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PACIFIC WEST REGIONAL OFFICE Memorandum

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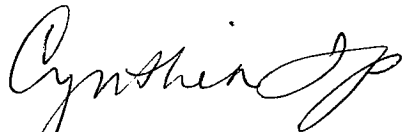
Memorandum

To: Superintendent, Point Reyes National Seashore

From: Regional Director, Pacific West Region

Subject: Environmental Compliance for Improving Six Road Crossings and Culvert Restoration in the Drakes Estero Watershed

The finalized *Finding of No Significant Impact* (FONSI) for repairing or replacing culverted road crossings in this watershed to restore hydrologic processes and make road maintenance operations more sustainable is approved. In order to conclude this particular compliance effort, the park should send its notice of the decision (and copies of the FONSI) to permitting agencies and those parties that commented or consulted on the supporting environmental assessment.


for Jonathan B. Jarvis

Attachment
CC:
PWR-LIC

EXPERIENCE YOUR AMERICA

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

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**U. S. Department of the Interior
National Park Service
Point Reyes National Seashore**

**Finding of No Significant Impact (FONSI)
Coastal Watershed Restoration – Drakes Estero Road Crossing Improvement
Project**

Introduction

The Coastal Watershed Restoration Project is a Line-Item Construction funded project addressing nine sites within the Drakes Estero Watershed. Separate Environmental Assessments were prepared for the Drakes Estero Road Crossing Improvement Project (this EA and FONSI) and the Geomorphic Restoration Project (separate compliance document).

The National Park Service (NPS) has completed an Environmental Assessment process for improvement of six road crossings within the Drakes Estero Watershed. This Finding of No Significant Impact (FONSI) is based on an environmental assessment entitled *Coastal Watershed Restoration – Drakes Estero Road Crossing Improvement Project EA*, October 13, 2004. These documents provide an analysis of potential impacts of each alternative considered and a complete description of the Selected Action which the decision set forth here is based. The EA and this FONSI represent the completed NEPA documentation for replacement and improvement activities at the six project road crossings.

Point Reyes National Seashore proposes replacement or improvements to culverted road crossings at six locations within the Drakes Estero Watershed. The need for the project is to repair or replace existing road-crossing facilities (crossings) in a manner that is sustainable ecologically and hydrologically, with infrastructure that will require less maintenance for long-term park operations. Prior to acquisition of the land by the NPS, a network of roads and other infrastructure were constructed to support existing agricultural operations and planned residential development. Culverts comprise many of the park road crossings. Since the Seashore was established, the NPS has continued to manage the existing roads, drainage facilities, and other infrastructure. Many of these facilities are beyond their design life, and are in imminent danger of catastrophic failure. The sites included in this project are identified as integral to continued park operations and replacement in a manner that is consistent with existing stream crossing criteria is essential.

These six project areas fall within three coastal subwatersheds, which eventually drain to Drakes Estero and Drakes Bay. The Mt. Vision Road and Estero Road project areas are located on East Schooner Creek, which parallels Sir Francis Drake. The Upper Home Ranch project area is located on North Home Ranch Creek at its junction with Estero Road. The Lower Home Ranch project area is located on Home Ranch Creek at the Home Ranch facility. The remaining two project areas (Upper and Lower Laguna) are located on Laguna Creek, where access to the Laguna Trailhead and Coast Trail cross the stream channel. These creeks are perennial drainages or creeks that have flowing water throughout the year.

Project Need

The need for the project is to repair or replace existing road-crossing facilities (crossings) in a manner that is ecologically and hydrologically sustainable, with infrastructure that will require less maintenance for long-term park operations. Prior to acquisition of the land by the NPS, a network of roads and other infrastructure were constructed to support existing agricultural operations and planned residential development. Culverts comprise many of the park road crossings. Since the Seashore was established, the NPS has continued to manage the existing roads, drainage facilities, and other infrastructure. Many of

these facilities are beyond their design life, and are either not compatible with current land use designations (e.g., Wilderness areas) or are in imminent danger of catastrophic failure. To this end, the NPS has been developing a number of projects aimed at removing ranch roads or upgrading or removing culverts and other stream-crossing infrastructure. These projects, including the Drakes Estero Road Crossings Improvement Project, fall under the Seashore's Coastal Watershed Restoration Program.

The six project areas have been identified by the NPS as having culverts and other infrastructure that are beginning to degrade and/or are undersized for even small to moderate streamflow events (NHC 2002). Even more importantly, some of the crossing facilities are in imminent danger of catastrophic failure. At the Mt. Vision road crossing, water is piping around the culvert (flowing on the outside and inside of the culvert). The crossing at Estero Road is beginning to erode and threaten the integrity of the road. Should these facilities catastrophically fail, access to homes and park facilities could be cut off, and public and employee safety could be jeopardized.

