

VOLUME II

APPENDIX H

CONSULTATION PROCESS SUMMARY

CONSULTATION PROCESS SUMMARY

AGENCY AND LOCAL GOVERNMENT CONSULTATION

Pursuant to its original LSMP review consultation protocols and License Article 421, Central notified state and federal agencies of its intent to undertake revisions to the Plan in late 2007, soliciting participation specifically from the USFWS, NGPC, Nebraska SHPO, the USACE, and three counties within which the Project lies. The level of participation in the consultation process varied greatly among agencies with the active participants being the USFWS and the NGPC. The agency consultation process involved multiple meetings, conference calls, and emails over the course of two years, culminating in distribution of a revised LSMP draft for final agency comment. Central received comment letters from USFWS and NGPC that are included as attachments to this Consultation Process Summary. The USACE, SHPO, and local governments did not respond to Central's request for comments on the revised LSMP draft.

PUBLIC AND STAKEHOLDER GROUP CONSULTATION

License article 421 and the current LSMP also specify requirements for public information meetings, hearings and consultation with interested stakeholders. At the outset of the review and revision process in mid December 2007, Central held three public "listening sessions" at various locations throughout the Project area. Central used these initial meetings to solicit public feedback on the original LSMP and its initial five year implementation. Central also used these meetings to educate citizens regarding the LSMP review and revision process. It advised meeting participants of its intentions to make major revisions to the LSMP, discussed the FERC amendment process, and stakeholder opportunities to provide comments during the course of the revision process. Central provided staff contact information and identified information resources including Central's and FERC's websites where the public could both educate themselves regarding the FERC license amendment process and access draft versions of the LSMP during the revision process. Central also informally met with or received comments from individuals or groups representing unique, self-identified communities located on or along the Project throughout the revision process.

Given the level of interest in the review and revision process, Central organized a “Stakeholder Group” to serve in an advisory capacity during the LSMP revision process. A variety of individuals representing the perspectives of lake tenants, adjacent landowners, recreational users, commercial operators, agencies and local governments, and environmental interests comprised the group. Central met with and sought input from the group at various times throughout the process, including providing informal drafts of the LSMP and other materials over the course of the revision process.

Near its completion, Central publically noticed the availability of a revised LSMP draft and solicited written feedback from the public. Central subsequently held another series of “listening sessions” in September 2009 to explain key components of the LSMP, answer stakeholder questions regarding the revised Plan, and offer the opportunity for stakeholders to provide oral comments for the record. Central provides a summation of public comments in the following question/response matrix. In one case, Central received comments from representatives of a group of tenants after the formal period for public comment had ended and while Central was completing preparation of the draft for final agency review. Because of the timing of the comments, as compared to the need to complete this final draft, Central did not make any changes to the LSMP based on these comments. Additionally, the comment matrix does not include these comments. Central may consider these comments in the future. While the LSMP does not include the complete text of all written correspondence received to date, Central intends to maintain copies of these documents until FERC’s final approval of the LSMP.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Nebraska Field Office
203 West Second Street
Grand Island, Nebraska 68801

November 12, 2009

Mr. Michael A. Drain
Central Nebraska Public Power and Irrigation District
415 Lincoln Street
PO Box 740
Holdrege, NE 68949-0740

Dear Mr. Drain:

Please make reference to a letter from you dated November 6, 2009, requesting comments from the U.S. Fish and Wildlife Service (Service) on the revised Land and Shoreline Management Plan (LSMP). The Service has completed its review of the revised LSMP, with the exception of Appendix C, *Management Plan for the Least Tern and Piping Plover Nesting on the Shore of Lake McConaughy* (Tern and Plover Plan), and has no further comment on the document.

The Service appreciates the opportunity to review and comment on the revised LSMP. We look forward to working with the Central Nebraska Public Power and Irrigation District and the Nebraska Game and Parks Commission to provide comments on the Tern and Plover Plan over the coming months. If you have any questions regarding these comments, please contact Mr. Robert Harms of this office at Robert_Harms@fws.gov or telephone number (308) 382-6468, extension 17.

