

United States Department of the Interior  
Bureau of Land Management – Eastern States  
Southeastern States District Office  
Jupiter Inlet Lighthouse Outstanding Natural Area  
LLESJ02400

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## Decision Record

DOI-BLM-Eastern States-0020-2019-0014-EA

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### Site Infrastructure, Resilience, and Information Projects

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<b>Date:</b>	February 5 <sup>th</sup> , 2020
<b>Type of Action:</b>	<b>Approval of Ground Disturbing BLM Actions and Projects</b> Federal Land Policy and Management Act (FLPMA)
<b>Serial Numbers:</b>	N/A
<b>Location:</b>	Tallahassee Meridian Township 40 South, Range 43 East, Section 31, Lot 22 Palm Beach County, Florida
<b>Project Acreage:</b>	120 acres more or less

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Bureau of Land Management  
Eastern States  
Southeastern States District  
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This Decision Record (DR) documents the decision and rationale of the BLM to implement a series of infrastructure related projects within the Jupiter Inlet Lighthouse Outstanding Natural Area (ONA). The purpose of these projects is to modernize existing facilities and infrastructure to ensure a safe visitor experience and working environment for staff, while enhancing the resilience of the ONA's congressionally designated values, including the protection of historic structures, scenic landscape and biological resources. The need for these projects is to meet the management intent indicated in the ONA's designating language (P.L. 110-229 Sec. 202), the *Florida RMP* (USDI 1995), and the *Jupiter Inlet Lighthouse Outstanding Natural Area Comprehensive Management Plan* (USDI 2010). Furthermore, the proposed infrastructure related projects will ensure compliance with relevant health, safety, and environmental regulations set forth in the policies and guidance of the Department of the Interior for the management of government owned facilities and infrastructure.

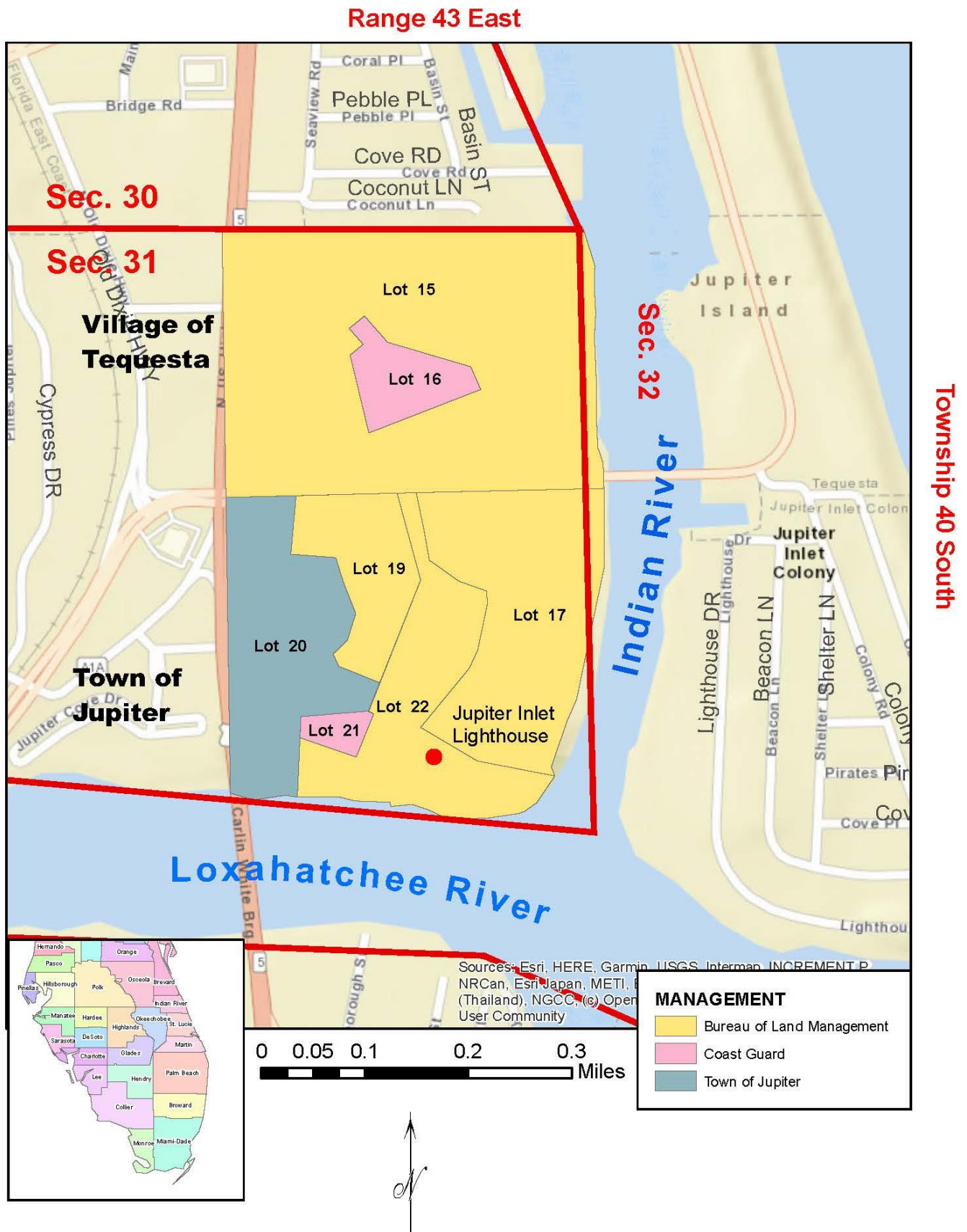
This DR was prepared in accordance with the National Environmental Policy Act (NEPA) and other applicable Federal laws and regulations.

## Decision

It is my decision to implement the Proposed Action, as described in DOI-BLM-Eastern States-0020-2019-0014-EA and modified below based on substantive Public Comments received on the Environmental Assessment (EA) documented in Appendix A – *Public Comment and BLM Response*, authorizing infrastructure, resilience and related projects at the Jupiter Inlet Lighthouse ONA (see Figure 1- *Jupiter Inlet Lighthouse Outstanding Natural Area Map*), as summarized in the following list and further described under their own subheading below:

- **Relinquished Structures Disposition** – The decision addresses the future of 24 structures on Lot 22, including the Jupiter Inlet Lighthouse, several historic buildings, and 11 residential structures (Units 1, 2 and A through I as identified in Appendix B – *Facility Inventory Site Plan*).
- **ONA Septic to Sewer Conversion** – The decision concerns the abandonment of all septic systems within the ONA and the connection of select structures to the municipal sewer system.
- **Water Utility Update** – The decision addresses the antiquated domestic water connection for the administrative and visitor service facilities within Lot 22 of the ONA.
- **Lot 22 Electrical Systems Update** – The decision concerns the electrical distribution network and the antiquated electrical systems across Lot 22 of the ONA.
- **Communication Utilities Update** – The decision regards the installation of communication utilities to administrative and visitor service facilities within Lot 22 of the ONA.
- **Site Roads Update** – The decision addresses the replacement of some paved roads with permeable surface roads within Lot 22 of the ONA.
- **Lot 17 Telecom Shed Disposition** – The decision concerns the demolition of one out of two Telecom Sheds on Lot 17 and the remediation of safety hazards for both structures.
- **ONA Trails and Trailhead Enhancements** – The decision addresses improvements to visitor service infrastructure at trailheads and modifications to existing and planned trail alignments within the ONA.
- **Loxahatchee River Shoreline Stabilization** – The decision regards shoreline erosion along the ONAs southern boundary adjacent to the Loxahatchee River through the authorization of construction activities to build a living shoreline.

**Figure 1. Jupiter Inlet Lighthouse Outstanding Natural Area Map**



### **Relinquished Structure Disposition**

“Relinquished Structures” refers to the buildings and infrastructure transferred to the BLM during the withdrawal relinquishment of Lot 22 by the USCG. The withdrawal relinquishment was completed on July 31, 2019. This decision provides for the use or disposition of each structure, as identified in *Table 1. Disposition of Relinquished Structures on Lot 22*.

Dispositions of the structures includes continued operation as is, reuse, renovation, or demolition. During implementation actions, the BLM will follow all required federal and state standards, including requirements for the abatement of hazardous materials, McKinney-Vento Act suitability determinations, and adherence to the appropriate state and local building codes. Additional approvals and NEPA documentation may be required for future renovation projects based on final architectural designs, construction plans and site logistics.

Renovation and demolition will require the use of heavy equipment and the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the Loxahatchee River Historical Society (LRHS) and all other authorized and permitted users will occur in relation to the establishment of visitor access controls and limits on operational use of the site in relation to construction/renovation work. Temporary restriction notices will be posted at multiple informational locations across the site and publicized through the ONA’s social media to ensure visitor and staff safety. All ground disturbance will be conducted with a cultural resource monitor on site. All waste materials will be removed from site and disposed of properly.

When the decisions call for the return to natural terrain and establishment of greenspace, ground disturbance will affect only the minimal footprint necessary to complete the work. Clean fill, soil and sand will be brought in as necessary and native plants utilized exclusively to mimic natural settings and organically integrate with existing landscaping.