Project Purpose

The purpose of this project is to repair or replace existing road crossing infrastructure in a manner that facilitates or improves natural hydrologic and geomorphic processes within watersheds of Drakes Estero known to support federally threatened central California steelhead. While the NPS has historically focused on preservation and conservation rather than restoration, it has come to realize that preservation may not be enough to fulfill the mandates of the Organic Act or the enabling legislation of many of the park units. Without some action, many valued NPS assets may continue to degrade or even cease to exist. Recent management policies acknowledge this need to move beyond simple preservation by encouraging parks to restore natural systems and their associated processes, functions, and values. The NPS has evaluated each of these crossings and determined them to be necessary to park operations or visitor needs.

Restoration of water resources and aquatic habitat have been identified as a high priority objectives by the NPS in the PRNS General Management Plan (NPS 1980), the PRNS Resource Management Plan (NPS 1999), and the NPS Management Policies (NPS 2000). The current PRNS General Management Plan (NPS 1980) and Statement for Management (NPS 1993) identify objectives for the management of natural and cultural resources. The PRNS Statement for Management sets the primary resource management objectives for PRNS as the identification, protection, perpetuation, and restoration of cultural and historic resources and the diversity of natural ecosystems representative of the California coast (NPS 1993).

In addition to the purpose, the NPS has established some specific objectives for this project. These translate the project purpose into specific objectives that were incorporated into project design.

The goals of the Drakes Estero Road Crossing Improvements are:

1. To improve or replace road-crossing facilities in poor or failing condition, using design criteria and construction materials that are ecologically and operationally sustainable.
2. To ensure that road-crossing facilities meet fish passage design guidelines to accommodate fish movement within the watershed (NOAA Fisheries 2001; CDFG 2002).
3. To reduce or remove the long-term operations and maintenance requirements associated with each of these park facilities.
4. To ensure that replacement designs increase flow conveyance (to meet the 100-year discharge event [Q100]) to improve or restore natural hydrologic and floodplain processes to these sites.

To accomplish these objectives, the NPS investigated a combination of potential actions or treatments at the six road-crossing facilities, including embedded culverts, bottomless pre-cast or metal arch culverts, or conventional bridges in combination with the required grade stabilization. The proposed alternatives synthesize the results of more extensive pre-design investigations. The proposed actions would restore natural hydrologic and geomorphic processes and watershed functions at each of the sites.

Summary of the Alternatives, Preferred Alternative, Environmentally Preferred Alternative

Three project alternatives, no action, and two action alternatives were evaluated within the Drakes Estero Road Crossing Improvements Project Environmental Assessment. At four of the six sites, the action alternatives were the same. Alternatives B and C differed for the Upper and Lower Laguna sites, as they evaluated different restoration approaches potentially affecting more extensive areas of stream or riparian habitat.

The EA identified the Preferred Alternative and the Environmentally Preferred Alternative. The Environmentally Preferred Alternative was the same as the preferred alternative at all sites except for Lower Laguna Creek. While a bridge alternative at Lower Laguna Creek was recognized as more environmentally appropriate, the installation of a lower cost structure (multi-plate arch culvert) which meets all of the project goals, will allow for greater planning flexibility in the long-term.

As a result of the project analysis, the NPS has selected the Preferred Alternative as the Selected Action. The Selected Action is consistent with the Environmentally Preferred Alternative at five of the six project sites. At these five sites, the Selected Action provides the greatest sustainability and minimizes environmental impact of the facility as well as construction on the aquatic resources.

Selected Action

The Selected Action is intended to enhance road crossing facilities, to meet fish passage requirements, and improve flow conveyance and longevity of the facilities. The Selected Action would require the least maintenance, maximizes long-term management flexibility while still enhancing channel connectivity and fish passage, and would provide the widest range in beneficial uses to this area of national trust lands. The Selected Action also provides more aesthetic enhancement and restoration than other alternatives considered in the project EA.

At the Mt. Vision Road Crossing site, the existing 48" metal culvert [in poor condition (NHC 2002)] is a fish passage barrier, with a 60 inch vertical drop on the downstream side. The culvert flow conveyance is limited to the 10 year discharge event. The culvert will be replaced with a 16' x 5' pre-cast concrete arch culvert, and construction of a roughened rock ramp approach and natural stream bed through the facility will provide fish passage through the project site. The project EA described a cross vane step pool system downstream of the culvert, however, there was concern over structural stability with the cross vane system. Instead, and in consultation with regulatory agencies, a roughened rock ramp will be installed on the downstream side of the culvert rather than the cross-vane system. This method has been used locally to achieve fish passage objectives and does not change the footprint or performance of the fish passage structure at this road crossing site, nor alters the conclusions derived from the environmental analysis.

At the Estero Road Crossing site, the existing 53" x 83" metal culvert [in poor condition (NHC 2002)] is an impediment to fish passage with a 36 inch vertical drop on the downstream side. The culvert has been subject to overtopping during high flow events. The culvert will be replaced with a 16' x 5' pre-cast concrete arch culvert, and the construction of a roughened rock ramp approach and natural stream bed through the facility will provide fish passage through the project site. The project EA described a cross vane step pool system downstream of the culvert, however, there was concern over structural stability with the cross vane system. Instead, and in consultation with regulatory agencies, a roughened rock ramp will be installed on the downstream side of the culvert rather than the cross-vane system. This method

has been used locally to achieve fish passage objectives and does not change the footprint, environmental analysis, or performance of the fish passage structure at the Mt. Vision Road Crossing site.