Sincerely,

Ann Carlson
Acting Nebraska Field Supervisor

cc: NGPC; Lincoln, NE (Attn: Frank Albrecht)

received
11-17-09

From: Allison Murray
Sent: Tuesday, December 01, 2009 4:34 PM
To: Allison Murray
Subject: NGPC Comments

From: Albrecht, Frank [mailto:frank.albrecht@nebraska.gov]
Sent: Monday, November 23, 2009 3:15 PM
To: Mike Drain
Cc: Nelson, Kirk; Jorgensen, Joel; Fritz, Mike; Fuller, jim; 'robert_harms@fws.gov'; Martha_Tacha@fws.gov; Grell, Carey; Koch, Michelle; Mark Peyton; Albrecht, Frank
Subject: Land and Shoreline Management Plan

Dear Mr. Drain:

We are writing with regard to the Central Public Power and Irrigation District's (Central) Land and Shoreline Management Plan (LSMP). Nebraska Game & Parks Commission staff members have met with and worked with staff from Central and the U.S. Fish and Wildlife Service. We offer the following comments on the LSMP.

The document states that the purpose of the LSMP is twofold. First, Central designed the Plan to comply with the requirements of its FERC license. Second, the LSMP serves to guide Central in making decisions regarding the future use of the land within the Project boundary. Central will use this LSMP as a baseline to evaluate developmental proposals and recreational needs at the Project. The LSMP provides a clear statement of how Central will manage Project lands and shoreline by identifying specific permissible uses and the procedures that Central and the public will follow to undertake these uses. The LSMP will help minimize land-use conflicts and improve Central's ability to administer its land and environmental policies in a fair and consistent manner. This LSMP is intended for management of FERC Project lands and waters within the Project boundary.

It is noted that the Management Plan for the Least Tern and Piping Plover Nesting on the Shore of Lake McConaughy will become part of the LSMP as Appendix C at a later date. Comments for the Tern and Plover plan will be submitted under separate cover.

Resource protections within the LSMP are accomplished through Land and Shoreline Management Classifications (Management Classifications, Central's permitting procedures and use standards, and the Lake McConaughy least tern and piping plover nesting plan). Project lands and shorelines are all assigned classifications. These classifications identify in a broad sense how those lands and shorelines are or may be used now and in the future. Types of allowed uses, and rules on those uses, vary according to classification.

Uses throughout the Project are subject to Central's permitting processes or other rules that set standards for such uses. Generally, these rules are applicable to such things as construction of facilities, modifications to lands and shorelines, etc. Permitting rules are imposed throughout the Project, and can vary by location, time of year, etc.. Some of these rules are established for the purpose of providing resource protections.

We were pleased to see that the document states that variance requests related to uses within the Resource Protection classification may result in the need for Central to initiate additional consultation with jurisdictional resource agencies to determine if the variance request can be allowed, and if so, if additional mitigative requirements are necessary to support the request. In the case of variance requests that could result in construction or placement of uses outside Central's permitting standards where such standards are for the purpose of providing a resource protection and were developed in consultation with one or more resource agencies, Central must consult with relevant agencies prior to issuing any variance.

The documents breaks down the Land and Shoreline Management Classifications into 5 Management Classifications;

* "A" Management Classification -- areas are those most appropriate for the widest range of private and commercial uses, and for relatively high-intensity development.

* "B" Management Classification -- areas have or may have development adjacent to, but not within, the Project boundary. The primary difference between B and A classification areas are that private uses (i.e. buildings) may not be permitted in B classification areas, but might be permitted in A classification areas (subject to lease conditions and permitting requirements). Additionally, the B classification areas require a shoreline buffer, where the A classification areas do not.

* "C" Management Classification -- areas within the Project boundary, because of shoreline topography, existing adjacent dispersed development patterns, aesthetic values, known or potential environmental or cultural resources or Project operation needs, will not or should not support as high a level of private and commercial development as represented by Classification A or B.