**Table 1. Disposition of Relinquished Structures on Lot 22**

<b>Asset</b>	<b>Decision</b>
Housing Unit 1	Keep the structure in the built environment. Prioritize the connection to the municipal sewer system and proper abandonment of the septic system. Upon connection to municipal sewer system, renovate the interior of structure to serve as public restrooms and multifunction space to be used in conjunction with authorized or permitted activities. All use, and the issuance of new use authorizations and permits will be coordinated with existing users, including the LRHS, to avoid conflicts.
Housing Unit 2	Keep the area in the built environment for educational and scientific use. Demolish existing structure and properly abandon underground tanks. Remove foundation, but record location to allow for the creation of a replica of Weather Bureau building, circa 1910, with minimal impact to buried archaeological resources. The action will be undertaken in accordance with the decision to allow a replica of this structure to be constructed made in the <i>Jupiter Inlet Lighthouse</i>

Asset	Decision
	<i>Outstanding Natural Area Comprehensive Management Plan</i> (USDI 2010) and the specific conditions established to authorize this project described in Appendix B – <i>Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations</i> .
Housing Unit A	Remove the structure from the built environment. Demolish, including foundation, and properly abandon underground tanks. Remove the driveway and restore the area to natural terrain as lawn and landscaped greenspace with native plants. Demolition will not occur until completion of appropriate administrative/maintenance facilities at Unit D and alternative storage, and large event operations space has been established by the LRHS (e.g., the USCG PX Building).
Housing Unit B	Keep the structure in the built environment. Repurpose the structure as administrative space for BLM operations. Renovate and maintain, as necessary, to serve purpose. Prioritize the connection to the municipal sewer system and proper abandonment of the septic system. Utilize the surrounding yard for interpretive and educational purposes as a native bird and butterfly garden, with a public access trail and interpretive content on ONA values and the BLM mission.
Housing Unit C	Keep the structure in the built environment. Repurpose the structure as administrative space for BLM operations to support BLM Internship Programs (individual intern [maximum 3] accommodation for periods not to exceed one year). Renovate and maintain, as necessary, to serve purpose. Prioritize the connection to the municipal sewer system and the proper abandonment of the septic system.
Housing Unit D	Keep area in the built environment as an administrative/maintenance facility. A cost benefit analysis will be completed to consider the cost of renovation of the structure compared to new construction of a suitable style to compliment the character and values of the ONA. The renovation, or construction, will produce a facility that provides storage space, a meeting room, and administration space for three BLM and/or partner staff and a maintenance area, including a ware yard that supports BLM and partner operations at the ONA. Renovation or construction will use the existing foundation and surrounding disturbed yard. The area will be landscaped with native plants to improve the overall appearance as seen from multiple viewpoints around the site. The facility will be connected to the sewer system with all other appropriate utility connections.
Housing Unit E	Keep the structure in the built environment. Repurpose the structure as an on-site bunkhouse accommodation for periods not to exceed one month. Renovate and maintain as necessary to serve purpose. Prioritize connection to the municipal sewer system and proper abandonment of the septic system. Available for BLM use, and non-BLM use by Special Recreation Permit as described in Appendix B

Asset	Decision
	– <i>Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations.</i>
Housing Unit F, G, H & I	<p>Invite eligible partners, whose mission and purpose supports the Biological, Cultural, or Historic Values for which the ONA was designated, to submit proposals for temporary use of these existing structures, as further defined in Appendix B – <i>Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations.</i></p> <p>Should no acceptable proposals from an eligible partner for a unit be received or alternative use for the BLM identified, the structure will be removed from the built environment by demolition, including removal of the foundation, and any underground tanks will be properly abandoned. Afterwards, the area will be restored to natural terrain, including subsequent plantings of native species to re-establish a native scrub plant community.</p>
Laundry Building	Keep structure in the built environment. Repurpose and maintain the structure as an interpretive and educational asset.
3-Bay Garage	Keep structure in the built environment. Renovate, repurpose, and maintain the structure as an administrative space (storage) with interpretive and educational components outside the structure.
Radio Beacon Building	Keep the structure in the built environment. Resolve CASHE concerns (e.g., lead based paint) and repurpose the structure as an interpretive and educational asset with exhibits sharing site history concerning radio and telecommunications (for authorized and permitted use only) in coordination with the LRHS.
Keepers Workshop	<p>Keep the structure in the built environment. Resolve CASHE concerns (e.g., improperly abandoned well) and use the structure as an interpretive and educational asset with exhibits concerning lighthouse history for authorized and permitted use only in coordination with the LRHS to avoid conflicts in schedule. All non-LRHS use will be supervised directly by the BLM.</p> <p>The well abandonment associated with this structure will occur in accordance with the conditions outlined in Appendix B – <i>Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations.</i></p>
Oil Storage Building	Keep the structure in the built environment. Maintain the structure as an interpretive and educational asset for use only in coordination with the LRHS. All non-LRHS use will be directly supervised by the BLM.
Jupiter Inlet Lighthouse	Keep the structure in the built environment. Maintain the lighthouse for its primary purpose as an aid to navigation. Allow public visitation, including access to the watch room and gallery deck, at an appropriate capacity not to exceed 35 individuals within the lighthouse at a time. Public visitation shall occur only in association

Asset	Decision
	<p>with authorized and permitted activities and coordinated with the LRHS. All non-LRHS use will be directly supervised by the BLM.</p> <p>The Lighthouse spotlights will not be available for alteration of color based on requests from business or charities, but may be altered, as authorized by the BLM, for management purposes.</p>
Lighthouse Deck	Keep the structure in the built environment. Allow use for educational, interpretive and passive recreational activities to permitted and authorized users. All authorizations and permits will be coordinated with existing authorization and permit holders to ensure there are no conflicts in scheduling.
Dock	Dismantle the condemned lighthouse dock by removing the upper structure (i.e., cross beams, decking, handrails, etc.) and any detached wooden pilings dock to eliminate CASHE concerns. Allow consideration of replacement structure in accordance with the conditions outlined in Appendix B – <i>Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations</i> . Concrete and buried pilings will be left in place as in-water structures. Signage will be installed on peripheral pilings, indicating hazards to boaters from the in-water structures.
Housing Office	Remove the structure from the built environment. Demolish, including removal of the foundation. Remove driveway and restore the area to natural terrain as lawn and landscaped greenspace. Demolition will not occur until completion of appropriate administrative/maintenance facilities at Unit D.
Concrete Foundation/USCG BBQ	Remove structure from the built environment by demolition, including removal of the foundation. Restore area to natural terrain as lawn and landscaped greenspace.
Pavilion	Keep area in the built environment as space for educational and scientific use. Remove the structure and replace it with an appropriate style of structure that aligns with the character and aesthetics of the site, while maintaining its concrete foundation to facilitate access and multiple use. Use primarily for authorized and permitted activities.
Historic Seawall	Abandon the structure in place. Stabilize the shoreline through implementation of a Living Shoreline in partnership with Jupiter Inlet District, as outlined in the <i>Loxahatchee River Shoreline Stabilization</i> section of this Decision.
Seminole Chickee	Keep the structure in the built environment. Maintain the structure as an interpretive and educational asset, used for authorized and permitted activities use only in coordination with the LRHS.
Bell Tower	Keep the structure in the built environment. Maintain the structure as an interpretive and educational asset.
Tindall Complex	Keep the structures in the built environment. If requested by the LRHS, accept the George Washington Tindall Pioneer Home into

Asset	Decision
	BLM facility asset inventory via donation and maintain the home and its associated structures as an interpretive and educational asset. The BLM will not issue authorizations or permits for the use of this facility while owned by the LRHS. However, if ownership were transferred to the BLM, then the BLM may allow authorized and permitted activities only in coordination with the LRHS and under the direct supervision of the BLM.
Entry Booth	Keep the structure in the built environment. Maintain the structure as an administrative, educational and interpretive asset to facilitate entry to visiting public. In the event that another decision alters visitor access locations, remove/relocate the booth and return the site to natural terrain.

### **ONA Septic to Sewer Conversion**

This decision will authorize the construction of a gravity fed sewer system within the ONA and the connection of Units 1, B, C & E to this sewer system. The sewer system includes the installation of approximately 1425 linear feet of 8-inch PVC sewer pipe, six 4-inch lateral service connections, one 6-foot diameter Wetwell and lift station, and approximately 700 feet of 3-inch Force Main. The estimated total disturbed area is 1-acre, which will be spread in a linear fashion (along the roads) throughout the southern portion of the ONA. The proposed location of this sewer system is associated with the existing asphalt roads within the ONA, as represented in Appendix C – *Initial Engineering Drawings for Proposed Sewer System*.

The decision will connect Units 1, B, C & E to the sewer system infrastructure and allow for the potential to connect Units D, F, G, H, & I. Specific unit connections are determined by the decisions within the *Relinquished Structure Disposition* section of this document. For Unit D, the connection will be directly to the gravity-fed sewer. For Units F, G, H, & I, connections will be through low pressure sewer systems that will ultimately convey wastewater to the gravity-fed sewer system.

The decision will also authorize the transfer of the completed system to the municipal provider, the Loxahatchee River District, through the issuance of a no-cost right-of-way. The BLM will work with the municipal provider to secure the necessary right-of-way across Lighthouse Park (federal lands patented to the Town of Jupiter). The municipal provider will remain responsible for the ongoing maintenance of the sewer system under the terms of the rights-of-way.

In association, the decision will also properly abandon all septic systems, including both black and gray-water tanks, within the ONA through in-place abandonment. This involves pumping, puncturing the septic tanks, and filling them with clean fill material.

The construction methods for this project involve the use of heavy equipment, trenching and horizontal drilling. The majority of the ground disturbance will take place in previously disturbed areas (i.e., in and adjacent to roads). This design feature will reduce potential adverse impacts to undiscovered cultural/archaeological resources; however, all construction will still be monitored



by a qualified archaeologist and follow standard operating procedures for the discovery of cultural material. Construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls in relation to construction/renovation work. These temporary restrictions to ensure visitor and staff safety will be posted at multiple locations across the site and publicized through the ONA's social media.

Upon completion of the sewer installation, roads will be restored, as described in the "*Site Roads Update*" section of this decision. All disturbed areas will be returned to natural, pre-disturbance condition by recontouring with clean fill, soil and sand, as necessary, and rehabilitating the site with native plants and lawn. Plant species selected for rehabilitation work will mimic the native ecosystem expected for the site and organically mesh with existing landscaping.

### **Water Utilities Update**

The decision will install a new domestic water main-line to the site to connect Units 1, B, C & E. This work will be completed in association with the Septic to Sewer Conversion. Approximately 2,250 linear feet of domestic 3-inch water line will be installed, creating an additional ¼ acre of surface disturbance to the sewer installation. This additional disturbance will be within and adjacent to roads and in areas that have been previously disturbed. After construction activities are completed, the site will be rehabilitated, as described in the "*Site Roads Update*" section of this decision. The location of the domestic water line is presented in Appendix C – *Initial Engineering Drawings for Proposed Sewer System*. This decision will abandon all existing domestic water pipes in place but allow for removal of materials if they are exposed through some other action.

This decision will connect additional structures, including Units D, F, G, H, & I, as discussed in the *Relinquished Structure Disposition* section of this document.