At North Home Ranch Creek, the existing 36" metal culvert under Estero Road will be replaced with a 4' x 8' pre-cast concrete box culvert. The existing culvert overtops regularly and is in fair condition (NHC 2002). The culvert is at grade and will not require any work in the stream bed.

At Home Ranch Creek, the existing 53" x 83" metal culvert [in fair condition (NHC 2002)] within the main ranch complex will be replaced with a three-sided cement bridge. Because this area of the watershed is subject to flooding (extensive flooding occurred in December 2005) the three-sided bridge was selected to minimize the bridge profile and prevent potential damming effects of the road.

At Upper Laguna Creek, the access to the Laguna Trailhead Parking Area and two park residences will be stabilized. The existing cement culvert provides adequate conveyance, and is short enough to not impede fish access. On the downstream side, boulder weirs will be installed to eliminate drop out of the culvert and improve fish passage. In addition, activities to stabilize the base of the concrete wall will be conducted to ensure longevity of the structure and crossing.

At Lower Laguna Creek, the Coast Trail crosses the Lower Laguna Creek floodplain. The floodplain has been aggrading and the channel is actively moving across the area. The existing 72" cement culvert is below grade and limits floodplain function. The structure will be replaced with a 11' x 7' multi-plate arch culvert placed at the existing floodplain elevation.

Standard Resource Protection Measures (Measures), to be implemented at each of the sites include measures to minimize erosion and sediment mobilization, revegetation measures, explicit plans to prevent and respond to chemical spills, actions to protect cultural resources, measures to minimize disruption to recreation in the Seashore, and practices to protect plant and animal life in the project area. These Measures would be employed by the NPS or contractor staff engaged in construction activities. It is anticipated that in-channel construction activities will take place between August 1 and October 31 of the construction year. If work is to begin prior to August 1, riparian bird surveys must be conducted to determine if there are nesting birds adjacent to, or within the construction area.

The original EA identified 2005 as the construction year, it is now anticipated that the year of implementation will be 2007. At each site and before construction begins, a bypass would be installed to convey streamflow around the construction area. Water pumped from the channel would be conveyed via flexible high-density polyethylene (HDPE) pipe to a temporary outfall located downstream of the project area. If pumping is necessary, it will be equipped with approved screening to prevent it from drawing in wildlife. This bypass would be maintained throughout the construction window, and discontinued when construction was complete. Aquatic species within the bypass section would be captured and moved using appropriate methods to habitat either upstream or downstream depending on local conditions.

As part of the project initiation, site topsoil and vegetation would be stockpiled. Final grading should include the use of this stockpiled topsoil to support natural revegetation at each site. Topsoiling would provide a natural seedbank and is expected to foster rapid reestablishment of vegetation. Erosion control measures would be installed as needed on the slopes and at the toe of the slope to prevent excessive sediment runoff prior to site closeout.

Why the Selected Action will not have a Significant Effect

The EA analyzed the potential for direct impact, cumulative impact, and impairment on impact topics identified in the initial scoping phase of the project, including: geology, geohazards, and soils; air quality; soundscapes; hydrologic and geomorphic processes, including water quality; floodplains, wetlands, and riparian zones; wildlife; special status species, critical habitat, and essential fish habitat; cultural

resources; recreational resources, visitor experience, and aesthetic resources; and impacts to public safety and transportation are evaluated as part of the Environmental Assessment. Conclusions in the EA were provided to regulatory agencies including US Army Corps of Engineers, California Coastal Commission, US Fish and Wildlife Service, National Marine Fisheries Service, San Francisco Regional Water Quality Control Board and the State Historic Preservation Office. The responses from these agencies as well as public comment on the EA are considered in this evaluation.

The FONSI includes evaluation of criteria to determine whether an impact may be significant.

The EA concluded, and regulatory response supported the finding that the selected alternative would have negligible to moderate effects (both adverse and beneficial) to park resources. None of the potential impacts are considered to be significant.

The Selected Action addresses public health and safety through the replacement or improvement of road crossing facilities at six locations deemed necessary for long-term park management and visitor enjoyment. While construction activities will have the potential for adverse impacts to health and safety, the removal of failing facilities and replacement with new, properly engineered infrastructure, will result in improved protection of public health and safety in the long-term.

The project is located in the Drakes Estero watershed, known to support federally threatened steelhead, as well as many other threatened or endangered species. The Estero itself is designated potential Wilderness. The Selected Action is intended to reduce the impact of existing infrastructure on the natural hydrologic (namely stream) processes necessary to support fish passage throughout the Drakes Estero watershed. The actions will also better protect wetland and floodplain process through accommodation of larger flow events and active channel conditions through the facilities.

