species Act.

These birds' dependence on Cumberland Island for feeding, nesting, and brood rearing coincides with the highest visitor use periods on Cumberland Island. Those visitor impacts will more than double or quadruple, and the associated development and visitor accommodations proposed in the Plan will magnify the cumulative impacts to rare bird species long-term.

Birds that will be negatively affected by the Visitor Use Management Plan include the American oystercatcher (*Haematopus palliatus*), dunlin (*Calidris alpina arcticola*), eastern whip-poor-will

(*Antrostomus vociferus*), least tern (*Sterna antillarum*), Bachman's sparrow (*Aimophila aestivatus*), ruddy turnstone (*Arenaria interpres morinella*), Wilson's plover (*Chariadrius wilsonia*), and semipalmated sandpiper (*Calidris pusilla*). All these birds have experienced significant and sustained declines in the past 40 years.

Wilson's plovers and chuck-will's widows nest on the south end of Cumberland Island near proposed construction of pavilions, new trails, and permanent development. Chuck-will's widows are a Georgia State Wildlife Action Plan Species of Concern.

The National Park Service acknowledges that "there is a growing body of scientific evidence indicating that human activity and recreation will modify habitat selection by birds. For species that are sensitive to human disturbance, the intensity and duration of human activity will negatively affect shoreline use by these birds" (Appendix G-202, Meager et al. 2012).

Remarkably, the National Park Service later concludes in a single sentence, without any supporting data, that "it is unlikely that any actions would affect these species' distribution or population or would affect the presence of these species in any given area" (Appendix G-218). This conclusion contradicts the Park Service's own findings and the substantial scientific data cited by the Park Service earlier in the document.

Throughout the plan, The National Park Service arrives at unsupported conclusions that conflict or contradict their own findings of direct, indirect, and cumulative effects to species. Substantial development, construction of facilities, concessionaires, increased ferries, increased boat traffic, increased motorized access to the island, and more than doubling visitation will have significant impacts, especially to rare and imperiled wildlife.

II. The National Park Service failed to adequately consult with U.S. Fish and Wildlife Service and NOAA Fisheries.

The National Park Service failed to complete a comprehensive formal consultation with U.S. Fish and Wildlife Service and NOAA Fisheries as required by Section 7(a)(2) of the Endangered Species Act. Its in-house Biological Evaluation fails to meet Section 7 Endangered Species Act requirements.

The National Park Service also failed to consult with NOAA Fisheries regarding five species of federally listed sea turtles that nest on Cumberland Island. NOAA Fisheries concurrently manages loggerhead sea turtles and originally listed the species as endangered. Consultation with NOAA Fisheries is required under the ESA.

The Plan's proposed actions will likely result in adverse impacts to federally listed species, as the Visitor Use Management Plan acknowledges. Therefore, a formal consultation and comprehensive Biological Opinion is required under the Endangered Species Act.

NPS notes that informal consultations were initiated, but informal consultations are not sufficient when a federal action is likely to adversely affect listed species. The Biological Evaluation does not rely on the best available science and often presents contradictory information. It arrives at arbitrary conclusions unsupported by science and its own findings.

Throughout the evaluation of federally listed species, NPS acknowledges that its actions will have direct and adverse impacts on federally listed species. In discussing the impacts to loggerhead sea turtles, the Plan explicitly notes multiple increased impacts to loggerhead sea turtles and their critical habitat on the island. Dock construction and development, increased motorboats, and ferries, and substantially increased numbers of visitors disembarking in loggerhead sea turtle habitat are likely to have significant adverse effects. Higher use of the island is anticipated to occur when sea turtle nesting is heaviest, which may "deter nesting females from coming ashore or disorient hatchlings. In addition, pedestrian traffic may compact sand over unmarked nests" (Appendix G-215).