The decision will disconnect the fire hydrant system from the municipal water supply, remove the fire hydrants and abandon in place the associated water lines. The BLM will consider (in a separate future action) development of alternate infrastructure for fire suppression, which could include consideration of construction of a replica of WWII era water tower. Until future decisions on this subject can be made, fire suppression on-site will rely on the capacity of emergency response vehicles and other near-by fire hydrants, located on South Beach Road and within Lighthouse Park.

The construction methods for this project involve the use of heavy equipment, trenching and horizontal drilling. These construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls in relation to construction/renovation work. These temporary restrictions to ensure visitor and staff safety will be posted on site and publicized through the ONA's social media.

The majority of ground disturbance is associated with previously disturbed areas (i.e., roads to reduce potential adverse impacts to undiscovered cultural/archaeological resources); however, all construction will be monitored by a qualified archaeologist and follow standard operating procedures for the discovery of cultural material. Upon completion of work, all disturbed areas will be returned to natural terrain/contour with clean fill, soil and sand, as necessary and native plants and lawn utilized exclusively to mimic natural settings and organically mesh with the existing landscaping.

### **Site Road Update**

This decision will remove asphalt roads from the east portion of Coast Guard Way (i.e., the road associated with the Housing Units) and replace them with minimal-width permeable surface road. The west portion of Coast Guard Way (i.e., the lower elevation portion of the road) will remain and is not included in this action.

This decision, conducted in concert with the Septic to Sewer Conversion and Water Utility Update, will disturb approximately 1 ½ acres. Approximately 7,750 square yards of existing asphalt, including the road and driveways associated with all housing units, will be milled, mixed with existing base material, and then laid to create a permeable road and driveways to Units 1, B, C, & E. The road and driveways will measure approximately 12-feet wide, as shown in Appendix C – *Initial Engineering Drawings for Proposed Sewer System*.

In addition, the decision will eliminate the road to the east of the 3-Bay Garage and restore this area to natural terrain designed to reduce surface run-off over the southern face of the parabolic sand dune. All roads will remain suitable for emergency response vehicles. Upon completion of the road update, the barren slope to the west of the road (i.e., primarily west/southwest of Unit B) will be stabilized through the construction of natural coquina stone retaining walls, topsoil fill, irrigation and native plantings.

The construction methods for this project involve the use of heavy equipment, trenching and horizontal drilling. These construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls in relation to construction/renovation work. Temporary restriction notices will be posted on site and publicized through the ONA's social media to ensure visitor and staff safety. A cultural resource monitor will be present on-site for all ground-disturbing activities.

### **Site-wide Electrical Systems Update**

This decision will correct outdated electrical site distribution and lingering electrical issues in and between various buildings, including updating electrical panels to current code specifications, undergrounding secondary distribution, and correcting electrical lighting issues throughout the site. The decision will also authorize the installation of a generator to the electrical systems with sufficient capacity to operate the Jupiter Inlet Lighthouse and associated administration facilities during power outages.

The construction methods for this project involve the use of heavy equipment, trenching and horizontal drilling. These construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls in relation to construction/renovation work. These temporary restrictions to ensure visitor and staff safety will be posted on site and publicized through the ONA's social media. The majority of ground disturbance is associated with previously disturbed areas (e.g., roads to reduce potential adverse impacts to undiscovered cultural/archaeological resources); however, all construction will be monitored by a qualified archaeologist and follow standard operating procedures for the discovery of cultural material.

### **Communication Utilities Update**

This decision will authorize the installation of fiber optic and other types of cable to facilitate wired and wireless networking across the site. In addition, the decision will authorize the installation of security cameras and other security measures appropriate for government administration facilities and protection of resources. Installation of these communication utilities and security systems will be conducted where possible in association with other utilities on the site and provide communications connection to all administrative facilities and exhibits requiring such connections.

The construction methods for this project involve the use of heavy equipment, trenching and horizontal drilling. These construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls during construction/renovation work. Temporary restriction notices will be posted onsite and publicized through the ONA's social media to ensure visitor and staff safety. The majority of ground disturbance is associated with previously disturbed areas (e.g., roads to reduce potential adverse impacts to undiscovered cultural/archaeological resources); however, all construction will be monitored by a qualified archaeologist and follow standard operating procedures for the discovery of cultural material.

### **Lot 17 Telecom Shed Disposition**

This decision will fill the vaults of both telecom sheds on Lot 17 and demolish the southern shed, thereby restoring the area to natural conditions. The northern shed will be kept in the built environment and maintained as an interpretive and educational asset.

The construction methods for this project involve the use of heavy equipment and require the creation of a temporary route to cross the natural area and facilitate access. Equipment used for the project will be the smallest equipment capable of completing the task and the existing trail system will be used as much as possible to provide access and limit disturbance to the natural area. Any damage to the trail or disturbance to the natural area will be resolved through active restoration upon completion of the work. These construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other

authorized and permitted users will occur in relation to the establishment of visitor access controls for construction/renovation work. Temporary restriction notices will be posted on site and publicized through the ONA's social media to ensure visitor and staff safety.

### **ONA Trails & Trailhead Enhancement**

This decision will enhance recreation and visitor service infrastructure across the site through a series of enhancements to existing infrastructure, as described below and shown in Appendix D – *ONA Trails and Trailhead Enhancement*. These projects require construction methods that involve the use of equipment, such as a mini-skid-steer, mule, chainsaws, etc. and may require the creation of temporary routes across the natural area to facilitate access. Equipment used for the project will be the smallest equipment capable of completing the task and the existing trail system will be used as much as possible to provide access and limit disturbance to the natural area. Any damage to the trail or disturbance to the natural area will be resolved through active restoration upon completion of the work. These activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls for construction/renovation work. Temporary restriction notices will be posted on site and publicized through the ONA's social media to ensure visitor and staff safety.

- **Development of County Road (CR) 707 Bridge Trailhead**

The decision, in coordination with Palm Beach County, will develop a trailhead with informational kiosk (interpretive information, rules and regulations etc.), benches, and trash containers at 26 °57'08.29" N, 80°04'45.84" W within the CR 707 right-of-way. The action will establish a connector trail to the rest of the ONA trail system within Lot 17.

- **CR 707 Crosswalk**

The decision, in coordination with Palm Beach County, will develop a pedestrian crossing between the ONA's north and south parking areas. Crossing will include appropriate pedestrian crossing signage for both east and west bound traffic and painted road markings indicating the crossing area.

- **Development of Northwest Corner Trailhead**

The decision will develop a "pedestrian access only" trailhead at 26°57'21.61" N, 80°05'05.16" W for access to the Lot 15 trail system. The action will adjust the post and rail fencing to allow for access, improve a small 10'x 10' area with natural materials (e.g., mulch delineated with stone and/or logs), and accommodate the installation of an informational kiosk, benches, and bicycle rack.

- **Southside Trail Parking Enhancement**

The decision will improve the natural surface parking area south of S. Beach Road, allowing parking for 20 vehicles (i.e., approximately 3,400 sq. ft.). The parking

improvements will be made with permeable materials and include split rail fencing to better delineate the parking area. The project will include the installation of a barrier gate at the entrance of the parking area, which will aid in controlling access when the ONA's dispersed-use area is closed. The project will also install a portal sign identifying the ONA.

- **Northside Parking Expansion**

The decision will extend the parking north of S. Beach Road by approximately 1,700 sq. ft. to the area north of the existing parking lot. The parking area will provide space for an additional 10 vehicles (9'x18' parking spaces) and be constructed of a poured concrete material that matches the existing parking area.

- **Office Parking Enhancement**

The decision will replace the driveway of Unit B with an 850 sq. ft. permeable parking area constructed from milled materials that incorporate existing asphalt and road base into the final surface material. The parking area will provide space for 5 vehicles (9'x18' parking spaces), which will run north from the northwest corner of the building. Parking spaces will include 5 parking stops. Parking in this area will not meet with Section 508 accessibility standards because the building it serves is not an accessible building. The project will be completed in association with the *Site Road Update*.

- **Lot 15 Trail Construction**

The decision will allow the construction of a natural surface trail connecting to northwest corner trailhead and circling back to original north side parking area. This trail will be 64" wide and approximately 3,000 ft in length, with an area of approximately 0.37 acres. The trail will utilize existing firebreak/administrative routes, as appropriate, to minimize new disturbance and be located to avoid special status species. The trail will be constructed by hand and small equipment. Trail development will result in the loss of 6 mature sand-pine, which will be utilized as trail construction materials.

- **Boardwalk Repair**

The decision will repair a 10 ft. rotted segment of the boardwalk on Lot 15 with new lumber. Access to the project is limited. Approximately a 10 ft. by 30 ft. area of hardwood hammock vegetation will need to be removed to allow equipment access to facilitate the repairs. The least amount of vegetation possible will be removed. Upon completion of the project, the access route will be restored with native plantings.

- **Lot 17 Trail Realignment**

The decision will relocate the existing trail footprint for a 60 ft. section of trail along the top of the parabolic dune. This will move the present trail to the west by 20-25 ft. in order to reduce the risk of the trail tread exacerbating erosion on the face of the dune or succumbing to erosional effects itself and falling down the edge of the dune face.

### **Loxahatchee River Shoreline Stabilization**

This decision will issue the appropriate approval for riparian upland infringement to the Jupiter Inlet District for completion of their Living Shoreline project. The project involves the development of a living shoreline along approximately 600 ft. of the ONA's Loxahatchee River shoreline, including the installation of in-water structures to attenuate wave action and the contouring of the existing shoreline and planting of native species. Additionally, the project will install a pier structure to facilitate continued access for recreation, education and interpretive programming. The initial engineering drawings detailing the project are included in Appendix E – *Initial Engineering Drawing for Proposed Living Shoreline*.

Upon completion of this project, the newly installed pier will be connected to the existing access trails within the ONA through the development of an accessible pathway, approximately 1,000 ft. in length leading from the intersection of the existing brick pathway and Coast Guard Way.

The construction methods for this project involve the use of heavy equipment, trenching and horizontal drilling. These construction activities may require the establishment of visitor access controls, such as temporary closures of portions of the site or re-routing of visitors to avoid construction work. Coordination with the LRHS and all other authorized and permitted users will occur in relation to the establishment of visitor access controls in relation to construction/renovation work. Temporary restriction notices will be posted on site and publicized through the ONA's social media to ensure visitor and staff safety. A cultural resource monitor will be present on site for all ground-disturbing activities.