The project is not considered controversial. The initial scoping and public release of the EA resulted in limited public response (no letters on public draft release) regarding the project actions. There is general support in the area for improvements related to fish passage, with multiple fish passage projects planned or completed by the park, Marin County, and California Department of Transportation in coastal Marin County.

The proposed actions are intended to reduce the risk of catastrophic failure at each of these sites. Through the project assessment and engineering phases, the park and design consultants evaluated alternatives and how those would meet project criteria. In addition to meeting fish passage criteria, the project intended to implement actions that would increase design life and minimize long-term Operations and Maintenance costs. Based on field assessments and design, the potential impacts are considered rather certain.

The activities identified in the Selected Action are consistent with other road crossing improvements proposed locally, both in the park and within coastal Marin County. These actions represent complete repair of existing conditions (project actions are not segmented), and their impacts are not considered significant either individually or cumulatively.

Project documentation was submitted to the State Historic Preservation Office (SHPO) for NHPA Section 106 compliance. The SHPO concurred with the NPS determination that the project would have “no adverse effect to historic resources within the project area.”

Endangered Species Consultation on the Selected Action was conducted with US Fish and Wildlife Service and National Marine Fisheries Service. The agency Biological Opinions identified standard practices to reduce potential construction impacts (see Summary of Prescribed Resource Protection Measures below), and determined that the project construction activities would result in temporary

impacts to steelhead and the California red-legged frog, but would result in beneficial effects in the long-term.

Regulatory review of the Selected Action activities was conducted as part of the compliance process. All regulatory permits and review have been received and are on record in the Seashore files. Many of the permits include standard practices to reduce impacts associated with the construction activities. These are incorporated into the Summary of Prescribed Resource Protection Measures below.

Based on the findings of the EA, as well as responses from the public and regulatory agencies, the National Park Service has concluded that the project will not have a significant effect on park resources or the environment, and that an EIS is not necessary.

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Summary of Prescribed Resource Protection Measures

Impact	Prescribed Measure	Responsibility
1. Natural Resources		
Water Resources /Water Quality	<p><u>Timing</u> The timing for construction will avoid direct impacts to water resources. The water level in the fall is low and restoration activities will be conducted away from surface water resources.</p>	
Water Resources /Water Quality	<p><u>Water Quality</u> Seashore staff and NPS contractors will implement the preferred alternative to abide by the following stipulations in order to protect Water Quality at and downstream of the project Sites:</p> <ul style="list-style-type: none"> • Conduct construction activities during the dry season. • Conduct construction work in accordance with site-specific construction plans that minimize the potential for increased delivery of sediment to surface waters. • Ensure that concentrated runoff and concentrated discharge are diverted away from channel banks. • Minimize removal of and damage to native vegetation. • Install temporary construction fencing to identify areas that require clearing, grading, revegetation, or recontouring, and minimize the extent of areas to be cleared, graded, recontoured, or otherwise disturbed. • Grade and stabilize spoils sites to minimize erosion and sediment input to surface waters and generation of fugitive dust (see discussions under <i>Measures to Protect Air Quality</i>). • As appropriate, implement erosion control measures to prevent sediment from entering surface waters, including the use of silt fencing or fiber rolls to trap sediments and erosion control blankets on slopes and channel banks. • Avoid operating equipment in flowing water by using temporary cofferdams and/or other suitable structures to divert flow around the channel and bank construction area. 	Contractor
Water Resources /Water Quality	<p><u>Spill Prevention and Response Plan</u> NPS will require that the construction contractor comply with spill prevention and response standards that apply to the use of hazardous and toxic materials, such as fuels and lubricants for construction equipment. NPS will oversee implementation of the spill prevention and response plan. Elements of the plan will ensure that:</p> <ul style="list-style-type: none"> • workers are trained to avoid and manage spills; • construction and maintenance materials are prevented from entering surface waters and groundwater; • all spills are cleaned up immediately and appropriate agencies are notified of any spills and of the cleanup procedures employed; • Contractor shall have spill containment and erosion control supplies on site to facilitate quick response to unanticipated storm events or emergencies. • staging and storage areas for equipment, materials, fuels, lubricants, solvents, and other possible contaminants are located at least 100 feet away from surface waters; • no vehicles are fueled, lubricated, or otherwise serviced within the normal high-water area of any surface water body; • vehicles are immediately removed from work areas if they are leaking; and • no equipment is operated in flowing water (suitable temporary structures are installed to divert water around in-channel work areas). 	Contractor

