

Section 3

Original Comments

Public Agency Comments



Don Neubacher

01/09/2007 09:13 AM PST

To: Lorraine Parsons/POR/NPS@NPS, Brannon Ketcham/POR/NPS@NPS
cc: Ann Nelson/POR/NPS@NPS
Subject: Fw: From NPS.gov: Giacomini Wetlands Restoration Plan

FYI

Don Neubacher
Superintendent
Point Reyes National Seashore
Point Reyes Station, CA 94956

415-464-5101 (office)
415-233-0303 (cell)
415-663-8132 (fax)

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

----- Forwarded by Don Neubacher/POR/NPS on 01/09/2007 09:13 AM -----



"Larry Simon"

lsimon@coastal.ca.gov

01/09/2007 09:04 AM PST

To: <John_A_Dell'Osso@nps.gov>
cc: <Don_neubacher@nps.gov>
Subject: RE: From NPS.gov: Giacomini Wetlands Restoration Plan

Don - That plan sounds good. Thanks for the quick reply and confirmation. We'll get comments to you by 14 Feb in order to alert you on any issues/concerns we might have on the project. Best regards,

Larry

-----Original Message-----

From: Don_Neubacher@nps.gov [mailto:Don_Neubacher@nps.gov] On Behalf Of John_A_Dell'Osso@nps.gov
Sent: Monday, January 08, 2007 4:11 PM
To: Larry Simon
Cc: Lorraine_Parsons@nps.gov; Brannon_Ketcham@nps.gov; don_neubacher@nps.gov
Subject: Re: From NPS.gov: Giacomini Wetlands Restoration Plan

Larry, depending on amount of public comments, due in to us by mid-February, we will prepared the consistency determination this spring/early summer. Based on our informal conversation during the meeting we had with you in our Regional Office, you prefer some indication of public concerns before the Federal Consistency determination is prepared; we will include it in the Final EIS/EIR. Is this okay with you?

Don

John A Dell'Osso

Sent by: Don Neubacher

01/08/2007 04:10 PM PST

To: lsimon@coastal.ca.gov

cc: Lorraine Parsons/PORE/NPS@NPS, Brannon Ketcham/PORE/NPS@NPS,
don_neubacher@nps.gov

Subject: Re: From NPS.gov: Giacomini Wetlands Restoration Plan 

Larry, depending on amount of public comments, due in to us by mid-February, we will prepared the consistency determination this spring/early summer. Based on our informal conversation during the meeting we had with you in our Regional Office, you prefer some indication of public concerns before the Federal Consistency determination is prepared; we will include it in the Final EIS/EIR. Is this okay with you?

Don

lsimon@coastal.ca.gov



lsimon@coastal.ca.gov

01/08/2007 03:08 PM EST

To: pore_planning@nps.gov

cc:

Subject: From NPS.gov: Giacomini Wetlands Restoration Plan

Email submitted from: /pore/parkmgmt/planning_giacomini_wrp_eiseir_draft_2006.htm

The California Coastal Commission received on December 19, 2006, a copy of the electronic version of the November 2006 Giacomini Wetlands Restoration Project DEIS/EIR. Commission staff comments on the document will be submitted to the NPS prior to the February 14, 2007, comment deadline. Comments will focus on relevant Coastal Act policies and jurisdictional issues (given the statement on Page 17 of the document that "... as this is a joint federal and state project, it must comply with all applicable state and local legislation on state- and county-owned lands.").

The purpose of this e-mail is to obtain confirmation from the NPS that a federal consistency determination is not contained within the Draft EIS/EIR. The Draft EIS/EIR states on Page 16 that submittal of a consistency determination to the Commission would occur "subsequent to preparation of the environmental document." Does the NPS have an estimated date for when this submittal will occur?

Sincerely,

Larry Simon Federal Consistency Coordinator California Coastal Commission 45 Fremont St.,
Suite 2000 San Francisco, CA 94105 (415) 904-5288 Fax: (415) 904-5400
lsimon@coastal.ca.gov www.coastal.ca.gov

lsimon@coastal.ca

.gov To:
pore_planning@nps.gov

cc:

01/08/2007 03:08 Subject: From NPS.gov:
Giacomini Wetlands Restoration Plan
PM EST

Email submitted from:
/pore/parkmgmt/planning_giacomini_wrp_eiseir_draft_2006.htm

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Sincerely,

Larry Simon Federal Consistency Coordinator California Coastal
Commission
45 Fremont St., Suite 2000 San Francisco, CA 94105 (415) 904-5288 Fax:
(415) 904-5400 lsimon@coastal.ca.gov www.coastal.ca.gov



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger
Governor

February 14, 2007
File No. 2158.04 (drh)

Superintendent Don Neubacher
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes Station, CA 94956

Re: Giacomini Wetland Restoration Project DEIS/EIR

Dear Superintendent Neubacher:

Thank you for the opportunity to review the Draft EIS/EIR for the Giacomini Wetland Restoration Project. We believe this is an extremely valuable and important project that would restore a significant wetland ecosystem and restore natural hydrologic processes to Lagunitas Creek. Although alternative D proposes somewhat more total restoration acreage, we are willing to endorse the preferred alternative C as having high water quality and ecological value while maintaining some amenities for public access and education, which are a key part of this restoration project. This alternative would fully restore the Giacomini East and West Pastures as well as restoration of Olema Marsh. We support restoration of Olema Marsh as part of the overall project; in spite of some initial adverse impacts of increased nutrients and lowered water quality, we agree that the long-term result would be beneficial.

We would like to compliment the Park Service on doing a very thorough and well-researched job of analyzing the potential impacts of the project actions and using scientific studies to anticipate the potential impacts, as well as to define proposed mitigation actions. We are confident that the Park Service's proposed ongoing adaptive management actions can ensure a successful project.

It would be very helpful for the DEIS/EIR to include a table comparing the acreages restored, feet of levee removed, and other restoration parameters among the different proposed alternatives, as this is difficult to pull out from all of the information provided.

We would encourage the Park Service to continue to fund ongoing monitoring at a high level in order to track progress of the restoration actions and to allow for ongoing adaptations as needed. It would also be helpful to have the monitoring plan included as part of the DEIR/EIS.