Construction will avoid adverse impacts to federally threatened and endangered species, specifically Johnson's seagrass (*Halophila johnsonii*) and West Indian manatee (*Trichechus manatus*), through appropriate design features and incorporation of the United States Fish and Wildlife Service's (USFWS) standard conditions for in-water work in West Indian manatee habitat.

### ***Compliance with Laws & Conformance with the Land Use Plan***

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the intent indicated in the ONA's designating language (P.L. 110-229 Sec. 202), the decisions in the *Florida RMP* (USDI 1995) and the *Jupiter Inlet Lighthouse Outstanding Natural Area Comprehensive Management Plan* (USDI 2010).

### ***Environmental Analysis and Finding of No Significant Impact***

The Proposed Action was analyzed in DOI-BLM-Eastern States-020-2019-0014-EA and it was found to have no significant impacts, thus an EIS is not required. Modifications to the Proposed Action made as a result of comments received during the Public Comment period are considered minor corrections or clarifications of intent that have not altered the underlying decision. As such, the original analysis remains valid and a separate Finding of No Significant Impact has been prepared and approved (DOI-BLM-Eastern States-020-2019-0014-EA FONSI).

### ***Tribes & Agencies Consulted***

The BLM has determined that the proposed projects will have no effect on any federally-listed species. As a result, Section 7 consultation with USFWS was not required for this action, however the USFWS were contacted and provided an opportunity to review the EA and associated documents.

The Seminole Tribe of Florida was consulted with and provided a copy of the EA for review. The Tribe formally responded on January 30<sup>th</sup>, 2020 concurring with the BLM's assessment that all ground disturbing activities have the potential to impact cultural and historic resources and the BLM's decision to ensure cultural resource monitoring and other best management practices for cultural and historic resources are implemented along-side all projects. The Tribe made a recommendation to label the ONA boundary as the Area of Potential Effect (APE) on the associated maps. The referenced Map is not reprinted with this decision, however, the BLM will, when discussing cultural and historic resources impacts in the future, include an APE map to avoid any potential confusion. Furthermore, the Tribe requested to continue Section 106 consultation on all projects occurring on federal property within the ONA.

The BLM has determined that there are impacts to cultural and historic resources from the Proposed Action and on November 18, 2019 requested consultation with the State Historic Preservation Officer (SHPO). The BLM has received no response from the SHPO concerning the project or decisions. As a secondary step the BLM provided an additional copy of the EA and requested a formal response on January 16<sup>st</sup>, 2020. No response has been received. In accordance with 36 CFR 800.3(c)(4) the BLM will proceed to the next step in the process based on the finding or determination in this Decision Record. If the SHPO re-enters the Section 106 process, the BLM will continue the consultation as necessary.

### ***Public Involvement***

The initial Proposed Action was developed by a BLM interdisciplinary team and reviewed internally to identify a preliminary list of potential issues. The initial Proposed Action and Preliminary Issues were made publicly available for a scoping period spanning September 23, 2019 through October 14, 2019. Interested parties (i.e., 180 individuals who had provided their contact information to be kept informed about events, activities and decision-making processes concerning the ONA) were notified directly via email concerning the posting of the Public Scoping Package and associated documents onto the BLM's ePlanning website at: <https://go.usa.gov/xVEjb>. Information on how the Public Scoping Package could be accessed was shared through the ONA's Facebook page and covered by the Palm Beach Post on October 2, 2019.

In response to Public Scoping, the BLM received 32 letters/emails. This feedback largely came from individuals with only six organizations submitting official input, including Believe with Me, Jupiter Inlet Colony, Lighthouse Art Center Gallery and School of Art, Loxahatchee River District, Loxahatchee River Historical Society (LRHS), and The Nature Conservancy.

After review and consideration of Public Scoping comments received the BLM finalized the Proposed Action and completed the analysis of the issues and concerns identified. The

environmental analysis document, the EA, was released for Public Comment on November 21, 2019 for a 14-day comment period that ended December 5, 2019. The Palm Beach Post reported on this public comment period in an article published November 23, 2019.

Public comments received during the public comment period have been reviewed and have resulted in minor modifications to the final decisions to clarify the decision's intent or correct terminology. Details of the comments received, and the formal BLM responses are included in Appendix A – *Public Comments and BLM Response*.

## ***Rationale***

This decision is needed to effectively manage recently acquired infrastructure assets and ensure compliance with relevant health, safety, and environmental regulations set forth in the policies and guidance of the Department of the Interior for the management of government owned facilities and infrastructure. The decision is in compliance with all relevant laws, regulations and policies and aids in fulfilling the direction and guidance provided by the ONA's congressional designation. The decision also conforms to previous management direction given in the *Florida Resource Management Plan* (USDI, 1995) and the *Jupiter Inlet Lighthouse Outstanding Natural Area Comprehensive Management Plan* (USDI, 2010). The analysis of the Proposed Action concluded that there were no significant negative environmental impacts from implementation of this decision to modernize infrastructure and utilities at the ONA and resolve specific Compliance Assessment- Safety, Health and Environmental (CASHE) findings. The decision also considers the benefits to the public and the investment of public funds to achieve the desired outcomes.

The EA also considered a No Action Alternative, which would have continued the status quo. This course of action was deemed unacceptable because it failed to address the CASHE findings and failed to identify management decisions needed for the infrastructure acquired during the recent withdrawal relinquishment by the United States Coast Guard (USCG). Therefore, the No Action Alternative did not meet the purpose and need for the action, although it did provide a baseline for analytical comparison with the Proposed Action.

The decision, decision-making process, and accompanying environmental compliance documentation have been developed in concert with the Department of the Interior (DOI) priorities and Secretarial Orders. These priorities and orders are related to the enhancement of recreational access, the improvement and streamlining of decision-making processes and the responsible execution of government business. The relevant priorities and orders are as follows:

- **DOI Priority:** Enhancing the visitor experience at our National Parks and public lands by better meeting our infrastructure and maintenance needs;
- **DOI Priority** Building a meaningful conservation stewardship legacy by expanding public access for sport and recreation opportunities on public lands;
- **DOI Priority** Collaborating with states to protect and improve the North American Wildlife Conservation Model, while continuing the move toward shared conservation stewardship;



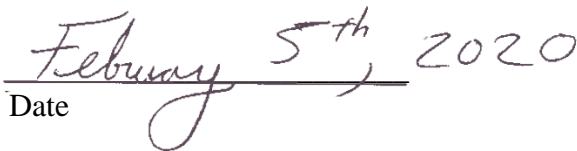
- **DOI Priority** Modifying our business practices and processes to eliminate unnecessary steps and duplicative reviews, while maintaining rigorous environmental standards.
- **Secretarial Order 3347:** Conservation Stewardship and Outdoor Recreation (March 27, 2017)
- **Secretarial Order 3356:** Hunting, Fishing, Recreation Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories (September 15, 2017)
- **Secretarial Order 3366:** Increasing Recreation Opportunities on Lands and Waters Managed by the U.S. Department of the Interior (April 18, 2018)
- **Secretarial Order 3355:** Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807 (September 1, 2017)

### *Administrative Remedies*

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at Southeastern States District Office, 273 Market St., Flowood, MS 39232 with copies sent to the Regional Solicitor, Southeast Region, 75 Spring St, Suite 304, Atlanta, GA 30303, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS 300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

*Signature of Authorized Official*

  
District Manager

  
Date

## Appendix A

### Public Comment and BLM Response Report

The completed Site Infrastructure, Resilience and Information Environmental Assessment (SIRI EA) was released for public comment on November 21, 2019 for a 14-day comment period that ended December 5, 2019. The 32 individuals and organizations that participated in the Public Scoping process were directly notified via email of the document's availability. A notice was also posted on the Jupiter Inlet Lighthouse Outstanding Natural Area (ONA) Facebook page concerning the public comment period and EA's availability. The Palm Beach Post reported on the public comment period in an article published November 23, 2019.

The BLM received 6 public comment responses. Of these comments, 3 were from individual members of the public and 3 were from organizations, including Jupiter Inlet Colony, The Nature Conservancy and the Loxahatchee River Historical Society.

This Public Comment and BLM Response Report publishes the comments received during the public comment period and includes a BLM response. When comments are considered to be non-substantive (i.e., the comment does not provide new information, requests clarification, or includes only a statement of opinion with no supporting rationale), the BLM is not required to provide a response. However, a response to several of the non-substantive comments has been provided because the comments raise common misconceptions concerning the BLM's role or the purpose of the ONA.

For privacy purposes, the comments of unnamed, individual members of the public have been separated from the comments of organizations, which were identified by name in the text.

#### **Individual Public Comments**

**Comment:** *In the section regarding the Jupiter Inlet Lighthouse structure itself, it is discussed that the Lantern room wants to have public access established to it. Currently the lantern room is the only part of the lighthouse structure not open for supervised public access. To get to the lantern room you have to climb a steep ladder from the Watch Room and the lantern room puts you within inches of the Historic and priceless Fresnel lens. I do not think it is in the best interest to allow public to access this as people can touch or damage the lens and other items in the lantern room.*

**BLM Response:** Thank you for the comment. The comment identifies an error in the language of the Proposed Action. This language has been corrected in the final decision (Decision Record (DR), page 6). The final decision reflects that supervised public access is allowed within the "watch room and gallery deck," but not the lantern room. The lantern room will remain inaccessible to the general public.

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**Comment:** *All buildings not required to maintain the lighthouse and historic museum should be demolished. Seawall should be restored unless a better solution to continued destruction of the shoreline by wave/boat action. Return site/sites to natural state with or without recreation trails.*

*We don't want a similar fate to this area as to what now exist across the water with its carnival atmosphere.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive because it provides no rationale to support the opinion concerning the demolition of structures or the restoration of the seawall. However, the comment does raise a common concern that is worthy of clarification over the future of the ONA, although there has been no change to the decision based on this comment.

The Jupiter Inlet Lighthouse ONA is protected through its congressional designation that focuses management on the protection, preservation and enhancement of its seven core values, including the Biological, Historical and Cultural Resources found onsite. The congressional designation and the management direction provided by the Florida Resource Management Plan, Jupiter Inlet Lighthouse Outstanding Natural Area Comprehensive Management Plan, and this decision ensure that the intent of the congressional designation is carried out and the site will not transition into a commercial/residential district.