Vegetation	<p><u>Measures to Protect Vegetation and Prevent the Introduction and Spread of Invasive Plant Species</u></p> <p>Resource Protection Measures to protect riparian vegetation during construction will be incorporated into construction documents (plans and specifications) for the proposed action. They will include, but may not be limited to, the following:</p> <ul style="list-style-type: none"> • Requiring the use of temporary construction fencing to delimit work areas. Requiring that fencing be installed before site preparation work or earthwork begins. • Excluding foot and vehicle traffic from particularly sensitive areas by delimiting exclusion areas with temporary construction fencing and flagging tape in a conspicuous color. • Washing off the tires or tracks of trucks and equipment entering and leaving project sites to prevent seed transport. 	Contractor
Air Quality	<p>The NPS and its contractors will implement the following measures to control the generation of fugitive dust during site preparation and construction activities. These measures are contained in the Bay Area Air Quality Management District's (BAAQMD's) Feasible Control Measures for PM10 Emissions¹ from Soil Removal Activities (BAAQMD 1996).</p> <ul style="list-style-type: none"> • Limit the area subject to excavation, grading and other construction activity at any one time. • Water unpaved access roads, parking areas, and staging areas as necessary, or stabilize them with nontoxic soil stabilizers approved for use adjacent to surface waters. • Apply (nontoxic) soil stabilizers to inactive earthwork areas (previously graded areas inactive for 10 days or more). • Enclose, cover, water, or apply nontoxic soil stabilizers to exposed stockpiles as necessary. • Maintain properly tuned equipment and limit idling time to 5 minutes. • Cover trucks hauling soil, sand, or other loose materials, or require them to maintain at least 2 feet of freeboard. • Replant vegetation or topsoil disturbed areas as quickly as possible. • Limit traffic speeds on unpaved roads to 10 mph. 	Contractor
Wildlife	<p><u>Measures for Migratory Birds</u></p> <p>To prevent disturbance of migratory birds—protected under the federal Migratory Bird Treaty Act—no project-related activities will take place during the migratory bird nesting season (February 15–August 1). To provide additional assurance, the NPS will conduct preconstruction surveys for migratory birds and their nests at the project site no more than 1 week prior to the initiation site preparation, staging, or construction activity planned before August 1. If preconstruction surveys identify active nests belonging to common migratory bird species, a 100-foot exclusion zone will be established around each nest to minimize disturbance-related impacts on nesting birds. If active nests belonging to special-status migratory birds are identified, a no-activity buffer zone will be established around each nest. The radius of the no-activity zone and the duration of exclusion will be determined in consultation with the U.S. Fish and Wildlife Service.</p>	<p>Staff</p> <p>Staff</p>

¹ PM10 refers to particulate matter with a diameter of 10 microns or less. Material of this size is small enough to be drawn deep into the lungs when inhaled and thus poses a human health hazard.

	<p><u>Measures for Aquatic Species</u></p> <p>Before de-watering activities begin at the project site, NPS will ensure that native aquatic vertebrates and larger invertebrates are relocated to a flowing channel segment by a qualified fisheries biologist. NPS will ensure that qualified staff monitor performance of bypass and sediment control practices, as well as in-channel work to identify and reconcile potential conditions that could affect performance of restoration activities. Construction activities will be prohibited from unnecessarily disturbing aquatic habitat.</p> <p>To ensure against adverse impacts on California red-legged frog (<i>Rana aurora draytonii</i>), NPS will conduct preconstruction clearance surveys for this species. The construction will occur during a period of time when frog use of these areas would be low. A biologist will survey the construction area on a daily basis to insure that frogs or other species have not moved in during the night. Frogs that have moved into the area would be captured and relocated to habitat outside of the construction area.</p>	Staff
Special Status Species	<p>California red-legged frog – (from USFWS BO July 19, 2006). To ensure against adverse impacts on California red-legged frog (<i>Rana aurora draytonii</i>), NPS will conduct preconstruction clearance surveys for this species and establish. A silt fence to delineate the work areas will be installed to exclude frogs from the project area. A biologist will survey the construction area prior to earth moving on a daily basis. If a frog is observed, qualified personnel will capture and move the animal(s) to an appropriate adjacent suitable habitat outside the work area (USFWS BO 2006).</p> <p>Staff will conduct a pre-construction education program for field personnel involved with the restoration project prior to groundbreaking. Information regarding description of species ecology, habitat needs, legal status, and their protection under the act, and measures to avoid impact or reduce effects to the species during the project. This will be presented by a qualified person knowledgeable of the CRLF and other appropriate species (USGS-BRD staff will brief crews on the CRLF) in an informal manner.</p> <p>The actions associated with the Road Crossing Improvements Project would result in temporary impacts to approximately 1.5 acres of non-breeding habitat. Once construction is complete, the habitat in the work sites would recover and would likely be better than that currently existing.</p>	Staff/Contractor NPS Staff NPS Staff
Soils	<p>Some short-term impacts due to heavy equipment onsite would occur. These impacts can be mitigated by regrading and restoring disturbed areas quickly to allow regrowth of vegetation.</p> <p>Erosion control on the regraded sites would include actions to break up and prevent the formation of long flow paths. Regrading actions would leave some roughness in the soil and bio-logs or similar treatments would be installed at contour to detain concentrated flow. Natural revegetation of the site would be augmented with shrubs recovered from the removal areas and potential reseeding with native perennial grasses.</p>	Contractor