In general, it should be noted that the Regional Water Quality Control Board has the following authorities relevant to the Giacomini Wetlands Restoration Project:

Water Quality Certification/WDRs: Under Clean Water Act section 404, the U.S. Army Corps of Engineers (Corps) issues permits to regulate discharges of dredged or fill material to waters of the United States. CWA section 401 allows states to deny or grant water quality certification for any activity that may result in a discharge to waters of the United States and that requires a Federal permit or license. Certification requires a finding by the Regional Board that, over the term of the permit, there is reasonable assurance that the proposed discharge will not violate water quality standards. Water quality standards include the designated beneficial uses of the receiving water, water quality criteria for those waters, and an anti-degradation policy. Certification must be consistent with the requirements of the Federal CWA, the California Environmental Quality Act (CEQA), the California Endangered Species Act (CESA), and the Regional Board's mandate to protect beneficial uses of waters of the State under Porter-Cologne. The Board may also issue Waste Discharge Requirements under its Porter-Cologne authority in conjunction with 401 Certification.

Storm Water Construction General Permit: Projects disturbing 1 or more acres of land during construction must be covered under the State National Pollution Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit). This can be accomplished by filing a Notice of Intent with the State Water Resources Control Board. The project sponsor must propose and implement control measures both during and following construction that are consistent with the General Permit and with the recommendations and policies of the local agency and the Regional Board.

If you have any questions, please contact Dale Hopkins at (510) 622-2362, or via e-mail at dhopkins@waterboards.ca.gov.

Sincerely,

Wil K. Bruhns, Chief
North Bay Watershed Division

Cc: Marla Lafer, RWQCB
Andree Breaux, RWQCB



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL OCEAN SERVICE

GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY
 Mailing: Fort Mason Bldg. 201 San Francisco, CA 94123
 Phone: (415) 561-6622 FAX: (415) 561-6616

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 Point Reyes
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<input type="checkbox"/>	BUDGET
<input checked="" type="checkbox"/>	CENTRAL FILES

February 12, 2007

ATTN: Don Neubacher
 Giacomini Wetland Restoration Project DEIS/DEIR
 Point Reyes National Seashore
 1 Bear Valley Rd.
 Point Reyes Station, CA 94956

RE: Draft Environmental Impact Statement/Environmental Report (DEIS/EIR) for the Giacomini Wetland Restoration Project

Dear Superintendent Neubacher:

Gulf of the Farallones National Marine Sanctuary (GFNMS) has reviewed the Draft Environmental Impact Statement/Environmental Report (DEIS/EIR) for the Giacomini Wetland Restoration Project (Proposed Project), dated November 2006. GFNMS, in coordination with other federal, state and local agencies and governments manages the waters and submerged lands of Tomales Bay to the mean high tide, including the tidal waters and submerged lands currently

All comments provided herein discuss GFNMS' analysis of the alternatives, focus on the impacts from this project to GFNMS, and examine the need for the inclusion and clarification of GFNMS jurisdiction and regulations throughout the DEIS/EIR.

The DEIS/EIR has identified Alternative C as the preferred alternative. GFNMS recognizes that Alternative C meets the Proposed Project purpose of restoring natural hydrologic processes within a significant portion of the area, and it meets the three project objectives. If Alternative C is selected as the preferred alternative for the Final EIS/EIR, the Proposed Project will result in overall positive benefits to water quality, benthic habitat and wildlife resources within Tomales Bay and the boundaries of GFNMS. This includes a positive change in sedimentation patterns in the southern portion of Tomales Bay and benefits to salmonid species by increasing access to potential habitat for feeding and shelter. GFNMS further recognizes that Park Service Management Policies aim to provide opportunities for appropriate public enjoyment and allow for educational, recreational, scientific, and similar purposes that do not disrupt wetland functions. Alternative C seems to provide several points of public access within the Proposed Project area, including the possible future construction of a trail that is compliant with the Americans with Disabilities Act.

Although Alternative C meets the proposed goal and objectives of the DEIS/EIR, GFNMS believes that Alternative D – Extensive Restoration of the Giacomini Ranch East



Pasture, Full Restoration of the West Pasture, and Restoration of Olema Marsh with Limited Public Access -- will more fully meet the project purpose and main goal of restoring natural hydrological processes in several distinctive ways.

First, the southern end of the East Pasture would be excavated to bring elevations down to tidal elevations. This will result in an increased area of tidal exchange equaling almost six acres, which over the long-term could cause an increase in the potential extent of area inundated by tides, particularly in the East Pasture as stated in the analysis of Alternative D in Chapter 4. The increase in the extent of the area can result in a greater restoration opportunity for historic aquatic habitat in Tomales Bay, especially in light of the fact that sedimentation throughout Tomales Bay has increased over time causing loss of key tidal mudflat habitat. In addition, there would be excavation of even more new tidal channels in the East Pasture, and these increases in total area of tidal exchange could increase the area of aquatic edge and rearing habitat more than Alternative C.

Second, Tomasini Creek would be fully realigned into one of its historic channel alignments and the undersized culverts at Mesa Road would be replaced. These actions could result in the creation of additional passage potential beyond Alternative C for steelhead and coho salmon through Tomasini Creek; could have some additional beneficial effects on water quality in Tomasini Creek by replacing the existing culvert; and according to the analysis in Chapter 4, the realignment could eliminate potential contributions of nutrients and pathogens from the worker housing adjacent to Tomasini Creek.

REVISED DRAFT SANCTUARY MANAGEMENT PLAN FOR PUBLIC REVIEW IN OCTOBER 2006. One of the five proposed issue-based action plans calls for the prevention, detection, management, and where feasible, eradication of new and established introduced species in the Sanctuary. The action plan also noted that introduced species have been identified in and around Gulf of the Farallones Sanctuary waters and have the potential to cause ecological and economic degradation to the affected coastal areas. If detection, prevention, and eradication efforts are not taken, further introduction and spread of introduced species will continue in and adjacent to the Sanctuary and potentially impact Sanctuary resources. In addition, GFNMS has proposed new regulations that would prohibit the introduction of introduced species. Alternative D is the most consistent with the proposed changes to the GFNMS Management Plan and the proposed new regulations, and would have the greatest positive impact in the removal and control of invasive species.

Forth, under Alternative D, the analysis in Chapter 4 concludes that there would be no installation or construction of infrastructure that would impede hydrologic processes. Since GFNMS regulations prohibit or otherwise regulate activities that involve constructing any structure, drilling through the seabed, and dredging or otherwise altering the seabed in any way (15 CFR, Chapter IX, Subpart H), Alternative D is most consistent with GFNMS regulations.

Finally, Alternative D is also consistent with the National Marine Sanctuaries Act (NMSA). GFNMS was designated pursuant to the NMSA, the purposes and policies of which include maintaining the natural biological communities, and protecting and where appropriate, restoring and enhancing natural habitats, populations, and ecological processes (16 U.S.C. §1431 et seq.).