Specifically regarding the assets mentioned in the comment, the BLM's decisions allow for the demolition of structures that are excess to the needs of the agency and its partners and also allow for the consideration of new partners to support and enhance the values for which the ONA was designated. As a result of the decision, the historic, but failing, seawall will be retained with a living shoreline developed to its south. The retention of the seawall and the development of the living shoreline will ensure stabilization of the shoreline and provide enhancement of biological and recreational values onsite.

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**Comment:** *I sure hope things work out on the site. Keep up the great work!*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive. There has been no change to the decision based on this comment.

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**Comment:** *Demo the buildings since they're an environmental hazard, and convert the area to a public park.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no rationale to support the opinion concerning the demolition of structures and the environmental hazards. There has been no change to the decision based on this comment.

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### **Organization's Public Comments**

**Comment:** *[Jupiter Inlet Colony] is primarily concerned with the security at Jupiter Inlet Lighthouse ONA. We can all agree that it is inadequate, especially on Lot 17 at the eastern shoreline of JILONA. Therefore, we object to the proposed use of Housing Unit E as an onsite bunkhouse for short term rental.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive because it provides no information or rationale on the connection between the authorized and

permitted use of Housing Unit E (on Lot 22) and the perceived security concerns for the Lot 17 shoreline along the Indian River.

The BLM is concerned with resource damage and inappropriate behaviors along the ONA's Indian River shoreline. It is an important and jurisdictionally complicated issue on which the BLM continues to work with local enforcement officials to find solutions. However, this concern is outside the scope of this decision-making process. There has been no change to the decision based on this comment.

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**Comment:** *[Jupiter Inlet Colony is] concerned with the proposed kiosks and crossings on Beach Road both for security and traffic reasons. The road gets very congested with its on-demand drawbridge. We recommend consultation with the Palm Beach County Sheriff and the Village of Tequesta police.*

**BLM Response:** Thank you for the comment. One of the proposed kiosks will be located at the northwest corner of the ONA and the other will be near the base of the S. Beach Road (CR 707) bridge. It is unclear from the comment how the placement of kiosks containing interpretive information and site rules in addition to a pedestrian crosswalk between the north and south parking areas will cause concerns about security.

The kiosk located at the base of the S. Beach Road bridge will serve visitors utilizing the ONA's trail system, as well as the many visitors who walk within Palm Beach County's right-of-way to obtain recreational access to the bridge (i.e., engagement in snorkeling/water play underneath). The BLM will coordinate with Palm Beach County to ensure the recreational access route meets the legal requirements defined by the right-of-way and, if necessary, resolve access issues by providing an alternate route to this popular location through the ONA. Placement of these kiosks is unlikely to draw additional visitors, although it will provide key information about the site and aid law enforcement by having the site's rules and regulations posted.

The congestion and traffic on S. Beach Road (CR 707) are the basis for the decision regarding development of the crosswalk between the ONA's north and south parking areas. Visitor safety is of critical importance to the BLM. Provision of a controlled, safe crossing area enhances safety and access on public lands. The BLM has coordinated with the Palm Beach County Engineering & Public Works Department, which, upon completion of this decision, will approve and provide a standard crosswalk (pending BLM modification to its parking areas so the crosswalk can be safely connected to the sidewalk/trails). There has been no change to the decision based on this comment.

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**Comment:** *[Jupiter Inlet Colony] recommend that no usage be granted for any ONA structures without the consent of the Loxahatchee River Historical Society, your strongest local partner, one that has maintained the Lighthouse in excellent condition for more than three decades.*

**BLM Response:** Thank you for the comment. The Loxahatchee River Historical Society (LRHS) is an important partner named in the ONA's congressional designation, along with the Town of Jupiter, Village of Tequesta, Palm Beach County and the U.S. Coast Guard. The BLM

recognizes the important role the LRHS has played in the community and is grateful for their work in protecting the Jupiter Inlet Lighthouse.

Certain rights and authorities are provided to the LRHS through a Federal Lease and Special Recreation Permit. These rights and authorities include the ability to use specific structures within the ONA. The BLM will continue, as it has in the past, to coordinate with the LRHS and all congressionally recognized partners on the management of the ONA. However, BLM does not require consent of the LRHS to make decisions regarding the use of structures within the ONA because this requirement has not been sanctioned by a statutory authority and does not adequately represent the varied interests of all partners and/or public land management needs. There has been no change to the decision based on this comment.

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**Comment:** *Given that Jupiter Inlet Colony is the residential area closest to the ONA, we also request that a representative of Jupiter Inlet Colony, appointed by its mayor, be included on any governing or consulting committee or task force which you establish in setting plans and policies for the Jupiter Inlet Lighthouse ONA. Our residents enjoy it as a recreational area, participate in stewardship of the Lighthouse as donors and volunteers, and are the most adversely impacted when there is misbehavior and illegal behavior on the grounds.*

**BLM Response:** Thank you for the comment. The ONA shares a fence line with the Coconut Cove residential community along its northern boundary. These adjacent neighbors, residents of Jupiter Inlet Colony, the Village of Tequesta and the Town of Jupiter, along with the businesses and services across northern Palm Beach County, are all important stakeholders in the management of the ONA. Any advisory council for the ONA will be developed in accordance with the Federal Resource Advisory Council Act. All partners and interests, including Jupiter Inlet Colony, will be offered the opportunity to participate. There has been no change to the decision based on this comment.

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**Comment:** *[Blowing Rocks Preserve] does not have on-site lodgings, and due to increasing demand for affordable lodgings associated with our work, and positive experiences with Jupiter Inlet Lighthouse ONA staff and facilities, [The Nature Conservancy] wishes to partner with BLM to renovate and utilize housing units F and G for the purpose of short-term lodging for visiting Conservancy volunteers, interns, staff, and conservation partners. Examples of potential Conservancy bunkhouse users include Alternative Spring Break college students who volunteer at [Blowing Rocks Preserve] for several days to a week at a time, mobile AmeriCorps volunteer teams, interns who work with the Conservancy for periods ranging from one week to no more than one year, Conservancy staff and partners visiting [Blowing Rocks Preserve] for meetings, and visiting scientists or educators from partner organizations who are conducting work at [Blowing Rocks Preserve] or in the vicinity. We envision [Blowing Rocks Preserve] staff, volunteers, and visitors who use the housing units contributing to work on Jupiter Inlet Lighthouse ONA and we welcome the opportunity to explore those possibilities with BLM staff.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides only an expression of interest in the use of facilities and does not pertain to the decision at hand, which decides if eligible partners should be allowed to use structures

superfluous to BLM's needs, and if so, how that use may be established. There has been no change to the decision based on this comment.

The BLM values the existing partnership with The Nature Conservancy, both locally and nationally, and appreciates the expression of interest in furthering partnership opportunities at the ONA. The BLM will advise The Nature Conservancy and all interested partners and parties about the timeframe in which it will solicit eligible partner proposals. The solicitation period will include an informational meeting to outline the requirements of eligible partner proposals and the process for ranking, selecting and authorizing partner use.

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**Comment:** *[The Nature Conservancy recommends] extending the deadline for completion of renovations of the housing units F, G, H, & I from six months to one year to account for the inevitable delays involved in permitting and construction.*

**BLM Response:** Thank you for the comment. The BLM understands some renovations may be complex and require additional steps that result in construction delays. The BLM has modified its decision within Appendix B – *Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations* to allow each proposal to include its own proposed renovation schedule, instead of being arbitrarily limited to a specific time period. In reviewing the service proposals of contractors, the BLM will consider the renovation schedule and the expediency at which work can be completed as evaluation criteria used to ultimately determine which contractor will be selected. The decision has been further modified to clarify that no use/occupancy of a structure may occur until all proposed renovation work has been completed.

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**Comment:** *[The Nature Conservancy recommends] requiring that sewer connections for housing units F, G, H, & I occur in concert with or upon completion of the planned sewer work at housing units C, D, & E.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information or rationale supporting the recommendation. The BLM does, however, see the benefit of having all construction occur within the same timeframe, due to reduced construction mobilization costs and a reduction in disturbance to restored areas. The BLM will work expeditiously to solicit partner proposals, review, rank and select and/or deny proposals – with the understanding that partners will attempt to schedule their renovation to coincide with the BLM's projects to the best of their ability. However, the Septic to Sewer Conversion project and the connection of Units 1, B, C, and E to the sewer system will occur on their own planned timeline, which will ensure that important health, safety and environmental compliance work is completed in a timely manner using presently available funding. There has been no change to the decision based on this comment.

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**Comment:** *[The Nature Conservancy recommends] extending the maximum authorized use by Eligible Partners from 10 years to 20 to years to allow partners the opportunity to recoup their investments.*

**BLM Response:** Thank you for the comment. The maximum authorized use period has been established by regulations governing the types of authorities (e.g., Land-Use Authorizations) that

the BLM will use to permit an eligible partner's use of a facility. The period of 10 years was selected as it accommodates a wider variety of authorization types available to the BLM, such as Special Recreation Permits, Temporary Land Leases etc.). Although authorizations that allow for longer periods are available (e.g., Land Use Authorizations at fair-market value), these are not deemed appropriate nor beneficial for the ONA and would introduce considerable financial barriers for partner use. There has been no change to the decision based on this comment.

