

2004 Current Fiscal Year Report: Negotiated Rulemaking Advisory Committee for Off-Road Driving Regulations at Fire Island National Seashore

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1. Department or Agency	2. Fiscal Year
Department of the Interior	2004
3. Committee or Subcommittee	3b. GSA Committee No.
Negotiated Rulemaking Advisory Committee for Off-Road Driving Regulations at Fire Island National Seashore	12405

4. Is this New During Fiscal Year?	5. Current Charter	6. Expected Renewal Date	7. Expected Term Date
No	03/05/2002		09/01/2003

8a. Was Terminated During Fiscal Year?	8b. Specific Termination Authority	8c. Actual Term Date
Yes		09/01/2003

9. Agency Recommendation for Next Fiscal Year	10a. Legislation Req to Terminate?	10b. Legislation Pending?
Terminate	No	

11. Establishment Authority	Agency Authority
12. Specific Establishment Authority	13. Effective Date
	14. Committee Type
	Continuing
	14c. Presidential?
	No

15. Description of Committee Regulatory Negotiations Committee

16a. Total Number of Reports No Reports for this Fiscal Year

17a. Open 0 **17b. Closed** 0 **17c. Partially Closed** 0 **Other Activities** 0 **17d. Total** 0

Meetings and Dates

No Meetings

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$0.00	\$0.00
19. Federal Staff Support Years (FTE)	0.00	0.00

20a. How does the Committee accomplish its purpose?

The Committee's function is to assist directly in the development of a proposed rule to manage the non-recreation use of vehicles at Fire Island National Seashore. The Committee will attempt via face-to-face negotiations to reach consensus on concepts and language to use as the basis for a proposed rule to be published by the National Park Service (NPS) in the Federal Register that would revise the existing regulations codified as 36 CFR 7.20. The duties of the Committee are

solely advisory The Committee will address key issues during the negotiations, including, but not limited to, the designation of off-road vehicle routes and access points; periods of use, times of day and year during which off-road vehicles may be used; use limits and permit numbers; eligibility for permits; and other conditions that govern the operation of off-road vehicles for access to homes and businesses within Fire Island National Seashore. The committee will also serve as a vehicle to bring other jurisdictions together (towns and incorporated villages) with the NPS to develop a consistent set of regulations affecting all who drive on Fire Island National Seashore.

20b. How does the Committee balance its membership?

Development of a consensus-based, effective off-road management program at the Seashore will require the involvement of representatives of all the affected and interested parties. To achieve this, membership will be comprised of (a) Federal, State and regional land use management agencies; (b) environmental, conservation, and visitor organizations and interest groups; (c) essential island services; (d) commercial businesses, transportation, and contracting interests; (e) emergency management agencies; and, (f) resident representatives.

20c. How frequent and relevant are the Committee Meetings?

Estimated Number of Meetings per Year - 2;
Estimated Total Meetings - 4

20d. Why can't the advice or information this committee provides be obtained elsewhere?

This committee is essential because it will serve as an integral part of the NPS's development of a

proposed rule to manage the non-recreation use of off-road vehicles at Fire Island National Seashore. With the participation of knowledgeable, affected parties, the NPS expects to develop a practical approach to resolve longstanding and increasingly controversial resource management and public use conflicts involving the protection of island and beach environments; their associated floral and faunal communities; shoreline erosion and aesthetic impact; and the public desire to access homes, municipal properties, town-owned beaches, public utilities, and businesses within the Seashore. Advice of the committee is not available from other sources because the issues at hand in this controversy have been discussed in numerous public forums over the years, but without resolution. Numerous letters, phone calls, and congressional inquiries regarding the driving procedures are annual occurrences. Conventional efforts by the NPS to resolve the issues have been unsuccessful; and invariably, the organizations and individuals who are divided over the issues have been wary of their opponents gaining undue influence over the NPS. Additionally, Executive Orders on Federalism and assessments by the NPS have ascertained that a number of the driving management issues should not be managed by the NPS. Concerns with regard to the Federal role can be abated, and consensus reached, only by placing competing interests on a clearly equal footing in dealing with agency decision makers. The proper forum for this is the negotiated rulemaking committee, as encouraged by the Negotiated Rulemaking Act and the National Performance Review.

20e. Why is it necessary to close and/or partially closed committee meetings?

21. Remarks

The committee terminated on September 1, 2003.

Designated Federal Officer

Barry Sullivan Acting Superintendent, Fire Island
National Seashore

Committee Members	Start	End	Occupation	Member Designation
Beqaj, Sadat	03/05/2002	09/01/2003	Town of Islip	Special Government Employee (SGE) Member
Cannava, Ernest	03/05/2002	09/01/2003	Town of Islip	Special Government Employee (SGE) Member
Cassidy, Brian	03/05/2002	09/01/2003	Suffolk County Police Dept.	Special Government Employee (SGE) Member
Clock, Forrest	03/01/2002	09/01/2003	On-island contractor	Special Government Employee (SGE) Member
Cooley, Art	03/01/2002	09/01/2003	Environmental organization	Special Government Employee (SGE) Member
Dobert, Ronald	03/05/2002	09/01/2003	Island-wide stakeholder	Special Government Employee (SGE) Member
Esposito, Thomas	03/05/2002	09/01/2003	Barge/freight company	Special Government Employee (SGE) Member
Fanning, Ed	03/01/2002	09/01/2003	Utility company	Special Government Employee (SGE) Member
Farber, Laurie	08/08/2003	09/01/2003	General Public	Special Government Employee (SGE) Member
Finkenberg, Jack	03/01/2002	09/01/2003	Environmental organization	Special Government Employee (SGE) Member