The Plan will also result in significantly increased motorized boat traffic, including the expanded use of ferries. The construction and establishment of permanent docks for motorized boat access will create even more threats to loggerhead sea turtles. As a result, NPS concludes: "The risk of boat strikes would slightly increase for sea turtles" (G-215).

Deterrence of nesting loggerheads and increased risk of boat strikes are significant impacts to a federally listed species. Despite NPS attempts to downplay the threats as "small" and "slight," NPS repeatedly acknowledges adverse impacts to loggerhead sea turtles, manatees, shorebirds, and other federally listed species. These actions are likely and nearly certain to occur because of the proposed actions of the Plan.

However, NPS has not sought formal consultation and a Biological Opinion from U.S. Fish and Wildlife Service and NOAA. A Biological Opinion is clearly needed to evaluate the direct, indirect, and cumulative impacts of the proposed actions on federally listed species and their critical habitat.

III. The Visitor Use Management Plan fails to evaluate impacts to freshwater.

The Plan will significantly affect limited freshwater resources on Cumberland Island. Impacts to freshwater resources have not been properly evaluated in the Plan or Environmental Assessment.

Increased visitation, development, infrastructure, and increases in waste and withdrawal will have significant impacts to water quality and availability, especially for wildlife.

Cumberland Island National Seashore and Wilderness has the greatest diversity of habitats and biotic communities of any barrier island. The limiting resource for many of these species and communities is freshwater. The island supports freshwater lakes, ponds, and sloughs with highly fluctuating water levels.

Regional declines in the Upper Floridan Aquifer in coastal Georgia are well documented (USGS 38). Since the Seashore was established in 1972, water levels in surface water and groundwater systems on Cumberland Island have declined.

Some of this decline is due to fire suppression (VUMP-40). Feral animals also significantly affect freshwater availability and quality. Feral horses and hogs require large amounts of freshwater, and they impact freshwater wetland areas by trampling and consuming native vegetation (VUMP 45). Fresh water pollutant levels have exceeded National Primary Drinking Water Standards at Whitney Overflow (USGS 17-18), where feral horses often congregate.

Climate change is also expected to affect freshwater resources on the island. Increasing storm intensity and frequency may alter island hydrology. Breaches in dune systems may become increasingly common, leading to loss of interior lakes and ponds and saltwater intrusion into sensitive freshwater ecosystems. Increasingly higher tides are already leading to more inundations of interdune freshwater (USGS 34).

Saltwater intrusion in groundwater and surface water is already documented by the U.S. Geological Survey on Cumberland Island and has resulted in exceedances of the secondary standards for chlorate, sulfate, manganese, and total dissolved solids (USGS 19).

Saltwater intrusion is especially prominent in the shallow south end aquifer (USGS 4). In addition, the south end freshwater systems are the most vulnerable to saltwater intrusion. Already, they have the highest salt content of any surface water on Cumberland Island. The South End Ponds occasionally record salt levels higher than seawater (USGS 35).

Both surface water and groundwater systems are threatened by the Visitor Use Management Plan. Human use is the biggest drain on the island's freshwater resources. Increased traffic, development, motorized equipment, visitor use, and breaching of dunes for new trails and construction will threaten more of the island's limited freshwater resources. New wells and increased human use will affect freshwater availability. Increased human traffic will affect water quality.

However, the National Park Service fails to analyze or consider any impacts to freshwater in its Visitor Use Management Plan.

In addition, several rare, imperiled, and federally listed species depend on the island's freshwater resources, including the wood stork (*Mycteria americana*) and gopher tortoise (*Gopherus polyphemus*). The Carolina gopher frog (*Lithobates capito capito*) and tricolored bat (*Perimyotis subflavus*) are also freshwater-dependent species proposed by the U.S. Fish and Wildlife Service for federal Endangered Species Act protections.

IV. The Visitor Use Management Plan fails to analyze or account for additional impacts to Wilderness, ecosystems, and federally listed species.

Cumberland Island National Seashore's enabling legislation states that *"the Seashore shall be permanently preserved in its primitive state, and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing" (*6 stat. 1066, Public Law 92-536).