<p>2. Cultural Resources</p>	<p>The NPS will coordinate with the Federated Indians of Graton Rancheria (FIGR) to insure that either an NPS or FIGR representative regularly visits the construction site. While the project has been designed exclude work in documented resource areas, the NPS employee will be on site to insure that this is indeed the case. In the case that resources are discovered during the course of construction, the NPS will act immediately and appropriately as documented in 36 CFR 800.13 "Post-review discoveries" (http://www.achp.gov/regs.html#800.13).</p>	<p>Staff</p>
<p>3. Visual Quality</p>	<p>The project would occur at existing road crossing locations. No further impacts to visual quality are anticipated.</p>	
<p>4. Health and Safety</p>	<p>NPS will retain qualified geologic and geotechnical personnel to perform engineering geologic and geotechnical studies at each site during the design and construction phases of the proposed action, in order to ensure appropriate design for existing substrate conditions. Design recommendations will be presented to NPS in the form of written soils engineering and engineering geologic reports. The geologic and geotechnical personnel will also be responsible for monitoring earthwork and construction to ensure compliance with applicable codes and standards and with the recommendations of the soils and engineering geologic reports.</p> <p>The NPS and its contractors will require the construction contractor to prepare and implement a traffic safety plan. The traffic safety plan will address appropriate vehicle size and speed, travel routes, closure plans, detour plans (if any), flagperson requirements (if any), locations of turnouts to be constructed (if any), coordination with law enforcement and fire control agencies, measures ensuring emergency access, and additional need for traffic or speed-limit signs. Delivery and haulage access, including contractor mobilization and demobilization, will be scheduled to minimize impacts on traffic on area roadways, including US-101. Construction worker parking and access will be managed to avoid impeding access for park visitors and emergency vehicles.</p> <p>In addition, the NPS is committed to the following design and construction commitments:</p> <ul style="list-style-type: none"> • Restoration and spoils disposal earthwork: <i>Caltrans Standard Specifications</i> (California Department of Transportation 1999). • Structural features for water conveyance: relevant guidance of the American Waterworks Association. • Other structural features, such as bridge: <i>Uniform Building Code</i> (International Conference of Building Officials). <p>NPS will ensure that design and construction of project features, including earthwork and infrastructure, proceeds in accordance with the appropriate codes and standards.</p>	<p>Construction Documents</p> <p>Contractor</p> <p>Construction Documents</p>
<p>5. Noise</p>	<p>Seashore staff and NPS contractors will implement the following measures to reduce construction noise and lessen the impacts of noise that cannot be avoided.</p> <p>Construction equipment will be required to have sound-control devices at least as effective as those originally provided by the manufacturer, and no equipment will be operated with an unmuffled exhaust. In general, construction will take place between 7:00 a.m. and 7:00 p.m., Monday through Saturday.</p> <p>In addition, NPS will post signs at each restoration site and on the park website providing the name and contact information for an NPS staff member the public</p>	<p>Contractor</p>

	can contact with noise concerns. This person will be responsible for recording and monitoring complaints related to construction noise, and for ensuring that logged complaints are mitigated to the maximum extent possible. Construction times and contact information for noise concerns will also be publicized in the park newsletter.	Staff
6. Public Services	NPS will take feasible measures to minimize the effects of project construction on recreational use. Information on construction timeline and limits will be posted on the park website, distributed at the Bear Valley and Ken Patrick Visitor Centers, and posted at the construction site.	Staff
7. Economic	N/A	

Summary of Public Involvement

Initial Scoping

Project scoping was conducted between June 10, 2002 and July 10, 2002. The public scoping document was mailed to the park’s public outreach mailing list, which includes more than 200 recipients. A total of 2 letters regarding this project were received. One letter expressed support for the project and proposed actions. The other questioned whether the project would be able to achieve its purpose without remedying problems at other crossings (downstream) within the subwatersheds, specifically the East Schooner Creek and Laguna subwatersheds. Those issues were addressed in the EA.

EA Public Review Comments

Announcement of availability of the Coastal Watershed Restoration – Drakes Estero Road Crossing Improvements EA on the park web site or hardcopy by request was sent to a mailing list of approximately 200 groups and individuals on October 15, 2004. This mailing list is used (and added to as requested by the public) when EAs are made available for public review. The project EA including all its appendices, graphics, and other supporting documentation were posted on the Point Reyes National Seashore website (www.nps.gov/pore/pphtml/documents.html), to which reviewers and interested parties were directed. Printed copies of the EA were mailed to all agencies, and 15 digital versions were provided to the California State Clearinghouse for review.

The NPS conducted public review for 38 days, with the comment period ending on November 22, 2004, 2004. No comments were received during this open comment period.

On November 3, 2004, the State Clearinghouse initiated a 30-day comment period for State agency review (SCH#2004114002). The State Clearinghouse closed the comment period on December 2, 2004. No agencies responded, and the EA was acknowledged to have complied with State Clearinghouse requirements on December 7, 2004.