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**Comment:** *[The Nature Conservancy requests clarification on the] options for partners at the end of the authorized use term. For example: Will partners be given the opportunity to extend their current authorization? Will a new authorization need to be executed? Will a new authorization be part of a competitive process? Will existing partners be given right of first refusal for use of their authorized unit?*

**BLM Response:** Thank you for the comment. The BLM has modified its decision within Appendix B – *Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations* to address these clarifications, as follows: New authorizations will be required upon expiry of previous authorizations. Existing partners in good standing will be given the opportunity, and first right of refusal, to establish new authorizations prior to the expiry of their current authorizations. Should a partner not wish to continue use or use has been terminated, the BLM will make further management decisions concerning the future use of the structure, which may include use by the BLM, increased opportunities for existing partners, opportunities for new partners, or building demolition.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] in Affected Environment, General Setting, paragraph 3 (p.23): language should specify Loxahatchee River Historical Society (LRHS) – a named partner in the ONA legislation - as the primary partner that provides visitor services and maintenance of the historic and cultural resources. This provides the public with an accurate overview of the functioning of the ONA administration and the federal-local partnership that is so beneficial to the community. For example, since May 8, 2008, the LRHS has been the primary managing partner of the ONA's historic resources - raising and providing over \$12 million in support of these activities on behalf of the public.*

**BLM Response:** Thank you for the comment. The BLM recognizes the important role that the LRHS plays in the management of the ONA's historic and cultural resources, as well as their provision of visitor services. The referenced paragraph of the SIRI EA provides a general overview of the ONA's recognized values and public visitation, without detailing the roles of any of the congressionally recognized partners or the BLM. The SIRI EA incorporated by reference the complete *Jupiter Inlet Lighthouse Outstanding Natural Area Comprehensive Management Plan* (USDI, 2010), which details the roles of each Partner (*pages 9-11, Section C. Jupiter Inlet Lighthouse ONA Partners and Current Uses*). The information contained in the Comprehensive Management Plan is sufficient to provide the public with an accurate overview of the functions of the ONA administration and the federal-local partnerships relative to this decision-making process. No modification to the EA has been made as a result of this comment.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] in Relinquished Structure Disposition (p. 12), language should specifically reflect that BLM will provide direct coordination with LRHS for “the establishment of visitor access controls, such as temporary closures of portions of the site of re-routing of visitors to avoid construction work.” Most ONA visitor services are provided by the LRHS in much of the areas affected.*

**BLM Response:** Thank you for the comment. The BLM understands the importance of coordination with all authorized and permitted users of these public lands relative to interruptions to visitor access and permit operations. The relevant decision has been modified (DR, page 3) to clarify that coordination with the LRHS and other authorized, permitted users will occur relative to the establishment of visitor access controls for construction/renovation work. This clarification has further been carried forward into additional decisions (DR, pages 8-12), including the Septic to Sewer Conversion, which will also interrupt routine use of the ONA.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum] requests sensitivity to the economic impact to the LRHS and the business community at large when the public perceives interruptions as closures and chooses not to visit [the ONA] at all.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information concerning the economic impacts that result from public perceptions of interruptions as closures. However, the BLM is aware that its decisions and actions have economic and social repercussions throughout the community and recognizes that authorized users, permittees and ONA partners are the most directly affected. The BLM will execute decisions related to construction/renovation that interrupt routine use and operations at the ONA in coordination with all authorized and permitted users. This will ensure that authorized users, permittees and ONA partners are aware of project-project related logistics and that information concerning interruptions to visitation is made publicly available. There has been no change to the decision based on this comment.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum suggests that] allowing public use of any of the Housing Units by groups other than BLM and LRHS will increase safety and security concerns and therefore will directly and seriously affect existing site security. This will require fire suppression systems, security measures such as cameras, and a federal law enforcement agent for the ONA. Allowing use of the bunk house by BLM and LRHS only will not alter the existing site security.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information or rationale supporting the assumption of increased safety or security concerns resulting from use of any of the Housing Units by groups other than the BLM and the LRHS. There has been no change to the decision based on this comment, however, the comment does bring up a frequent concern over perceived security and safety issues, as well as the requirement for fire suppression systems.



The ONA is routinely open to public visitation, including unescorted public visitation within Lot 22 and unsecured access from the Loxahatchee River shoreline. The risks involved with allowing authorized and permitted use (which frequently requires payment of fees, insurance and bonds) do not appreciably increase the safety and security risks within the ONA, nor do they invoke requirements for a dedicated federal law enforcement agent, additional security cameras or fire suppression systems to be installed. Assignment of a federal law enforcement agent and additional security cameras are discretionary actions governed by the BLM based on established needs and risk determinations. The requirement for fire suppression systems is dictated through building codes and safety guidelines, which, if identified as applicable, the BLM will follow the codes and guidelines, while also requiring all partners to follow them.

As use of any and all housing units requires appropriate BLM authorization(s), the BLM will include terms, conditions and stipulations related to site security and safety. These stipulations are developed on a case-by-case basis and will be coordinated with other authorized and permitted users, as appropriate. If authorizations/permits are granted, the BLM will hold authorized and permitted users accountable to the terms, conditions and stipulations through the appropriate administrative and legal mechanisms governing this use.

Regarding Unit E, “the bunkhouse,” the BLM currently allows use of this facility through its Special Recreation Permit process and other authorizations. The decision does not alter the current situation but serves to provide general clarification. In addition to the BLM and LRHS, Unit E has been permitted/authorized for use by a variety of other users, including local educational establishments, non-profits, civilian community/conservation corps and other governmental organizations. There have been no documented security or safety issues arising from these authorized uses and, therefore, no reason suggesting that such issues would result from similar authorized uses in the future.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] language should reflect that the multifunction space in Housing Unit 1 must be coordinated with the Loxahatchee River Historical Society (LRHS) to ensure that scheduled and ongoing programs are not impeded.*

**BLM Response:** Thank you for the comment. The BLM has modified the decision (DR, page 3) to reflect that use of Housing Unit 1 will be coordinated with existing authorized and permitted users, including the LRHS, and that new authorizations or permits allowing use of these facilities would be issued only after coordination with existing users to avoid conflicts.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] language regarding the creation of the Weather Bureau Station Replica should specify LRHS as a named partner. Appendix B: The extent of mandatory stabilization of the southeastern shoreline should be clearly defined on a map.*

**BLM Response:** Thank you for the comment. The decision has been modified (Appendix B – Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations, page 31 )

to reflect the extent of the stabilization needed along the southeastern corner of the ONA to ensure the stability and longevity of any replica building constructed at this site.

The decisions have not been modified to “specify LRHS as a named partner.” This decision refers to the original decision in the *Jupiter Inlet Lighthouse Outstanding Natural Area Comprehensive Management Plan* (USDI, 2010), which did not specifically identify named partners for this project. Furthermore, there is no new information or rationale provided in the comment that identifies the need to specifically name partners to aid in implementing this decision. Detailed project planning, upon identification of appropriate funding or completion of appropriate fundraising agreements, would identify partners and their responsibilities.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests ] when [Housing Unit E is] not in use by the BLM, LRHS uses this housing unit for preservation specialists, exhibit installers, and other heritage contractors to save considerable housing expenses while making improvements to the historic structures and educational programs specifically benefitting the ONA. LRHS requests that the decision reflects this priority, stating: “Available for BLM and LRHS use...”*

*[In] Appendix B: Others applying for special group permits should only be permitted if the activities directly benefit the ONA and these groups are under the supervision of BLM or LRHS personnel. Because there is no federal law enforcement officer on site, this is a serious security risk to the historic and cultural resources, especially at night, as well as a safety – especially fire – risk to the site.*

**BLM Response:** Thank you for the comment. For clarification of the comment, “use by the BLM” refers to use authorized by the BLM to another entity in support of work benefitting the ONA or community partners and does not refer to use specifically by BLM staff, contractors or volunteers. Therefore, such use should be considered use authorized, administered, and supervised by the BLM. After consideration of the comment and clarification of BLM’s intent for Unit E, the decision has been modified (Appendix B – *Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations*, page 32 ) to eliminate “purely recreational uses” from the list of allowable uses and also highlight the fact that use that benefits the ONA would be the highest priority.

There is no regulatory authority or currently granted right to prioritize LRHS in the fashion requested for the use of Unit E. However, use by LRHS, by the nature of the organization, is principally for the benefit the ONA, and, as such, would be considered priority use of the facility.

The portion of the comment citing the lack of an onsite federal law enforcement officer is considered to be non-substantive as it provides no information on the perceived security concerns. The BLM does not foresee an increased security risk from authorized and permitted use beyond the risks already experienced on the site. BLM authorization(s) would include terms, conditions and stipulations related to site security and safety, and if authorizations were to be granted, the BLM would hold authorized and permitted users accountable to these standards.

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**Comment:** *LRHS Board of Directors strongly recommends that the Housing Units F,G,H, & I be demolished as originally intended by the partners during the creation of the ONA legislation.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information or rationale supporting the recommendation that Housing Units F, G, H & I be demolished nor evidence that this was the original intent in creation of the ONA legislation. Yet, the BLM does allow for demolition of these structures in its decision based on a process that first evaluates their historical significance and allows for uses beneficial to the ONA to be explored. If it is determined that no beneficial uses are appropriate, the process moves to explore whether the excess government residential facilities are suitable for providing housing for the homeless, as sanctioned by the McKinney-Vento Act. If there is no suitable use under the McKinney-Vento Act, then final demolition may occur. There has been no change to the decision based on this comment.

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**Comment:** *[LRHS Board of Directors strongly recommends that] if the State of Florida SHPO determines the houses cannot be removed because they are part of a historic district, all houses should meet historic standards and be restored to original appearances and be historically accurate to the 1960s. This must include uniform shingle roofs of the era, paint colors, and exterior design. Historic standards are not addressed in Appendix B, where multiple types, colors of roofs and exteriors are encouraged for perceived improvement of scenic values. However, scenic values for the ONA are primarily for the natural and historic resources. Language should be corrected to reflect this critical requirement for historic standards at a nationally designated heritage site. In addition, permitting multiple roof and exterior styles is not an improvement to the scenic values.*

**BLM Response:** Thank you for the comment. The BLM has modified the decision language (Appendix B – *Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations*, page 33) to reflect maintenance of the historic character of the buildings and landscape, but does not rule out the use of alternate construction materials and methods that may be required to meet current codes and/or achieve efficiencies in utility consumption, pending approvals from the State Historic Preservation Officer, if required. The comment incorrectly states that the decision language allows for “multiple types, colors of roofs and exteriors.” This is not the case. The BLM had added clarifying language to ensure there is no misunderstanding.

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**Comment:** *[LRHS Board of Directors contests that] as stated, the “comings and goings” of vehicles along the road to the existing housing units are a distinct and negative distraction for the primary visitor experience, both near the lighthouse and from the top. – both visually and auditorily. This should be discouraged.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information or rationale supporting the claim that vehicles are a “distinct and negative distraction for the primary visitor experience.” It is important to consider that previous maritime and military operations at the ONA, along with current BLM and partner operations, routinely include the presence of personnel and vehicles moving around on-site. As such,

movements, noise and disturbances associated with these uses are a common and expected factor for site visitors. There has been no change to the decision based on this comment.