Gill, Anna	03/05/2002	09/01/2003	Village of Saltaire	Special Government Employee (SGE) Member
Gillespie, Kevin	03/05/2002	09/01/2003	Year-round resident	Special Government Employee (SGE) Member
Goldhirsch, Suzie	03/05/2002	09/01/2003	West end rep (1)	Special Government Employee (SGE) Member
Hafele, George	03/05/2002	09/01/2003	Ferry company	Special Government Employee (SGE) Member
Hervey, Michael	08/08/2003	09/01/2003	Utility Companies	Special Government Employee (SGE) Member
Jerome, Beverly	03/05/2002	09/01/2003	West End rep. (1)	Special Government Employee (SGE) Member
Kassner, Jeffrey	10/01/2002	09/01/2003		Special Government Employee (SGE) Member
Kaufman, Luke	03/05/2002	09/01/2003	Ferry company	Special Government Employee (SGE) Member
Kuzman, Paul	03/05/2002	09/01/2003	Suffolk County Water Authority	Special Government Employee (SGE) Member
Loeffler, Joseph	03/05/2002	09/01/2003	Fire Island Law Enforcement Council	Special Government Employee (SGE) Member
Lund, John	03/05/2002	09/01/2003	East End rep.	Special Government Employee (SGE) Member
Miller, Andrew	03/05/2002	09/01/2003	Village of Ocean beach	Special Government Employee (SGE) Member
Murray, Robert	03/01/2002	09/01/2003	Suffolk County Water Authority	Special Government Employee (SGE) Member
Ostfield, Marc	03/05/2002	09/01/2003	East End rep.	Special Government Employee (SGE) Member

Paradiso, Edward	03/01/2002	09/01/2003	Ocean Beach Police Dept.	Special Government Employee (SGE) Member
Read, Bill	08/08/2003	09/01/2003	Suffolk County Police	Special Government Employee (SGE) Member
Reich, Walter	03/05/2002	09/01/2003	Island-wide stakeholder	Special Government Employee (SGE) Member
Rosenblum, Scott	03/05/2002	09/01/2003	Village of Saltaire	Special Government Employee (SGE) Member
Schwarz, Thomas	03/05/2002	09/01/2003	West End rep. (2)	Special Government Employee (SGE) Member
Seymour, James	03/05/2002	09/01/2003	Environmental organization	Special Government Employee (SGE) Member
Snead, J.	03/01/2002	09/01/2003	Visitor advocate	Special Government Employee (SGE) Member
Stoddard, Gerard	03/05/2002	09/01/2003	Year-round & seasonal resident	Special Government Employee (SGE) Member
Sullivan, Barry	03/05/2002	09/01/2003	National Park Service	Special Government Employee (SGE) Member
Thornberg, Beatrice	03/05/2002	09/01/2003	Year-round resident	Special Government Employee (SGE) Member
Thornberg, Robert	03/01/2002	09/01/2003	Fire Island Fire Chiefs Council	Special Government Employee (SGE) Member
Weinstein, Arthur	03/05/2020	09/01/2003	West End rep. (2)	Special Government Employee (SGE) Member
Wetherall, Barry	03/01/2002	09/01/2003	Garbage carters	Special Government Employee (SGE) Member
Wikso, James	03/05/2002	09/01/2003	Off-island contractor	Special Government Employee (SGE) Member

Young, Steven	03/05/2002	09/01/2003	Barge/freight company	Special Government Employee (SGE) Member
Zysman, Joe	03/05/2002	09/01/2003	Environmental organization	Special Government Employee (SGE) Member

Number of Committee Members Listed: 40

Narrative Description

Committee terminated on September 1, 2003.

What are the most significant program outcomes associated with this committee?

Checked if
Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input type="checkbox"/>
Major policy changes	<input type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input type="checkbox"/>
Increased customer satisfaction	<input type="checkbox"/>
Implementation of laws or regulatory requirements	<input type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

None	<input type="checkbox"/>
Unable to Determine	<input type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>

\$5,000,001 - \$10,000,000

☐

Over \$10,000,000

☐

Cost Savings Other

☐

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

0

Number of Recommendations Comments

NA

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

% of Recommendations Fully Implemented Comments

NA

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

NA

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☐ No ☒ Not Applicable ☐

Agency Feedback Comments

NA

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities

☐

- Reallocated resources ☐
- Issued new regulation ☐
- Proposed legislation ☐
- Approved grants or other payments ☐
- Other ☐

Action Comments

NA

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

- Contact DFO ☐
- Online Agency Web Site ☐
- Online Committee Web Site ☐
- Online GSA FACA Web Site ☐
- Publications ☐
- Other ☐

Access Comments

NA