Through regulation, GFNMS prohibits certain activities that are inconsistent with the goals, objectives, mandates and policies of the NMSA.

The DEIS/EIR identifies GFNMS as an agency that has been consulted with and collaborated on the Proposed Project. We believe the DEIS/EIR environmental review process should also consider and include the jurisdiction, boundaries, policies and regulations of GFNMS. GFNMS should be described in the Final EIS/EIR as one of the entities that is charged with protecting the tidal wetlands, including the tidal waters of the Proposed Project area, which, once inundated, would also be waters and submerged lands of GFNMS.

GFNMS jurisdiction, boundaries, policies and regulations must be considered in evaluation of future adaptive management options within the tidal waters of the Proposed Project area, and in the full implementation of the restoration project. Adaptive management measures must consider activities prohibited, permitted or otherwise regulated by GFNMS. These activities include discharging or depositing any material or matter, constructing structures, drilling through the seabed, dredging or altering the seabed, or removing or damaging any historical or cultural resource (15 CFR, Chapter IX, Subpart H).

Tomales Bay is a significant diverse biological community that includes subtidal channels and eelgrass beds, mudflat intertidal substrates, salt marsh and upland marsh. It is clear from the description of the affected environment in the DEIS/EIR that Tomales Bay is one of the most ecologically significant estuarine areas in the State of California, that it provides critical habitat for numerous species, and that the Project Area provides both tidal and freshwater hydrologic ^{The text below provides comments on specific additions and deletions to the DEIS/EIR as proposed by GFNMS. Strikethrough text is proposed for deletion. Text in [brackets] is proposed for addition.}

Executive Summary

Introduction, Page i – Add the following sentences to the end of paragraph 4: New tidal waters within the project area will also provide the added protection as the Gulf of the Farallones National Marine Sanctuary (GFNMS). GFNMS manages the waters of Tomales Bay to the mean high tide. As the natural hydrologic processes are restored to the project area, GFNMS regulations will apply to all waters within the mean high tide.

- This information should be noted throughout the DEIS/EIR. It is important for the public to understand that any project alternative adopted other than the “No Action” alternative would result in the added protection of the mandates of the NMSA and GFNMS regulations.

Need for Action, Tomales Bay Degraded by Pollution and Other Impacts, Page v – Move the following sentences with proposed changes to the beginning of the section below titled, “Restoring Wetlands Can Improve Health of the Bay”: Because of its importance to wildlife, Tomales Bay is not only part of the Golden Gate Biosphere Reserve, [the Gulf of the Farallones National Marine Sanctuary], and a California Critical Coastal Area. ~~but~~ ⁱⁿ [September] 2002, it was ~~nominated as~~ ^{designated} a “Wetland of International Importance” under an international

treaty called the Convention on Wetlands (commonly known as the Ramsar Convention). Tomales Bay is also....(Kelly 2001).

- These last sentences of this section should be changed and moved because this information is more closely related to the need for restoration to improve the health of Tomales Bay. The section before discusses pollution and other impacts, whereas the designation of Tomales Bay as important for biological reasons can be better linked to the need for restoration.

Special Status Species, Central California Coast Steelhead, Coastal California Chinook Salmon, and Central California Coast Coho Salmon, Page xxxv – Check the accuracy of the following sentences in paragraph 4: Over the short-term, restoration actions would result in negligible (3 percent; No Action Alternative) to moderate increases (31 percent; Alternatives C and D) in the amount of tidal channel perimeter or total aquatic edge available for salmonids. However, as restored marshes and created tidal channels mature, benefits to salmonids would increase over the long-term, with moderate beneficial effects expected under Alternatives A and B and major beneficial effects, under Alternatives C and D.

- The analysis of Alternative D in Chapter 4 on Page 428 states that there will be excavation of even more new tidal channels in the East Pasture. In addition, on Page 543, the analysis states that the additional tidal channel creation in the East Pasture could increase rearing habitat. Since Alternative D calls for the excavation of the Southwestern Portion of the East Pasture to tidal elevations and the excavation of even more new tidal concludes that both Alternative C and D show a 31% increase in aquatic edge habitat. However, the details of the analysis seem to be inconsistent with this conclusion in the Executive Summary. This inconsistency needs to be clarified in the Final EIS/EIR.

Consultation and Coordination, Value Analysis, Page xvii - Change the following sentence: Value Analysis attendees included a broad range of technical experts from both within the Seashore and the GGNRA, as well as from other parks and agencies, including CSLC, [and] Marin County Department of Public Works, and the Gulf of the Farallones National Marine Sanctuary.

- In August 2005, the Park Service and CSLC held a Value Analysis process to ensure that it had developed a reasonable range of alternatives that met the screening criteria identified above and were cost-effective and to select a preliminary preferred alternative (Alternative C) for analysis in the environmental document. The Park Service Ocean Superintendent who is also the liaison to the National Marine Sanctuary program was in attendance. However, GFNMS staff were not present at this meeting and did not choose Alternative C as the preferred alternative. GFNMS staff were involved in securing some of the initial funding, and worked in coordination and consultation with Park Service staff and the Ocean Superintendent during the scoping process and the workshop. GFNMS reviewed the range of alternatives at several meetings in 2005, but staff were not involved in the selection of Alternative C as the preferred alternative. As explained above, GFNMS supports the selection of Alternative D as the preferred alternative.

CHAPTER 1. Purpose and Need for Action

Introduction, Page 1 – Change and add the following to the last sentence in paragraph 4: The Park Service and CLSL have also been working collaboratively [on the development of the range of alternatives] with the County of Marin Public Works Department and the County of Marin Parks and Open Space District, as well as the Gulf of the Farallones National Marine Sanctuary, whose jurisdiction extends into the southern portion of Tomales Bay [and whose boundary is defined by the mean high tide].

- The first addition to this sentence clarifies that GFNMS helped develop the range of alternatives, but did not provide the Park with advice on selection of the preferred alternative. The second addition clarifies the extent of GFNMS jurisdiction.

Project Purpose and Relationship to Park Service Mission and Policies, Background, Page 8-9

- The entire background section only discusses the Park's intent to preserve, conserve and restore the project area. This background is directly connected to the project purpose and the first two project objectives identified in the plan. The background does not discuss the Park Service Mission to provide opportunities for appropriate public enjoyment or the relevant Park Service Management Policies that seek to enhance natural wetland values by using them for educational, recreational, scientific, and similar purposes. Without this added information, the background seems inconsistent with the third objective to objective three which sites policies that were adopted in 2006, after project scoping and after the Value Analysis team selected an alternative. Without additional justification in the background, objective three can be interpreted as a secondary objective. If this is the case, then the selection of the preferred alternative should consider the ranking of each objective.