* Resource Protection Classification -- Central classifies Project lands and waters designated for specific resource management, species protection, and environmental purposes as Resource Protection. If a use is proposed for an area designated as Resource Protection classification, Central will undertake special evaluations to determine if the proposed use of the site is compatible with protection of the resources in question.

* Project Works Classification -- The Project Works classification includes areas occupied by the dams, powerhouses, canals, and other primary structures or facilities that are essential to Central's operations and to which it may legitimately restrict use due to safety, operational, or other constraints.

Several changes were made to areas (reclassifications) for purposes of shoreline integrity.

* Changes were made to an area on the southeast corner of McConaughy. The area was changed from "Resource Protection" to "B" and "C" because the beach there is comprised chiefly of exposed and broken cemented Ogallala and Brule and is not suitable for tern and plover nesting;

- * the area between the toe of Kingsley Dam and the shoreline of Lake Ogallala was changed from “Project Works” to “Resource Protection”;
- * (c) some areas at Jeffrey and Midway lakes were changed to allow for more development;
- * (d) some development classifications were added at East Phillips; and (e) and area at East Phillips already classified as “Resource Protection” had eagles added as one of the purposes of the protection because eagles have started to perch in that area.
- * Also, several small changes were noted on other maps attached to the document.

We have no objections to the changes outlined on the maps (reclassifications) or to the LSMP overall.. The document does an appropriate job of ensuring shoreline integrity.

As noted earlier, we will be submitting comments on the Tern and Plover Plan separately.

Thank you for the opportunity to comment on this proposal. If you have any questions or need additional information, feel free to contact Frank Albrecht at 402-471-5422.

Sincerely,

Frank Albrecht
Assistant Division Administrator
Realty and Environmental Services Division
Nebraska Game and Parks Commission
2200 N. 33rd St.
Lincoln, NE 68503
402-471-5422

**The Central Nebraska Public Power & Irrigation District
Land and Shoreline Management Plan**

Response to Public Comments on Draft Documents

Comment/Question	Response
<p><i>The following are excerpts from written and verbal comments received during and following public meetings held on September 9, 10, & 11, 2009. Central will retain all transcripts and letters until FERC approval of the revised LSMP. Central presents questions and comments by subject matter, not in the order in which they were presented to Central.</i></p>	
<p>Management Classifications</p>	
<p>The draft LSMP designates most of the land surrounding East Phillips Lake as Resource Protection - Aesthetic. Landowners of the surrounding land disagree with this classification as it would not allow for any kind of development. Request Central re-designate this area as “B” management classification, which would allow for future, limited shoreline development and expansion opportunities and expansion possibilities not only to landowners but to Central as well.</p>	<p>In part, Central provided the draft LSMP to stakeholders for their assessment of the proposed location of new management classifications. Additionally, after initially mapping the new management classifications, Central undertook an internal review. This resulted in reclassification of some areas within the project boundary to provide a more balanced management classification application throughout the project. Specifically at East Phillips Lake, Central proposes to apply management classification C to some shoreline areas.</p>
<p>Central’s designation of the entire shoreline of East Phillips lake as Resource Protection puts a further burden on Central financially.</p>	<p>Central acknowledges that limitations on development could reduce the potential for income derived from lease fees; however, this issue is not a determining factor on which Central bases its land and shoreline management decisions.</p>
<p>Currently, there are shoreline locations that have existing agreements regarding setbacks that are not consistent with the revised LSMP standards for management classification buffer zones. How does Central intend to address this issue?</p>	<p>The LSMP is intended to be a broad management tool that applies consistent standards and conditions throughout the Project.</p> <p>The LSMP is not intended to address site specific disputes or issues; however, Central intends to “grandfather” previously agreed upon or mandated setbacks and buffers.</p>

Why do seemingly similar shorelines along the same lake have different management classifications?