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**Comment:** *[LRHS Board of Directors requests that] if the houses [Units F, G, H & I] are not demolished, only partners or nonprofits that DIRECTLY and specifically provide benefits to the ONA site should be permitted to apply for use.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information or rationale supporting the restriction of other eligible partners that might include other Federal, State or local governments, all of which frequently engage in activities in support of the values of the ONA. There has been no change to the decision based on this comment.

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**Comment:** *[LRHS Board of Directors requests that] Language in Appendix B regarding uses of Housing Units F,G,H & I should clarify that other use groups must specifically enhance the values of the ONA and clarify what percentage of generated revenue is permitted to fairly apprise applicants of the requirements.*

**BLM Response:** Thank you for the comment. The decision language currently states that that use must enhance the values for which the ONA was designated. It is assumed that the comments concerned with the “percentage of generated revenue” refers to the restriction on use of the facilities for fundraising. The BLM has modified the decision (Appendix B – *Detailed Decision Clarifications, Parameters, Terms and Conditions, and Stipulations*, page 33) language to clarify that generated revenue and fundraising activities that benefit public lands, including partner operations on public lands, will be managed using the appropriate mechanisms, including fee schedules, donation documents and fundraising agreements.

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**Comment:** *[LRHS Board of Directors requests that] due to the safety and security issues this [eligible partner use of Units F, G, H & I] incurs for the ONA, BLM should install a fire suppression system and hire a law enforcement officer if the houses are used by other groups with a variety of uses, programs, and personnel.*

**BLM Response:** Thank you for the comment. The comment is considered to be non-substantive as it provides no information or rationale supporting perceived security concerns. The risks involved with allowing authorized and permitted use (which frequently requires payment of fees, insurance and bonds) do not appreciably increase the safety and security risks of the existing situation, nor do they invoke requirements for a dedicated federal law enforcement agent, additional security cameras or fire suppression systems. Assignment of a federal law enforcement agent and additional security cameras are discretionary actions governed by the BLM based on established needs and risk determinations. The requirement for fire suppression systems is dictated through building codes and safety guidelines, which, if applicable, the BLM will ensure are installed according to regulations. There has been no change to the decision based on this comment.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum, requests] language should include: Permitted use only*

*by LRHS and BLM, not just coordinated with LRHS. The Keepers Workshop houses property owned by the LRHS, including rare artifacts, technology, and a \$150,000 exhibit provided for the visiting public that the LRHS created. Use that is not supervised by the LRHS or BLM is a clear security risk. Groups that want access to this structure can easily utilize the existing LRHS visitor services or contact BLM*

**BLM Response:** Thank you for the comment. The BLM has modified the decision (DR, page 5) to clarify that any permitted or authorized use of the facility other than use by LRHS, will be supervised by the BLM. Additionally, due to the presence of artifacts and exhibits owned by the LRHS and their existing authorizations to house such exhibits in these facilities, any use permitted or authorized by the BLM, and subsequently supervised by the BLM, will first be coordinated with LRHS to avoid any conflicts in such use.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] Language should state that use of [the Oil House] building is only by the LRHS and BLM. The responsibility for the restoration and maintenance of this building is a continuing stipulation of the LRHS-CG Lease/SRP. LRHS also houses a public exhibit in this structure which is a part of ongoing daily lighthouse tours. Groups that want access to this structure can easily utilize the existing LRHS visitor services or contact BLM*

**BLM Response:** Thank you for the comment. The BLM has modified the decision (DR, page 5) to clarify that any permitted or authorized use of the facility other than use by LRHS, will be supervised by the BLM. Additionally, due to the presence of artifacts and exhibits owned by the LRHS and their existing authorizations to house such exhibits in these facilities, any non-LRHS use will be coordinated with the LRHS to avoid any conflicts in such use.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] no public access can be allowed in the lantern room. This incorrect language must be deleted for the safety of the extremely rare 1st Order Fresnel lens and the safety of the public.*

**BLM Response:** Thank you for the comment. The comment highlights an error in the Proposed Action language which has been corrected in the final decision (DR, page 6). The final decision reflects that supervised public access is allowed to the “watch room and gallery deck” and not the lantern room, which remains inaccessible to the general public.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] language should reflect use [of the lighthouse] by the LRHS and BLM only. The ongoing responsibility for the restoration and maintenance of this building by the LRHS is a stipulation of the LRHS-CG Lease/SRP. The LRHS completed a \$233,000 restoration project for the lighthouse in November 2019 and has invested over \$2.5 million in the complete/continuing restoration and maintenance of the lighthouse itself since 2000. Damage by other groups not supervised by the LRHS or BLM would be the unfair*

*responsibility of the LRHS. Groups that want access to this structure can easily utilize the existing LRHS visitor services or contact BLM.*

**BLM Response:** Thank you for the comment., The United States Coast Guard (USCG) remains an active management entity as a Federal Aid to Navigation. As such, the USCG remains permitted to access and use the Jupiter Inlet Lighthouse in addition to the rights granted to the LRHS and the management responsibilities of the BLM. The restrictions, as requested, are already encompassed within the decision. However, “BLM use” includes the issuance of appropriate authorizations and permits, which would be administered and supervised by the BLM. The BLM modified the language of this and other decisions (DR, pages 3 – 7) to reflect the BLM’s role in administering and supervising authorized users and permittees.

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**Comment:** *[The Board of Directors of the Loxahatchee River Historical Society, which operates the Jupiter Inlet Lighthouse & Museum requests] language should reflect use by LRHS and BLM only. LRHS currently owns and has invested over \$400,00 to establish the Tindall Complex as a public exhibit and has filled the buildings with rare artifacts and furniture, all of which they maintain and insure. Damage by other groups not supervised by the LRHS or the BLM would put much of the Jupiter pioneer history at risk. Groups that want access to this structure can easily utilize the existing LRHS visitor services or contact BLM.*

**BLM Response:** Thank you for the comment. The BLM has modified the decision (DR, page 6) to clarify that the BLM will not issue permits or authorizations for use of the Tindall Complex, while it remains in LRHS ownership. If LRHS choses to transfer ownership of the Tindall house to the BLM, any permitted or authorized use of the facility would be administered and supervised by the BLM. Additionally, due to the presence of artifacts and exhibits owned by the LRHS and their existing authorizations to house such exhibits in these facilities, any non-LRHS use would be coordinated with LRHS to avoid any conflicts in such use.

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## Appendix B

### Detailed Decision Clarifications Parameters, Terms and Conditions, and Stipulations

The following information relates to the Proposed Action and, as noted, Alternatives, presented in the main body of the Site Infrastructure, Resilience, and Information Environmental Assessment (ES-0020-2019-0014-EA). This detailed information, including clarifications, decision parameters, terms and conditions, and stipulations are part of the complete decision and the nuances described are considered in the Environmental Consequences section of the Environmental Assessment (EA) and will be brought forward into the Decision Record (DR) for these actions.

#### ***Proposed Action: Relinquished Structure Disposition: Housing Unit 2 - Replica Weather Bureau:***

- a) Replica building must be used to support educational and scientific values of the ONA and may include minimal space for administrative functions.
- b) Prior to construction, the project must address ongoing operational and maintenance considerations, including the identification of the entities providing educational/interpretive exhibits, staffing, programming, maintenance responsibilities, fiscal considerations in the structure's final use, etc.
- c) Project must address surrounding landscaping, including removal of invasive weeds and planting with native plants (an exception for plants of historical value to be used during educational/interpretational programming may be granted) and the protection and/or stabilization of approximately 850 ft of the southeastern shoreline (from the existing dock around to approximately 200ft north of the interior fence line) to ensure newly constructed assets are not at risk from erosion.
- d) Construction must minimize impact to buried archaeological resources, and use the previously disturbed area (i.e., Unit 2 foundation) to the fullest extent possible.
- e) Replica building must be constructed to meet current hurricane and all other building codes, including Americans with Disabilities Act and Architectural Barriers Act (ADA/ABA) requirements for access.
- f) There is no expectation of BLM funding for the replica construction project, however, the BLM may choose at its own discretion to seek funding to support the project.
- g) A donation agreement must be in place before any fundraising activities occur.
- h) Project funding must be completed prior to starting project and include sufficient funding for construction, infrastructure support (e.g., utilities, connection to sewer, etc.), interpretive/educational content, interior furnishings and fixtures, and ongoing maintenance.
- i) Supporting replica structures, including fencing, a windmill, and an instrument box will be allowed, but must be addressed in the initial project design. The ancillary features may be funded in subsequent phases under their own donation agreements.

- j) The structure, infrastructure and any supporting features will become property of the federal government upon installation.
- k) The BLM reserves its abilities to make final decisions in implementation of the project in accordance with regulation and policy, including construction plans, landscaping, interior exhibits, etc.

***Proposed Action: Relinquished Structure Disposition: Housing Unit E – Allowable use and Special Recreation Permit Stipulations:***

- a) Accommodation must not exceed a duration of 30 days per group/individual.
- b) Priority is for BLM program of work over all other uses.
- c) Accommodation is not available for Commercial Special Recreation Permits.
- d) Non-BLM use (e.g., Local Partner, other partnering entities, community groups, etc.) will be administered under Organized Group Special Recreation Permit with associated stipulations and fees.
- e) Non-BLM use that benefits the ONA will be given highest priority.
- f) Other uses that enhance or support general scientific and educational values, such as scientists visiting the region to perform work at non-BLM sites or supporting Jupiter High Schools foreign exchange program, will be given priority over unrelated uses (e.g., use of the facility by post-disaster community support/outreach crews).
- g) All non-BLM use is based on discretionary decisions. These decisions are based on value to the ONA, scheduling, availability of staff, condition of building at time requested, past performance of the applicant and timeliness of the Special Recreation Permit application.