Legislative and Policy Guidance and Other Considerations Used in Developing Purpose and Alternatives, Other Considerations, Page 18 – Add a new section titled "Adaptive Management Considerations," and add the following text to that section: The Gulf of the Farallones National Marine Sanctuary will become an active management agency in the Giacomini Wetland Restoration Project if tidal wetlands are restored to the project area. The waters and submerged lands of the Project area would also be part of the Sanctuary. The Sanctuary shoreward boundary follows the mean high tide line of Tomales Bay and its jurisdiction overlaps with the CSLC and NPS. The Sanctuary prohibits or otherwise regulates activities related to discharging or depositing any material or matter, constructing structures, drilling through the seabed, dredging or altering the seabed, or removing or damaging any historical or cultural resource (15 CFR, Chapter IX, Subpart H).

- Although it is clear that the National Marine Sanctuary Act and GFNMS regulations were not considered "instrumental to developing the project purpose, alternative framework, and design of restoration and public access actions," this language helps the public

understand that GFNMS will have overlapping management authority with the tidal portions of the proposed project. Furthermore, additional impacts through adaptive management can come from the construction of future facilities, including construction of a bridge or pedestrian trail system. GFNMS regulations must be considered and the appropriate consultations must be made with GFNMS once the implementation process expands the tidal waters of Tomales Bay into the Proposed Project area. Consideration of all GFNMS regulations, including regulatory changes currently proposed through the GFNMS management plan review process, must be clarified in the Final EIS/EIR.

CHAPTER 2. Alternatives, Including the Preferred Alternative

The Preferred Alternative, Page 96 – Change the second sentence in the paragraph: The preferred alternative was selected during the Value Analysis process by the Value Analysis team, which was comprised of Park Service and staff from other lead or partner agencies such as the CSLC, [and] the County of Marin, ~~and the Gulf of the Farallones National Marine Sanctuary.~~

- As stated in previous comments GFNMS staff were not involved in the selection of Alternative C as the preferred alternative.

CHAPTER 3. Affected Environment

~~the boundary of the Sanctuary will extend into the Proposed Project area. Based on this assumption, there are two places within this section that should include GFNMS Regulations:~~

- 1) Page 165 – Add a new section titled “Regulatory and Policy Setting” under the Soil Resources and Wetland Functionality section. This section should discuss GFNMS prohibitions and regulatory authority related to construction or alteration of the seabed.
- 2) Page 206 – Add current GFNMS prohibitions and regulatory authority related discharges into Sanctuary waters to the “Regulatory and Policy Setting” Section.

Project Setting, Regional and Park Context, Page 128 - Change the second sentence in the last paragraph: Adjacent to the park are areas managed by Audubon Canyon Ranch, Marin Municipal Water District, Tomales Bay and Samuel P. Taylor State Parks, and Marin County Open Space District lands. Marine boundaries are shared with the Gulf of the Farallones ~~and the Cordell Banks National Marine [Sanctuary] Sanctuaries~~ and Tomales Bay State Park.

- Cordell Bank Sanctuary does not share any marine boundaries with the Park.

Land Use and Planning, Park Management and Zoning, Page 132 – Add the following to the last paragraph: The boundary for the [Gulf of the] Farallones National Marine Sanctuary extends into the southern portion of Tomales Bay [and is defined as the mean high tide of Tomales Bay]. The boundary of the Sanctuary will extend into the Proposed Project area if the adopted

alternative results in additional tidal exchange.]

- This addition clarifies the jurisdiction of the Sanctuary.

CHAPTER 4. Environmental Consequences

Land Use Planning, Laws Regulations, Policies and Criteria Guiding Impact Analysis, Page 340 – Add the following to the first sentence of the first paragraph: Tomales Bay and the Point Reyes region falls within a complex, multi-jurisdictional region, with lands in a variety of ownership, including private, County, local water districts, state agencies (State Land[s] Commission, s[S]tate p[P]arks, ~~Wildlife Conservation Board~~, CalTrans), and federal agencies such as the Park Service, [Gulf of the Farallones National Marine Sanctuary] and the U.S. Coast Guard.

- The state agencies listed in parenthesis include an entity that is not a state agency. In addition, there are several small typos related to the names of the agencies. The federal agencies list excludes GFNMS.

Fish and Wildlife Resources, Alternative D, Central California coast steelhead, coastal California Evolutionarily Significant Unit (ESU) Chinook salmon, and central California coast coho ESU salmon, Page 543 – Clarify how the last sentence in Paragraph 2 would or would not result in the same percentage of aquatic edge habitat in Giacomini Ranch in

- As stated above in the discussion of salmonid section of the Executive Summary, the analysis of Alternative C in Chapter 4 concludes on Page 533 that Alternative C shows a 31% increase in aquatic edge habitat. This conclusion is repeated in the Executive Summary, but also states that Alternative D draws the same conclusion. However, the details of the analysis seem to be inconsistent with this conclusion. There is clearly an increase in tidal channel habitat and “rearing” habitat in Alternative D. A logical conclusion should be that the total percentage of aquatic edge habitat should also increase. If the total aquatic edge habitat does not increase, the analysis of Alternative D falls short of informing the reader why or how this is possible. This inconsistency needs to be clarified in the Final EIS/EIR.

CHAPTER 5. Consultation and Coordination

Project Planning and Scoping, Identification of Lead and Other Interested Agencies, Page 641 – Change the second sentence in the paragraph: The Gulf of the Farallones National Marine Sanctuary, whose jurisdiction includes Tomales Bay, [and whose jurisdiction will also include the tidal range on the proposed project to the mean high tide if a restoration alternative is chosen,] actively participated in the negotiations with the California Department of Transportation (CalTrans) and the California Coastal Commission (CCC) that eventually led to the agreement for CalTrans to transfer mitigation obligations to the Park Service in exchange for

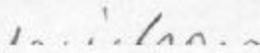
providing monies for acquisition and restoration of the Giacomini Ranch.

- This addition will clarify GFNMS interest in the proposed project.