Required Consultation

Consultation with state and federal agencies was initiated in January 2005, with letters sent to the US Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NOAA-Fisheries), California Coastal Commission (CCC), San Francisco Regional Water Quality Control Board (RWQCB), State Historic Preservation Office (SHPO), and the US Army Corps of Engineers (USACE).

Endangered Species Act – Section 7 - USFWS

As part of the EA, a Biological Assessment was submitted to the US Fish and Wildlife Service on January 6, 2005. The Biological Assessment covered both compliance projects associated with the Coastal Watershed Restoration Project: Drakes Estero Road Crossing Improvement Project and Geomorphic Restoration Project.

The required consultation with the U.S. Fish and Wildlife Service (USFWS) was completed on July 19, 2006 with receipt of a Biological Opinion (BO) (Reference 1-1-06-F-0178) covering both projects. The BO determined that the proposed project is not likely to adversely affect the threatened West Coast Distinct Population Segment of the western snowy plover (*Charadrius alexandrinus nivosus*), endangered tidewater goby (*Eucyclogobius newberryi*), endangered California freshwater shrimp (*Syncaris pacifica*), endangered Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*), Endangered Sonoma alopecurus (*Alopecurus aequalis* var. *sonomensis*), endangered beach layia (*Layia carnosa*), endangered clover lupine (*Lupinus tidestromii*), and the endangered Sonoma spineflower (*Chorizanthe valida*) due to a lack of suitable habitat. The BO concluded that the project actions, primarily associated with the Geomorphic Restoration Project activities (to be addressed as part of separate FONSI document) "is not likely to jeopardize continued existence" and "is not likely to destroy or adversely modify" habitat of California red-legged frogs." The Biological Opinion contained several terms and conditions, incorporated into the Summary of Prescribed Resource Protection Measures, requiring protection of frog habitat during project construction as well as proposed conservation measures to be taken to minimize the impacts of the project. It should be noted that the activities associated with the Drakes Estero Road Crossing Improvement Project would result in limited temporary impacts to non-breeding habitat. The BO identified mitigations would address the entirety of the project, and are anticipated for the impacts to breeding habitat associated with the Geomorphic Restoration Project activities.

Endangered Species Act – Section 7 – NOAA National Marine Fisheries Service

As part of the EA, a Biological Assessment was submitted to the NOAA National Marine Fisheries Service (NMFS) Service on January 6, 2005. The Biological Assessment covered both compliance projects associated with the Coastal Watershed Restoration Project: Drakes Estero Road Crossing Improvement Project and Geomorphic Restoration Project.

The NMFS responded August 31, 2006, with a Biological Opinion (Reference 2005/06969:DJL) concluding the proposed actions for the entirety of the Coastal Watershed Restoration Project "is not likely to jeopardize the continued existence of CCC steelhead, or adversely modify designated critical habitat for CCC steelhead or CCC coho salmon. NMFS anticipates that take of listed species as a result of this project will occur." The BO includes an incidental take statement. Standard terms and conditions were included in the BO related to avoidance measures, construction window, fish handling and relocation, etc.

The review of EFH concluded that the project is likely to adversely affect EFH. NMFS recommended that specific terms and conditions of the BO incidental take statement be adopted as the EFH conservation recommendations. A response by the NPS concurring with the Conservation Recommendations has been submitted to NMFS.

US Army Corps – Clean Water Act (CWA) Section 404 Consultation

A request for Nationwide Permit 27 was submitted to the US Army Corps on January 6, 2005. The Corps claimed jurisdiction over the project and has authorized work as proposed under Alternative C within the project EA in a letter issued September 15, 2006 (File # 27395N). The US Army Corps authorization is effective upon receipt of Section 401 water quality certification from the RWQCB (issued September 11, 2006) and concurrence from the California Coastal Commission (issued February 15, 2005 ND-011-05). The Corps authorization is also conditional on the Section 7 consultation with the US Fish and Wildlife Service (BO issued July 19, 2006) and National Marine Fisheries Service (BO issued August 31, 2006).

San Francisco Regional Water Quality Control Board – CWA Section 401 Certification

The application for water quality certification under Section 401 of the Clean Water Act was deemed complete and conditional certification to the actions identified under Alternative C, the preferred alternative, was issued September 11, 2006 (Site No. 02-21-C0491; File No. 2158.04 (mll)). Conditions are identified in the certification letter included as part of the project administrative file.

California Coastal Commission – Federal Consistency Review

The proposed project is within the California Coastal Zone and is subject to Federal Consistency Review. The CCC concurred on February 15, 2005 (ND-011-05) with the NPS negative determination that the project would not adversely affect coastal zone resources.

Cultural and Historic Resources

Consultation with SHPO was initiated March 23, 2005 for all nine sites associated with the Coastal Watershed Restoration Project – Drakes Estero Road Crossing Improvements Project and the Geomorphic Restoration Project. The SHPO staff completed their findings in a letter dated May 11, 2005, and concurred with the NPS finding of no adverse effect to historic resources within the Drakes Estero Road Crossing Improvements Project area.