The LSMP provides a balance between project operational needs, resource protection, and public use. The LSMP must also address existing conditions while anticipating future use requirements and pressures. While there may be similar physical characteristics throughout a lake or project, in an effort to balance a variety of potential future uses, Central may assign different classifications to similar shorelines.

Allowable Uses	
<p>The allowable uses chart is a very helpful addition; however, the chart should include an additional set of uses. Suggest a new allowable use entitled “Recreational Grounds and Equipment” to include tennis and volleyball courts, ball fields and diamonds, playgrounds and equipment, etc.</p>	<p>It was Central’s intent that the Parks and Campground allowable use category include these uses. Central has redefined and clarified this in the final LSMP definitions.</p>
<p>How will livestock grazing be handled in the new Resource Protection classification? This practice, which Central allowed previously, could be limited with the new classifications.</p>	<p>Central will consider allowing grazing within the Resource Protection classification on a case by case basis. It will base its decision on the management objective for that particular area.</p>
<p>The shoreline-use restrictions should be sufficient to discourage intensive development.</p>	<p>Central acknowledges that particular interests at project reservoirs may wish to limit additional development; however, Central attempts to balance its application of classifications with consideration for a broader set of users’ expectations.</p>

Buffer Zones	
<p>Do the buffer zone requirements apply beyond the project boundary? How will Central address buffers that may be greater than the area within the boundary? The LSMP should be clearer regarding this subject*.</p> <p>*Central received multiple, similar comments/questions on this topic</p>	<p>FERC’s jurisdiction is limited to areas within the project boundary. Generally it is Central’s intent that where the FERC project boundary is narrower than the specified buffer zone that the buffer zone would end at the project boundary.</p> <p>For management consistency, where Central owns property adjacent to, but outside the project boundary, it may extend management policies established in the LSMP to those lands.</p> <p>Central has made clarifications in Section 2.2.5.1 of the final LSMP.</p>
<p>The LSMP is too vague regarding grandfathering and rebuilding in event of natural disaster for currently non-compliant residences. Also, if an existing structure that is currently inside a buffer zone experiences more than 50% damage, must a rebuild occur outside the buffer?</p>	<p>Central’s understanding is that FERC generally views structures undergoing more than 50% repair/replacement as new construction. As new construction, these structures would be subject to Central’s most current rules, which would include buffer zone setbacks.</p>

Grandfathering	
<p>Statements in the LSMP regarding “grandfathering” should be worded to protect the property values of the lease holders--including variances for setbacks for existing structures such as homes, boat houses, etc.</p>	
<p>Previous LSMP indicated Central <u>will</u> allow all legal and permitted structures in place, the revise LSMP now states Central may allow all structures.</p>	<p>While Central will make every effort to work with users to address site specific grandfathering issues, it cannot assure that all pre-existing uses will be allowed to remain in place.</p>
<p>Recommend changing the language on the provisions set forth in Section 5, Paragraph C (General Implementation Policies) in LSMP. Existing leaseholders and potential property buyers on Johnson Lake want more assurance than the wording in the LSMP that Central “may” grandfather these facilities. This change from the existing plan could very easily have an adverse effect on property value.</p>	<p>Central also acknowledges the concerns lease holders and adjacent property owners have regarding the value of their properties; however, Central’s management of the project and compliance with the FERC license cannot be directed by protection of private property values.</p>
<p>The changes in wording for “grandfathering” in the revised LSMP contain qualifications and exceptions that practically emasculate grandfathering altogether. What occurrence or event took place, if any, that prompted Central to change the grandfathering?</p>	<p>Central has concerns that stakeholders could interpret FERC approved plans containing grandfathering provisions mandate that a licensee must allow non-compliant structures within the project boundary. This is not the intent of grandfathering.</p> <p>The intent of grandfathering is to provide an opportunity for a licensee to make case by case decisions regarding whether a non-compliant use has the potential to adversely affect project operations, safety, or protected resources. If a licensee determines that the use will not have an adverse effect, then they have the option of allowing it to remain in place. FERC’s approval of a plan that contains grandfathering language is not a mandate for grandfathering, rather acknowledgement that it is comfortable that a licensee will make good decisions within the framework of their management plan.</p> <p>Accordingly, the change in language is an effort on Central’s part, to reiterate and inform stakeholders that grandfathering is a privilege rather than a right and that Central is not obligated and will not assign this right to all non-compliant structures.</p>