Additional Information Gathering Efforts, Value Analysis, Page 644, - Change the third sentence in the paragraph: Value Analysis attendees included a broad range of technical experts from both within the Seashore and the GGNRA, as well as from other parks and agencies, including CSLC, [and] Marin County Department of Public Works, ~~and the Gulf of the Farallones National Marine Sanctuary.~~

GFNMS commends the National Park Service and California State Lands Commission in providing an adequate range of alternatives with a clear goal, and specific objectives that were developed through the public process and looks forward to working with you as an active partner when implementation of the Proposed Project begins. GFNMS appreciates this opportunity to comment on the DEIS/EIR and can provide additional information as needed for the issuance of the Final EIS/EIR. Please contact Karen Reyna at 415-561-6622 x208 if you have any questions. Thank you.

Sincerely,


Sanctuary Superintendent

cc: Superintendent Brian O'Neil



NORTH MARIN WATER DISTRICT

999 RUSH CREEK PLACE • POST OFFICE BOX 146 • NOVATO, CALIFORNIA 94948 • (415) 897-4133

February 7, 2007

Don Neubacher, Superintendent
Point Reyes National Seashore
Point Reyes, CA 94956

Subject: Giacomini Wetlands Restoration Project DEIS/DEIR
File No. 731.9.02

	Point Reyes National Seashore
	FEB 13 07
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	SCIENCE
	SPEC. PK. USES
	LAW/ENFORCE 8043
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	RANGE CONS.
	FIRE MGT.
	INTERP.
	CULT. RES.
	MAINT.
	CONTRACTING
	PERSONNEL
<input checked="" type="checkbox"/>	BUDGET
	CENTRAL FILES

Dear Mr. Neubacher:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS/DEIR) for the Giacomini Wetlands Restoration Project. The District has had an opportunity to review the DEIS/DEIR and offers the following comments:

General Comment

North Marin Water District (North Marin or NMWD) provides domestic water service to Point Reyes Station, Olema, Bear Valley, Inverness Park, Paradise Ranch Estates and Point Reyes National Seashore headquarters. All water supplied to these areas meets Safe Drinking Water Standards as regulated by California Department of Health Services and the United States Environmental Protection Agency. The community water supply is from shallow wells adjacent to Lagunitas Creek on the U.S. Coast Guard property (Coast Guard wells).

In 1995, the State Water Resources Control Board (SWRCB) issued Water Right Order No. 95-17 which determined that no water would ordinarily be available for diversion by North Marin under its then existing junior water right permits during July through October of a dry year, and directed NMWD to acquire an alternative source of water to be used during July through October of dry years. By definition, a "dry year" is one in which the total precipitation that occurs from October 1 through April 1 is less than 28" as measured at the Marin Municipal Water District Kent Lake rain gauge. In response to that order, NMWD and Giacomini and Sons, Inc. (Giacomini) entered into an agreement for raw water irrigation supply dated July 1, 1998 and amended on July 15, 2003 (Attachment 1). That agreement extends through July 1, 2008 and provides that North Marin will deliver 1.23 cubic feet per second (cfs) of flow from the North Marin Downey Well facilities to the Giacomini Ranch for pasture irrigation in exchange for transfer to NMWD of 0.67 cfs of Giacomini's then current 2.67 cfs appropriative water right under License 4324. The SWRCB approved the split of License 4324 in October 2000: issuing License 4324A to Giacomini, in the amount of 2cfs from May 1 to November 1 of each year; and issuing License 4324B to NMWD in the amount of 0.67 cfs to be diverted from May 1 to November of each year. It is NMWD's intent to rely on this senior water right license during dry year summer periods when NMWD's junior appropriative water rights may not be used pursuant to WR 95-17.

Since 1995 no dry years have occurred in the Lagunitas watershed. Historically, however, NMWD has experienced salinity intrusion into the Coast Guard wells, and since 1995, even with off-



tide pumping which decreases the frequency of these events, NMWD has experienced salinity intrusion exceeding 100 milligrams per liter chlorides in the water supply (Attachments 2). Once introduced into the ground water used for a community water supply, the salinity is slow to dissipate, even under normal year conditions, resulting in increased disinfection by-products (DBP) concentrations. Specifically, as a result of the combination of (increased salts) with sodium hypochlorite (used for drinking water disinfection), DBP concentrations have approached maximum contaminant levels in the community water supply (Attachment 3). The DEIR/DEIS states that even though there has been considerable amount of study into the salinity intrusion problem, the exact cause or mechanism by which salinity has become elevated is still not totally understood. Additionally, the DEIR/DEIS states that average salinity during spring or high tide and normal stream flow conditions will actually increase as much as 15% in upstream portions of Lagunitas Creek under Alternatives C & D. The DEIR/DEIS is silent on the recent experience of salinity intrusion's effect on drinking water quality delivered to NMWD customers. Those effects during dry year periods, when flows in Lagunitas Creek during summer periods expect to be 25% lower than recent experience should be evaluated.

Possible mitigation measures identified under Alternatives C & D currently address only monitoring of salinity adjacent to the Coast Guard wells and collaboration and support of NMWD's pursuit of water supply reliability through development of the Gallagher Well to provide a dependable water supply to NMWD's West Marin service area. NMWD urges the National Park Service to strengthen its commitment and fund extension of a pipeline from the Point Reyes Water Treatment Plant to the Gallagher well for use during periods when the Coast Guard wells may be affected by salinity intrusion.

Detailed Comments

1. **Executive Summary, Page xl, paragraph 1:** "Located upstream of the Coast Guard wells, the Downey wells are no longer used for municipal water supply although 2 cfs water is pumped from this well during the summer to the Giacomini Ranch for irrigation purposes as part of the NMWD's agreement with the Giacomini family."

Comment: The NMWD agreement with the Giacomini family commits 1.23 cfs irrigation water delivery from the Downey well. Actual experience has shown that the irrigation pump and delivery system is inefficient and delivers on average 1 cfs to the Giacomini Ranch.

2. **Executive Summary, Page xl, paragraph 6:** "Average salinities during spring or high tide and normal streamflow conditions would actually increase by as much as 15 percent in upstream portions of Lagunitas Creek under Alternatives C-D... Because the frequency would not change, the impacts of these alternatives to municipal water supply would be moderate."

Comment: See General Comment. The DEIR/DEIS did not address drinking water quality impacts under dry year streamflow conditions and NMWD suspects that the impacts of these alternatives to municipal water supply would be more than moderate.

3. **Chapter 1, page 12:** "Constraint: Saltwater intrusion conditions into groundwater wells in Point Reyes Station would not exceed current levels or any increase caused by the proposed project would be mitigated by the project proponents."

Comment: It is not clear that saltwater intrusion conditions into the NMWD community water supply wells would not exceed current levels under the project alternatives, nor is it clear that NPS will fully mitigate any increase caused by the proposed project.