Of the ten national seashores in the United States, Cumberland Island National Seashore is the only one that includes specific language emphasizing the permanent preservation of the island in its primitive state. The island was granted an additional layer of protection in 1982 with the designation of Wilderness and Potential Wilderness designation.

The island was intended by Congress, its enabling legislation, and the Wilderness Act to evolve gradually into a wilder and less developed island. As retained rights expired, more of the island was intended to revert to its natural state.

The Visitor Use Management Plan moves in the opposite direction of the enabling legislation and original intent of the national seashore. It proposes to expand development, accommodations, and commercial activity on one of the wildest and most biologically diverse islands in the country.

The Plan undermines Wilderness protections. Opening administrative roads to bikes and e-bikes in designated Wilderness is an explicit violation of the Wilderness Act and a deliberate attempt to undermine Wilderness on Cumberland Island.

The Plan invites massive increases in visitation, motorized access, and commercial use. Park visitation contains no visitor threshold and little to no enforcement, which will result in visitation

that far exceeds the proposed numbers cited in the plan. The potential impacts of this massive and unchecked visitation increase are not evaluated in the Plan.

V. The proposed plan fails to evaluate or regulate massive increases in visitation.

The Plan is proposing massive, unchecked, and mostly unregulated visitation and accompanying development and commercial activities. The Plan fails to adequately account for the impacts under NEPA, and it fails to adequately protect federally listed species from these impacts under the ESA.

The proposed plan substantially increases recreational boat use but fails to evaluate its impacts to island ecosystems and wildlife. The National Park Service previously limited visitors to the island, but the Visitor Use Management Plan provides no daily threshold and actively encourages visitation far beyond ferry capacity.

Increased private and commercial use will increase substantially under the Plan. The impacts of increased cruise ship and motor vehicle traffic has not been properly evaluated under NEPA, nor have the impacts of substantial increases in visitation beyond the estimated increases in the plan.

The Plan substantially increases the number of visitors to the island, especially to the south end, and it provides no cap or threshold to this visitation. The visitation increases will far exceed the numbers in the Plan. NPS offers no accountability for exceedances or means of enforcing or controlling them.

In addition, the environmental impacts of new and expanded commercial uses have not been evaluated, as required by NEPA. Specifically, the Plan proposes an on-island retail store, boat rentals, and motorized and non-motorized boat tours. Charter services and water taxi services are also included in the Plan, but their impacts are not evaluated. The Plan provides no site-specific analysis of location and environmental impacts of these commercial developments, as required by NEPA.

In addition, the Visitor Use Management Plan requires an Environmental Impact Statement. The proposed actions will have significant environmental impacts and are not eligible for a categorical exclusion. An Environmental Assessment is insufficient and does not meet NEPA requirements.

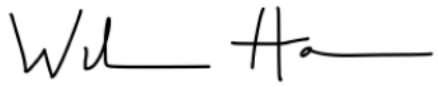
VI. Conclusion

The Visitor Use Management Plan requires substantial changes, amendments, and additional analyses in order to avoid taking federally listed species and adversely modifying critical habitat. The construction and development of permanent facilities near the Dungeness Beach, the massive increases in visitation and motorized boat traffic are wholly incompatible with the protection of listed species and their habitat. Moving forward with this development will invite litigation and public backlash. A Visitor Use Management Plan more aligned with public comments, legal mandates, and scientific data will ensure that plan outcomes can be achieved with widespread collaborative support rather than increased conflict in the years and decades to come.

In addition, the Center hopes that the Visitor Use Management Plan will be part of a suite of plans, including a Wilderness Management Plan, which has been promised for more than 40 years, and a Feral Horse Management Plan that was initiated but never finalized more than three decades ago.

Thank you for the opportunity to comment. We are eager to work with the National Park Service and stakeholders on an improved plan that everyone can support.

Sincerely,



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