<p>Does Central have any communication from FERC where they stated they were going to or they might threaten you with some kind of license violation because of grandfathering issues?*</p> <p>*Central received multiple questions on this topic</p>	<p>Central's understanding of FERC's tolerance of grandfathering is FERC's acknowledgement that until approximately 20 years ago, when FERC began to focus on shoreline development issues, neither licensees nor FERC strictly enforced restrictions for non-project development within the project boundary.</p> <p>To date Central has not received any written warnings or other FERC correspondence regarding Central's grandfathering policies; however, FERC can and has directed other licensees to remove structures or uses within the project boundary. FERC is particularly troubled by houses in the project boundary and they have ordered licensees to remove those structures in whatever means they have available to them.</p> <p>More generally, Central's understanding is FERC tolerates grandfathering because it realizes licensees are in a very awkward and difficult position in some cases. It is important to remember that grandfathering is a tool not a requirement that FERC continues to allow licensees to use.</p>
<p>If a property owner wishes to sell a non-compliant structure that Central has previously grandfathered, will they (or the new owner) have to remove or modify the structures?</p>	<p>Current owners of structures on Central's land and/or within the project boundary need to be aware that the permits and permissions Central issues do not assure perpetual permission for a structure or use.</p> <p>FERC encourages licensees to do public outreach and education regarding shoreline policies and standards to inform stakeholders of Central's management policies. To that aim, Central plans to have annual public meeting and continues to have staff at the lakes on a regular basis; however, identifying conditions and covenants attached to a property the time of a sale is the seller and buyer's responsibility. Should a buyer or seller have a concern they can also contact Central prior to the sale regarding whether a specific non-compliant structure will be required to be removed or modified.</p>

General Comments & Questions	
The LSMP should clearly identify an appeal process for individuals and stakeholders—to Central along with an optional grievance path to FERC.	
The LSMP leaves open a wide range of judgment calls that Central staff and board will need to make to fulfill the recreational, scenic, and environmental mandates in the plan. The LSMP should outline a clear way for the public to hold Central, as well as “occupiers” accountable to these standards.	Central has more clearly identified stakeholder options for appealing Central decisions in Section 1.4 of the LSMP.
Central’s announcement that it intends to hold an annual stakeholders’ listening session is welcomed but in itself is not fully adequate.	To solidify its intent, Central has included specific reference the annual stakeholder meeting in the LSMP.
The LSMP should include and discuss the role of neighborhood groups, individual lease holders, and associations in policy development and management to empower the public.	Central acknowledges and appreciates that neighborhoods and communities within the project include active and concerned groups; however, as the licensee, it is Central’s obligation to manage the project.
The neighborhoods and associations of well-meaning and friendly people should be identified and named as an important resource in the plan—both to Central and to FERC.	As a broad management document, the LSMP cannot specifically empower or identify a particular group. These group can and do, however, have the option to meet independently and to nominate/send representatives to Central’s annual LSMP outreach meeting. Central staff are also available to meet with the public and/or facilitate public outreach as appropriate.
Is there a name that would affirm us—rather that “occupiers” or “stakeholders” or “leasees?” A good name would honor our place in the lake community and with the entities with which we relate.	While Central appreciates and understands the desire for further acknowledgement and recognition, it does not intend to modify language in the LSMP.
Request that Central identify how the input from individuals, public meetings, and citizen outreach has changed or improved the plan.	As noted, Central has met on a periodic basis with the public to advise them of ongoing changes to the LSMP and to solicit comments. Ongoing public outreach will include the annual stakeholder listening session. The public may also contact staff via email and telephone.
Showing the public the difference between the old and new plan will continue to be helpful. Changes in the plan were identified in the public	