4. Chapter 2, Alternatives, Including The Preferred Alternative, page 35, paragraph 2: "However, historically the Giacomini family which maintains 2.0 cfs appropriative water rights on Lagunitas Creek, installed a temporary gravel dam in the creek each summer across from the White House Pool County Park to create a large freshwater pool from which irrigation waters were drawn through pumping. The Giacomini family was forced to discontinue this practice in 1997 by the SWRCB."

Comment: In Water Right Order No. 95-17, the SWRCB directed Giacomini to no longer install the summer dam at its present location after 1997, but did not prohibit installation of a summer dam upstream of the Green Bridge. The Giacomini family, in cooperation with NMWD, chose not to install the summer dam after 1997 and to rely on limited irrigation supply from the Downey Well pursuant to the agreement between NMWD and Giacomini.

5. Chapter 2, Alternatives Including The Preferred Alternative, page 35, paragraph 2: "The west pasture is not irrigated; however, the Giacomini family does have a 0.5 cfs appropriative water right on Fish Hatchery Creek that can be used for cattle watering and other purposes."

Comment: I am not aware of any appropriative water right on Fish Hatchery Creek.

6. Chapter 2, Alternatives Including The Preferred Alternative, page 37, Bullet 3, Water Supply Agreement with North Marin Water District: "This agreement would expire with the close of the dairy in 2007."

Comment: The agreement terminates on July 1, 2008.

7. Chapter 2, Alternatives Including The Preferred Alternative, page 38, Bullet 2: Dedication of Lagunitas Creek Appropriative Water Right to In-stream Flow Uses

Comment: Is this DEIR/DEIS intended to serve as the environmental review for the prospective in-stream flow dedication?

8. Table 2, page 121

Comment: Revise Alternative C. Impact, to reflect adverse change which may be more than moderate since the evaluation has not been conducted to address salinity intrusion effect on drinking water quality constituents during dry year streamflow conditions.

9. Chapter 3, Affected Environment, page 180, Table 7, Mainstem Bear Valley Creek, Item 3, Water Diversion: NMWD right, but no use.

Comment: NMWD holds no permanent water right on Bear Valley Creek. NMWD acquired a Temporary Permit (No. 16903, Application No. 25339) in 1977 to divert up to 0.4 cfs for municipal use and prevention of salt water intrusion during the drought year period of June 24, 1977 to November 1, 1977.

10. Chapter 3, Affected Environment, page 184, paragraph 4: "The Giacomini's now receive irrigation water (approximately 2 cfs during the May 1 through November 1 period) from the NMWD "Downey" well located approximated 0.9 miles upstream of Green Bridge, (Table 7)."

Comment: Irrigation deliveries from the Downey well are at maximum 1.23 cfs pursuant to the agreement between NMWD and Giacomini.

11. Chapter 3, Affected Environment, page 186, paragraph 2: "NMWD currently has a water right on bear Valley creek for a diversion of 0.401 cfs between January 1 and December 31, but it is

not currently used for water supply (C. DeGabriele, NMWD *pers. comm.*)."

Comment: See Comment No. 9.

12. Chapter 3, Affected Environment, page 188, paragraph 3: "NMWD currently has a water right for 0.666 cfs between January 1 and December 1 and the Giacomini family has a water right for 0.5 cfs between April 1 and December 1."

Comment: I'm unaware of any appropriative water right for diversion from Fish Hatchery Creek held by either NMWD or Giacomini.

13. Chapter 3, Affected Environment, page 203, paragraph 1: "This gauge is far enough upstream that it is not subject to tidal influence except during extreme events, (G. Kamman, KHE, *pers. comm.*). For example in 2001, stream discharge dropped from 12 cfs to 6.75 cfs within approximately 9 days followed by a sharp temporary increase from 7 cfs to ~ 9.4cfs over the period of 1 to 2 days, (Figure 29). In summer 2002, stream discharge dropped from 13 cfs to 9.5 cfs over 1 to 2 days, followed later by a sharp increase approximately 2 cfs over another 1 to 2 days (Figure 29). Whether natural or unnatural, fluctuation in freshwater inflow particularly sharp ones as shown in Figure 29, would have substantial effects on salinity patterns, both within stratified and mixed portions of the creek. (Parsons, *in prep*). Modeling results for Lagunitas Creek suggest that changes in stream discharge of 2 cfs can result in increases in doubling or 100% increases in maximum water salinities. (KHE 2006a)."

Comment: The period referred to in this paragraph and in Figure 29 reflect the change in flows maintained by Marin Municipal Water District pursuant to WR Order 95-17. From May 1 through June 15, Lagunitas Creek flows in normal years are prescribed at 12 cfs. From June 16 to November 1/15, Lagunitas Creek flows are to be maintained at 8 cfs. The variation is attributed to MMWD adjusting releases from Kent Lake to maintain the flows upstream at the park gauge while the reported data referenced here is collected at the Gallagher gauge.

14. Chapter 3, Affected Environment, page 301, paragraph 5: "The Downey well is no longer used for municipal water supply, although approximately 2 cfs of water is pumped from this well during the summer to the Giacomini Ranch for irrigation purposes as part of NMWD's agreement with the Giacomini family."

Comment: Correct the stated irrigation delivery to the Giacomini Ranch to 1.23 cfs.

15. Chapter 3, Affected Environment, page 305, paragraph 5: "Concerned about the loss of the gravel dam and the potential of the ranch to be restored to tidal wetlands, NMWD contracted with Soldati Engineering to analyze all water quality and other data collected to date to assess the potential for future salinity intrusion events and to identify ways to provide adequate, good quality water to the West Marin area given the coming changes. The NMWD study (1997) recommended implementation of off-tide pumping practices."

Comment: The 1997 Lagunitas Salinity Intrusion Study for the Point Reyes Service Area recommendations did not include implementation of off-tide pumping practices. *Rather* the report recommendations stated: "Based on the alternatives presented, it is recommended that the District construct a pipeline to the existing Gallagher well to allow immediate use of the well capacity for additional supply or for blending and pursue development of an additional redundant water supply for the Point Reyes Station area by constructing an additional water supply well (or two, if necessary) either at the Gallagher well site or on a site yet to be determined between the existing Gallagher well and the Downey well."

Don Neubacher, Superintendent
National Park Service
February 7, 2007
Page 5

To date off-tide pumping practices have enabled the District customers to avoid the substantial cost burden of extending a pipeline to the Gallagher well. However, it is likely that Alternative C or D will increase the salinity intrusion to the Coast Guard wells triggering need for development of the Gallagher pipeline, and the National Parks Service should pay for same.