Impairment Statement

The effects of the Selected Action have been analyzed for possible impairment of NPS resources as defined in the NPS Organic Act. A full analysis of potential effects of the proposed actions has determined that the project would not result in impairment of NPS resources. The project will result in short-term disturbances during the period of construction, but would improve or enhance fish passage, flood conveyance, and condition at the six road crossing sites addressed through this project. As identified in the EA and USFWS BO, the project would result in short-term impacts to the federally threatened California red-legged frog and associated critical habitat. This has been determined to not jeopardize the California red-legged frog population or its critical habitat.

To assure fulfillment of the NPS mission, NPS Management Policies (NPS 2000) require decision-makers to consider impacts and determine in writing that a proposed action will not lead to an impairment of park resources and values before approving the action. The Management Policies state that impairment prohibited by the Organic Act is an impact that, in the professional judgment of the responsible NPS manager, would "harm the integrity of park resources or values, including the opportunities that would otherwise be present for the enjoyment of those resources or values." The Management Policies further provide specific guidance for NPS managers to use in analyzing whether a proposed action would result in impairment. The Management Policies state that "...an impact would be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park²;
- key to the natural or cultural integrity of the park or to the opportunities for enjoyment of the park; or
- identified as a goal in the park's general management plan or other relevant National Park Service planning documents" (NPS 2000, p. 12).

The actions proposed under this project would result in improved conditions at six road crossing sites in the Drakes Estero Watershed, with impacts limited to the short-term. Because the project is consistent with the park's enabling legislation, the identified goals of its General Management Plan and other planning documents, and with preserving the natural and cultural integrity and opportunities for public enjoyment of the park, it will not result in an impairment of park resources or values.

² PRNS was established to "...to save and preserve, for the purposes of public recreation, benefit, and inspiration a portion of the diminishing seashore of the United States..." (Public Law 87-657)

Basis for the Decision

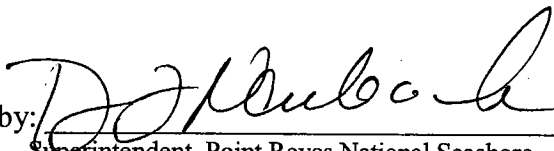
The Selected Action accomplishes the purpose and need for the Coastal Watershed Restoration – Drakes Estero Road Crossing Improvements Project and is clearly superior to the continuation of current operations. While the results of the restoration activities would be visible for one to two years following completion of the project, the replacement or repair of these road crossing facilities to meet state and federal fish passage criteria, increase in flood flow conveyance, restoration of natural stream channel and floodplain through many of these sites, as well as reduced long-term maintenance requirements are clearly beneficial in the long term. While other engineered options for the six crossings were available, these caused similar or more severe resource impacts, and did not further the project’s principal goal. Regulatory review of the project alternatives was conducted and agencies concurred with the Selected Action, and granted permits or determinations accordingly.

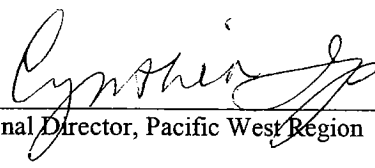
The proposed actions are focused on the restoration or enhancement of natural process to promote ecological sustainability within the Seashore, consistent with NPS and park policies.

Finding

In coming to its decision, the NPS considered the range of alternatives, the potential impacts that may be generated by the Selected Action, and whether to prepare a site-specific Environmental Impact Statement (EIS). The Selected Action best accomplishes the overall project objectives, in keeping with the legislated purposes and the legal mandates of the NPS. Based on this detailed review, the NPS concludes that appropriate alternatives to the Selected Action have been analyzed, and that the proposal will not generate any significant new or different environmental impacts requiring preparation of an EIS. Based on the environmental impact analysis documented in the EA, the capability of mitigations to reduce or avoid potential impacts, and with due consideration of the nature of public comment, the NPS has determined that the Selected Action is not a major federal action which could significantly affect the quality of the human environment

In conclusion, the Coastal Watershed Restoration – Drakes Estero Road Crossing Improvements Project does not constitute an action that would normally require the preparation of an EIS. It is tiered off of, and is consistent with, the GMP. The proposal will not have a significant impact on the human environment, public health and safety, or federally-protected species. Impacts on cultural resources will be minimized to an acceptable level. The Selected Action will not cause negative indirect or cumulative effects, and will not set a precedent for future actions. Implementation of the action will not violate any federal, state, or local law. Therefore, in accordance with the National Environmental Policy Act of 1969 and regulations of the Council on Environmental Quality (40 CFR 1508.9), the Selected Alternative to the Coastal Watershed Restoration – Drakes Estero Road Crossing Improvements Project will be implemented as soon as practical and an environmental impact statement will not be prepared.

Recommended by:  Date: 10/5/06
Superintendent, Point Reyes National Seashore

Approved by:  Date: 10-12-2006
for Regional Director, Pacific West Region