meetings but still need to be communicated.	
Is there a draft document that is marked to show all changes from existing plan? If so, where and how can I get one?	<p>Because Central’s efforts to update and revise the LSMP resulted in essentially redeveloping the plan, there was no means to effectively show a “mark up”. The final LSMP will include a letter to FERC identifying the key changes in the LSMP and the reasons for those changes. Central suggests this will assist stakeholders in their review of the final plan.</p> <p>Additionally, Central will maintain the previous and proposed LSMPs on its website to allow reviewers to compare the proposed modifications. The intent of this matrix is also to highlight changes and address the reasoning behind Central’s proposed LSMP modification.</p>
Some area associations are expressing desires to take over open space.	<p>Central modified the LSMP to provide for this opportunity; however, Central reserves final authority and jurisdiction over management of open spaces.</p> <p>If an association or community group is interested in this type of agreement, it should advise Central of its intentions. Third party management of these areas cannot conflict with Central’s FERC license obligations and requirements.</p>
Does Central plan on posting the final draft?	Central will post a final draft LSMP on its website. Central expects that FERC will also post the final draft on its website at www.ferc.gov .
LSMP sections describing how Central will undertake amendments to the LSMP should allow for stakeholder initiatives as well as opportunities to respond to Central’s initiatives.	Central is obligated and must seek FERC approval before amending the LSMP. As part of a formal amendment, the public has an opportunity to provide comments to FERC. Additionally, as part of the annual stakeholder listening session, the public may bring initiatives to Central for consideration. This meeting is also an opportunity for Central to identify and receive feedback on any minor changes it is contemplating to the LSMP that will not warrant a formal amendment.

<p>The time frame for introducing the plan and seeking closure (Aug 31 to September 21) is too short.</p>	<p>The time frame referenced was the informal comment period on the draft LSMP prior to Central’s FERC submittal. FERC expects Central to develop a plan and only obligates it to post one week in advance of the public meeting. Central has provided multiple opportunities over the course of a two year revision process for stakeholders to provide input on the document. Central has, throughout the revision process, also provided the most current versions of the LSMP on its website, with a dedicated email address to which stakeholders could provide their comments and feedback.</p> <p>Additionally, it is important to note that stakeholders will have another, formal opportunity to comment on Central’s proposed revisions to the plan. FERC will publicly notice the availability of the LSMP, at which time stakeholders may provide further comments on the plan. Central can, upon request, provide direction regarding how to monitor the FERC website and subscribe to the LSMP amendment mailing list.</p>
<p>Other than the shoreline and dock restrictions that are in the revised LSMP, does Central contemplate making final changes to the document before submitting it to FERC that will affect the different classification areas?</p>	<p>Central does not anticipate making major changes to the LSMP prior to filing it with FERC. Minor changes may include revisions to the management classification mapping, potentially some modification to spacing requirements assigned to management classifications, and some editorial changes to address request for clarification of particular LSMP section.</p> <p>Permitting procedures, which Central will provide to FERC after filing the LSMP, are not part of the formal FERC review and are always subject to change at Central’s discretion.</p>
<p>Is the main focus of and reasons for changes between the previous Plan and this one a result of Central’s experience/relationship with FERC and others between 1999 and 2008?</p>	<p>There a multiple reasons for the changes including Central’s experiences with FERC and resource agencies, its own experiences with implementing, and stakeholder feedback on the effectiveness of the previous LSMP.</p>