Sincerely,



Chris DeGabriele
General Manager

CD/rr

\\nmwdsrv1\administration\gml\west marin\giacomini wetlands neubacher letter 0107.doc

AMENDMENT
TO
AGREEMENT FOR
RAW WATER IRRIGATION SUPPLY
BETWEEN
NORTH MARIN WATER DISTRICT
AND
GIACOMINI & SONS, INC.

THAT CERTAIN "Agreement for Raw Water Irrigation Supply Between North Marin Water District and Giacomini & Sons, Inc.," dated July 1, 1998, by and between NORTH MARIN WATER DISTRICT, herein called "District," and GIACOMINI & SONS, INC., is hereby amended as follows:

Section 11 as set forth on Page 6 shall be revised and shall read as set forth on replacement Page 6A attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have executed this amendment to their agreement on the 15th day of July, 2003.

NORTH MARIN WATER DISTRICT
"District"

Barbara B. Munden
Barbara B. Munden, President

ATTEST:

Joyce S. Arnold
Joyce S. Arnold, Secretary

GIACOMINI & SONS, INCORPORATED

Richard Giacomini
Richard Giacomini

Robert Giacomini
Robert Giacomini

July
~~June~~ 1, 1998

AGREEMENT
FOR
RAW WATER IRRIGATION SUPPLY
BETWEEN
NORTH MARIN WATER DISTRICT
AND
GIACOMINI & SONS, INC.

1 prevent saltwater intrusion and to divert irrigation water. The SWRCB's Order directs that
2 after November 1, 1997, no such method of diversion of water from Lagunitas Creek can be
3 installed downstream of the Highway 1 Bridge in Point Reyes Station as shown on Exhibit A.
4

5 (h) The SWRCB has approved a change in point of diversion for Giacomini's license
6 including: the North Marin's Coast Guard well site, North Marin's Downey well site and a
7 "yet to be determined point of diversion related to the report referred to in Condition 1 of the
8 Army Corps of Engineers Permit (No. 18843N83)," commonly known as the Coast Guard site
9 as shown on Exhibit A.

10 DEFINITIONS

11 2. Definition of terms used herein are:

12
13 (a) "annually," "per annum," or "fiscal year" mean a twelve month period
14 commencing July 1 and ending the following June 30.
15

16 (b) "af" means acre feet, a volume of water.
17

18 (c) "cfs" means cubic feet per second, a rate of water flow.
19

20 (d) "Intertie Agreement" means Intertie Agreement between North Marin and Marin
21 Municipal Water District dated March 11, 1993.
22

23 (e) "Point of diversion" means any location within the Lagunitas Creek watershed
24 which is authorized by the SWRCB for removing water from the creek for the specific
25 purpose(s) and place(s) of use designated in the authorizing permit or license.
26
27

28 GENERAL

29
30 3. North Marin and Giacomini both agree that the most efficient way for both parties to
31 comply with the SWRCB Order WR 95-17 is to cooperate in construction of improvements to
32 and operation of an irrigation diversion facility on Lagunitas Creek located upstream of the
33 Highway 1 Bridge at the Downey well site, hereinafter called the Downey well facilities. This
34 cooperation consists of North Marin delivering 1.23 cfs of flow from Downey well facilities to
35 the Giacomini Ranch for pasture irrigation in exchange for transfer of 0.67 cfs of Giacomini's
36 current 2.67 cfs appropriative water right under License 4324 to North Marin.
37

38 CONSTRUCTION

39
40 4. Subject to all permitting requirements, Downey well facilities to be improved shall
41 include:
42

43 (a) Repair of the existing Downey well head.
44

45 (b) Removing existing pump facilities and installation of a vertical turbine pump and
46 30 horsepower motor mounted on the Downey well head together with electric power and
47 controls intended to deliver an approximate flow of 550 gpm (1.23 cfs) to the Giacomini
48 Ranch for pasture irrigation purposes.
49
50

1 the 2.67 cfs which may be diverted from Lagunitas Creek pursuant to License No. 4324.
2 As soon as practicable after execution of this Agreement, Giacomini shall send a statement
3 of change of ownership of a portion of the License to the SWRCB in accordance with 14
4 California Administrative Code Section 831, and Giacomini and North Marin shall
5 simultaneously file a joint petition with the SWRCB under Water Code Section 1700 et seq.
6 and 14 California Administrative Code Section 791 et seq. seeking the following changes:
7 (1) change in the purpose of use, from irrigation and stock watering use to irrigation, stock
8 watering, municipal and industrial use, for 0.67 cfs of the 2.67 cfs which may be diverted;
9 (2) addition of North Marin's Point Reyes and Paradise Ranch service area to the place of
10 use for 0.67 cfs of the 2.67 cfs which may be diverted; and (3) split the currently
11 authorized diversion of 2.67 cfs pursuant to license No. 4324 into two separate licenses,
12 allocating the diversions as follows: up to 0.67 cfs to be diverted to by North Marin, and
13 up to 2.0 cfs to be diverted by Giacomini.

14
15 (b) The parties agree that once said changes are approved, they will not object if the
16 SWRCB determines that North Marin and Giacomini should be identified as co-owners of
17 License No. 4324, or that it will issue separate licenses covering the respective interest of
18 North Marin and Giacomini in License No. 4324. The parties also agree that under no
19 circumstances shall the rate of season of diversion provided for in License No. 4324 be in
20 any way altered as a result of this transfer of a portion of the License.

21
22 (c) In the event that the SWRCB does not approve changes in License No. 4324
23 described as (1) or (2) in Subsection 9 (a) above, North Marin may, by written notice to
24 Giacomini, immediately terminate this Agreement. Within thirty (30) days of receipt of such
25 notice, Giacomini will pay to North Marin any actual initial cost advanced by North Marin
26 pursuant to Section 10 (a) hereof, and the cost of any raw water delivered by North Marin to
27 the Giacomini Ranch pursuant to Section 10 (c), all including interest at the rate of seven per
28 cent (7%) from the date any such payment was made until the date of Giacomini's receipt of
29 the notice of termination.

30 31 10. Charges, Billing and Payment.

32
33 (a) Initial costs. Pursuant to Section 6 of this Agreement North Marin shall fund all
34 initial costs estimated to be \$12,025.

35
36 (b) Ongoing Annual Costs. North Marin shall fund annual installation and
37 maintenance of facilities at the Downey well head as necessary and the operation and
38 maintenance costs of all diversion facilities, pump and pipeline maintenance costs and energy
39 costs.