***Proposed Action: Relinquished Structure Disposition: Housing Units F, G, H & I – Use by Eligible Partner(s):***

- a) *Eligible Partners* are considered to be the following organizations, whose mission in whole, or part, aligns with the one or more of the values for which the ONA was designated and who have attended the Partner Proposal orientation meeting:
  - i. Local Partners identified in the ONA's designating Act;
  - ii. Other Federal, State and local government entities;
  - iii. Organizations established by State legislator; and
  - iv. Non-profit organizations.
- b) Eligible Partners must be willing and able to enter into a Memorandum of Agreement, Assistance Agreement, Lease, Special Recreation Permit, other authorization or combination thereof depending on proposed use. The BLM will determine the appropriate authorization instrument(s) based on the proposed use. Authorizations may have associated costs and fees that will be the responsibility of the partner in accordance with the appropriate regulation and policy.
- c) Use by Eligible Partners is temporary in nature and no ownership will be conferred to the partner.
  - i. The maximum use period authorized shall be no longer than 10 years, renewed annually based on partner performance in adherence to the terms and conditions included in the authorization(s).



- ii. New authorizations shall be required to be issued upon expiry of previous authorizations.
  - iii. Existing partners in good standing will be given the opportunity and first right of refusal to establish new authorizations upon expiry of their current authorizations.
  - iv. Should the partner not wish to continue use or use has been terminated, the BLM will consider future use of structures, which may include use by the BLM, increased opportunities for existing partners, opportunities for new partners, or building demolition.
- d) The proposed temporary use must;
- i. Must adhere to all relevant laws, regulations and BLM policies;
  - ii. Enhance the values for which the ONA was designated;
  - iii. Must not create circumstances that exceed carrying capacity for the site or place undue strain/burden on the site's infrastructure;
  - iv. Must not alter the original footprint of the structure and must maintain the exterior of the structure to meet the historic character and landscape of the ONA. The BLM will review and approve all renovations and work with partners to complete NEPA documents, if needed. Consideration of the uniform appearance of the structures and the impact on the scenic qualities of the ONA will be a factor in determining the approval of proposed renovations. New construction methods and materials may be allowed to meet current codes and/or achieve efficiencies in utility consumption and operations, pending approvals from the State Historic Preservation Officer, if required; and
  - v. Not be for the sole or primary purpose of generating revenue or fundraising. Revenue generated activities, including fundraising, require specific authorizations and may be subject to fees. Fundraising activities for the benefit of public lands, including partner operations on public lands, may require fundraising agreements and donation documents.
- e) Proposals must be received by the BLM within 60-days of the request for proposals and orientation meeting.
- f) Proposal for temporary use of Housing Units F, G, H & I must, at a minimum, include the following core elements,
- i. A detailed narrative demonstrating support and enhancement of the ONA's Biological, Cultural and/or Historic Resources and/or education and scientific values relative to these resources.
  - ii. A statement describing the public benefit resulting from the Proposed Use.
  - iii. A vision for partnership, coordination and engagement, including how the proposed use/partners will work with the BLM, existing partners and permittees.
  - iv. A detailed description of proposed use, including the typical type of use, occupancy schedule, routine hours of operation, number of participants, site security considerations, etc.
  - v. Discussion of the partner's past accomplishments/performance relative to the Proposed Use.

- vi. Renovation plans to bring the structures up to BLM standards based on the proposed use, including a proposed schedule for renovation work. Renovation plans should address:
  - i. Utility connections, including sewer, electricity, water, etc.;
  - ii. Adherence to current building codes based on proposed use;
  - iii. ADA/ABA accessibility concerns.
- vii. Evidence/statement of adequate funding to achieve and execute Proposed Use and identification of funding sources for ongoing maintenance.
- viii. Temporary use must not exceed the carrying capacity of the structure or the capacity of the utilities to service the need.
- g) Partner(s) will be selected based on the merits of their proposals. The selection process will score proposals based on the following evaluation criteria;
  - i. Benefit to the legislative purposes designated for the ONA;
  - ii. Overall benefit to the public;
  - iii. Ability of partner to conduct renovations, including the schedule and expediency of proposed renovation work, and the ability complete ongoing maintenance;
  - iv. Past performance carrying out the proposed use; and
  - v. Vision in establishing a partnership with the BLM and other existing partners.
- h) Costs associated with the renovation, operation, and maintenance of the facility will be at the expense of the entity using the structures. No use or occupancy would be allowed in any structure prior to the completion of the renovation work.
- i) Additional terms and conditions of use will apply as established by the authorization(s) of use.

***Proposed Action: Relinquished Structure Disposition: Keepers Workshop – Improperly Abandoned Well:***

- a) The improperly abandoned well will be tested for its well-water's clarity and chemical composition to answer questions about the historic narrative regarding the early lighthouse keepers.
- b) The abandonment process will ensure the protection of the structure and avoid damage to interior exhibits.
- c) The structure will remain closed to the public during the well-abandonment work.

***Proposed Action: Relinquished Structure Disposition: Lighthouse Dock – Replacement Structure:***

- a) The replacement structure must be used to support education, scientific and recreational values of the ONA without comprising the Historic, Cultural or Biological Resources associated with the site.
- b) Project, prior to construction, must address ongoing operational and maintenance considerations, including the identification of maintenance responsibilities and allowable uses.

- c) Project must address the surrounding landscaping, including the removal of invasive weeds and planting with native plants and the protection and/or stabilization of the southern shoreline to ensure newly constructed assets are not at risk from erosion.
- d) Design and construction must avoid adverse impacts to federally threatened and endangered species, specifically Johnson's seagrass and West Indian manatee through appropriate design features and incorporation of the USFWS standard manatee conditions for in-water work.
- e) Construction must minimize impact to buried archaeological resources and use previously disturbed areas to the fullest extent possible.
- f) Replacement structure must be constructed to meet current hurricane and all other building codes, including ADA/ABA requirements for access.
- g) There is no expectation of BLM funding for the design and/or construction, however, the BLM may choose at its own discretion to seek funding to support the project.
- h) A donation agreement must be in place before any fundraising activities occur.
- i) Project funding must be completed prior to starting a project and include sufficient funding for the design, construction, and ongoing maintenance.
- j) Supporting replica structures, such as a Boathouse, may be addressed in the initial project design, but there is no guarantee of approval. These ancillary features may be funded in subsequent phases under their own donation agreements.
- k) The structure, infrastructure and any supporting features will become property of the federal government upon installation.
- l) The BLM reserves its abilities to make final decisions in implementation of the project in accordance with regulation and policy, including construction plans, landscaping, interior exhibits, etc.
- m) Based on the proposed design, additional NEPA may be required and the appropriate permits must be approved prior to construction.

Appendix C

Initial Engineering Drawings for Proposed Sewer System



Appendix D

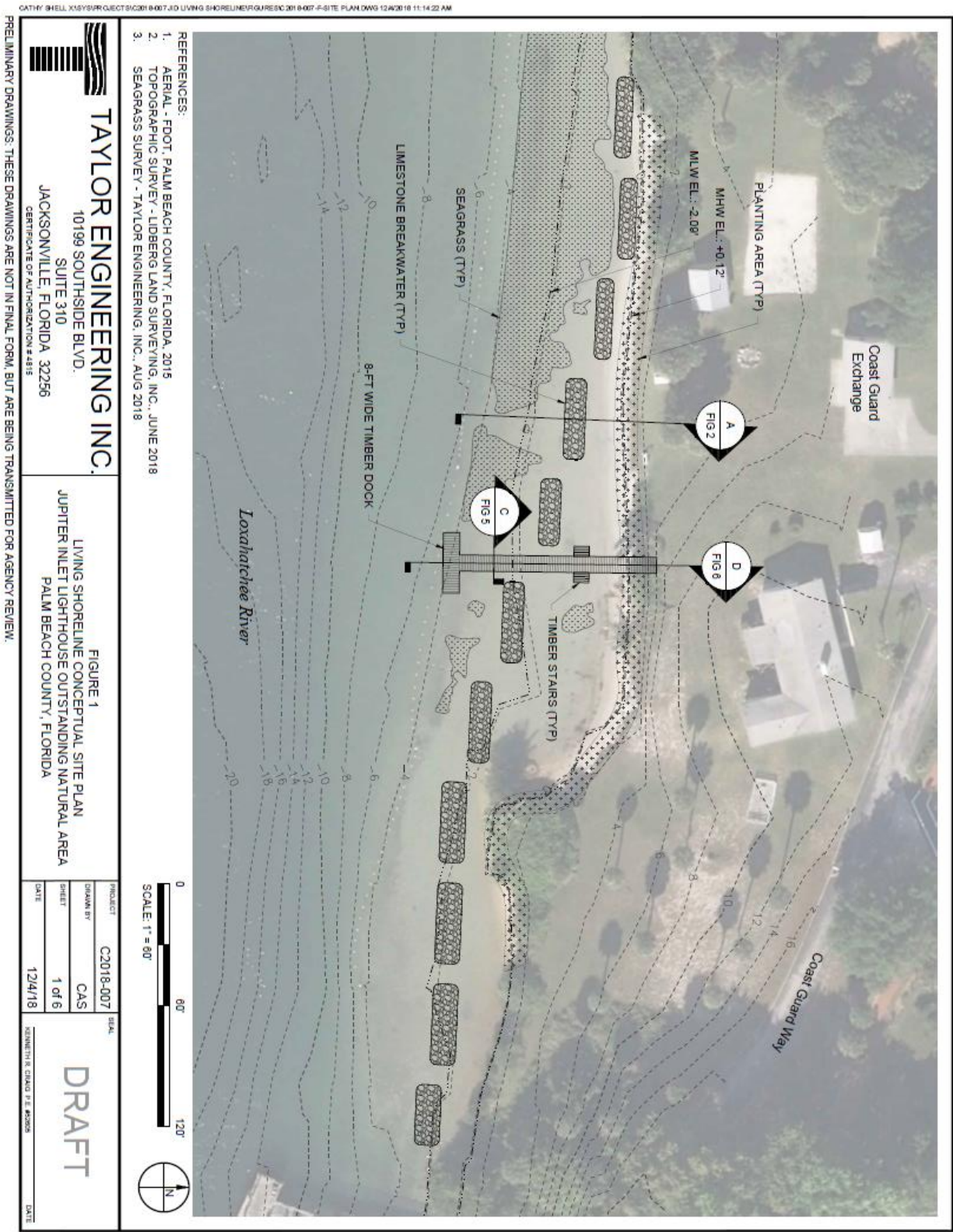
ONA Trails and Trailhead Enhancements





Appendix E

Initial Engineering Drawings for Proposed Living Shoreline



Appendix F

Facility Inventory Site Plan