<p>Is Central responsible for all land between the project boundary and the water?</p>	<p>Central is, as a licensee, responsible for management and enforcement of their policies within the project boundary. In some instances, particularly within the Resource Protection classification, Central intends to actively manage specific resources such as terns and plovers. Duplication w/other</p>
<p>Can the project boundary include lands that Central does not own?</p>	<p>While this does occur at other FERC licensed projects, Central is not aware of any location on the Project where the project boundary includes lands Central does not own. In the future, Central may be required to revise its project boundary if it determines it needs additional lands for access or operational purposes. That could be accomplished through easements or options other than total ownership.</p>
<p>The current LSMP provides Central's commitment to dredging at Jeffrey Lake. Is Central still committed to doing that?</p>	<p>Specific agreements at distinct locations are not something a LSMP, as a broad management tool, is designed to address. The revised LSMP does not include this particular agreement. It is Central's intent, apart from the LSMP, to honor its previous commitment.</p>
<p>How does/will Central address areas where the shoreline has eroded beyond the Project Boundary? Does the LSMP address that?</p>	<p>Generally, a shoreline management plan works from the assumption that the project boundary is established and above the water line, although many licensees experience similar circumstances where erosion has moved beyond the boundary.</p> <p>In response to Central's previous LSMP, FERC ordered Central to put together a separate plan for evaluating the project boundary systematically and identifying where that boundary should be changed to address site specific conditions and to maintain appropriate control over project lands.</p> <p>Central has not yet completed its project boundary review.</p>
<p>Is Central modeling its Plan off of any other Project? If so, please identify your model project?</p>	<p>Central did not model its revised LSMP on a particular shoreline management plan, but the LSMP does incorporate a variety of strategies and approaches used by other licensees successfully.</p>

<p>Why did Central decide to revise the LSMP; previous one is acceptable.</p>	<p>Central does not agree that the current LSMP is acceptable. Over the past five years Central has encountered numerous issues implementing the plan due to poor organization, inconsistent management classification, and vague policy statements contained within the existing LSMP. When Central solicited feedback on the LSMP it received similar comments from a variety of stakeholders.</p>
<p>Central has considered most of the comments of the stakeholder working group in its revised LSMP. Johnson Lake FERC Response Group believes proposed LSMP is not a perfect document but far better than what is currently in place.</p>	<p>Central appreciates the work that various groups, including the Johnson Lake Response group, have accomplished both during the LSMP revision process and in the broader community. Central thanks these forward looking and concerned citizens for their assistance. Input from these groups have resulted in a better and more fully developed LSMP.</p>
<p>Is the LSMP actually FERC's mandated plan?</p>	<p>FERC mandated Central develop an LSMP in Article 421 of the project license. Central is obliged to develop this plan and manage the project in compliance with its license. FERC retains final authority to determine if the plan meets the intent and purpose of its license article. Once FERC approves the LSMP, Central is then obligated to manage project lands in the manner it outlined in the plan. FERC can exercise further authority if it believes Central is not meeting its obligations.</p>

Permitting	
The permitting procedures and application of the plan need to be communicated to new lease holders to avoid mistakes because new people are not aware of these things.	As stated previously, Central will continue to undertake public outreach through its website, annual stakeholder meetings, and field staff to advise and inform the public of its responsibilities on project lands.
What is Central authority to require permits?*	As both a FERC licensee and the landowner, Central has authority and obligation to require and enforce permit conditions.
*Central received multiple questions on this topic	
What is the status of Central's permitting updates?	<p>Central is in the process of revising its existing permitting procedures to reflect new management policies and standards in the LSMP. The primary change in the current permitting procedures will be in response to the change in management classifications. The procedures will like include additional, special conditions to address resource specific issues such as timing of construction and protection of threatened and endangered species. These changes are being developed in consultation with the resource agencies, (NGPC & USFWS).</p> <p>Central's intent is to develop rules that satisfy agency consultation requirements and standard conditions up front to limit or eliminate the need to consult on each proposed shoreline use on a case by case basis.</p>
Does Central need FERC approval for the permitting procedures?	At this point Central does not anticipate FERC will require approval of the permitting procedures; however, it is a requirement of the LSMP that Central have such permitting procedures.
Request that Central elaborate on its seawall prohibition in the LSMP.	Central has removed the reference to "seawall prohibition", recognizing that this term is confusing. Article 422 contains a set of considerations and restrictions that can result in prohibition of seawalls and similar structures in many cases.