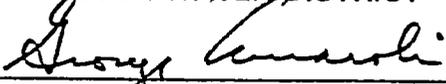
40
41 (c) Raw Water Charge: Raw water delivered to the Giacomini Ranch by North Marin
42 under this Agreement shall be metered and billed at the rate established in North Marin's
43 Regulation 54 from time to time in effect. Said rate shall be based upon North Marin's cost
44 of operation (including electrical energy), maintenance and reserve for replacement. The
45 current rate for raw water from Lagunitas Creek is \$45.00 per acre-foot.

46
47 (d) Price for Purchase and Sale of a Portion of Water Right License No. 4324: In
48 consideration for the sale by Giacomini to North Marin of the right to divert 0.67 cfs of the
49 2.67 cfs which may be diverted under License No. 4324, as described in Section 9 hereof,
50 Giacomini shall receive raw water from North Marin pursuant to Section 8 at no cost to

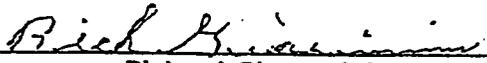
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NORTH MARIN WATER DISTRICT

Attest: 
Secretary


President
Board of Directors

GIACOMINI & SONS, INCORPORATED


Richard Giacomini


Robert Giacomini

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PROOF OF PUBLICATION

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(2015.5 CCP)

This space is for the County's Clerk Filing Stamp:

STATE OF CALIFORNIA
County of Marin

Proof of Publication

I am a citizen of the United State and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the in the above-entitled matter. I am the publisher of The Point Reyes Light, a newspaper of general circulation, printed and published in the town of Point Reyes Station, county of Marin and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under the date of April 26, 1949, Case Number 18307; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to wit:

Aug 12, 2004

PUBLIC HEALTH NOTICE

Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on Monday, August 2, 2004 and has caused sodium concentrations to increase from background levels of 30 parts per million (ppm) to a current level of 68 ppm. The United States Environmental Protection Agency has published a Drinking Water Advisory recommending sodium concentrations in drinking water between 30 and 60 ppm. Sodium concentration of 120 ppm is a health benchmark representing a 10% dietary contribution.

Additionally, chloride ion concentrations have increased from background levels of 20 ppm to a current level of 205 ppm. California Department of Health Services has set an upper aesthetic standard of 250 ppm for chlorides in drinking.

Most persons will not be affected by the higher sodium concentration but to be safe, persons with cardiac problems or kidney problems or persons on a salt-free or low-salt diet are advised to check with their doctor about drinking the water supply.

Actions the District have taken to correct the problem are:

- 1) Continue off-tide pumping practice at the Pt. Reyes wells.
- 2) Continue sampling and monitoring of the sodium levels. Additional public notices will be issued should the sodium levels remain above 50 ppm.
- 3) Should sodium levels continue to exceed 60 ppm, steps will be undertaken to install a salinity intrusion barrier upstream of the State Route Highway 1 Bridge crossing Lagunitas Creek at Point Reyes Station, California.

We trust the salt levels will return to normal but the time this will take is unknown. In the meantime we will run weekly notices in the Point Reyes Light containing current sodium and chloride ion concentrations.

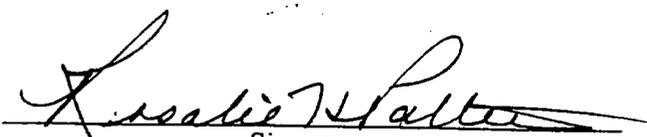
Thank you for your forbearance with this problem.

Chris DeGabriele,
General Manager
North Marin Water District
Published in The Point Reyes Light, Aug. 12, 12, 2004.

R.M.P.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this 12th day of August, 2004.


Signature

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Stamp:

STATE OF CALIFORNIA
County of Marin

Proof of Publication

I am a citizen of the United State and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the in the above-entitled matter. I am the publisher of The Point Reyes Light, a newspaper of general circulation, printed and published in the town of Point Reyes Station, county of Marin and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under the date of April 26, 1949, Case Number 18307; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to wit:

NOTICE	
Sodium and chloride ion concentrations in the West Marin Water Supply:	
Date	Sodium Chloride
Week of 8/02/04	69 209 mg/l*
Week of 8/16/04	58 122 mg/l*
Week of 8/16/04	50 105 mg/l*
*milligrams per liter	
Chris DeGabriele, General Manager North Marin Water District	
Published in the Point Reyes Light, August 19, 2004.	

Aug 19, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this
19th day of August,
2004.


Signature

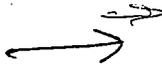
last week

NOTICE

Sodium and chloride ion concentrations in the West Marin Water Supply:

Date	Sodium	Chloride	
Week of 8/02/04	69 8/6	209	mg/l*
Week of 8/16/04	58	122	mg/l*
Week of 8/16/04	50	105	mg/l*

should have been



*milligrams per liter

Chris DeGabriele, General Manager
North Marin Water District

don't correct

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(2015.5 CCP)

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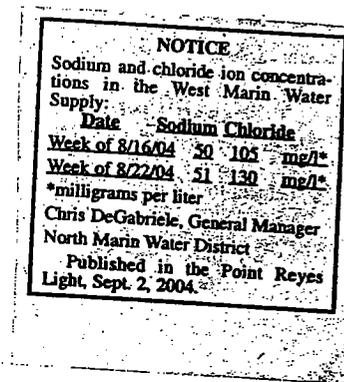
STATE OF CALIFORNIA
County of Marin

SEP 07 2004

NORTH MARIN WATER DISTRICT

Proof of Publication

I am a citizen of the United State and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the in the above-entitled matter. I am the publisher of The Point Reyes Light, a newspaper of general circulation, printed and published in the town of Point Reyes Station, county of Marin and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under the date of April 26, 1949, Case Number 18307; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil). has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to wit:



Sept 2, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this 2nd day of September, 2004.

Kosalie N. Patterson
Signature

PROOF OF PUBLICATION

PROOF OF PUBLICATION
(2015.5 CCP)

This space is for the County's Clerk Filing
Stamp:

STATE OF CALIFORNIA
County of Marin

Proof of Publication

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NOTICE

Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on August 2, 2004 and has caused sodium levels to increase from background levels of 30 parts per million (ppm) to a current level of 62 ppm. The table below lists most recent concentrations for sodium and chloride in the West Marin water supply:

Date	Sodium Chloride
Week of 9/6/04	74 - 192 mg/l*
Week of 9/13/04	62 - 174 mg/l*

*milligrams per liter
Chris DeGabriele, General Manager
North Marin Water District
Published in the Point Reyes Light, Sept. 16, 2004.

Sept 16, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this 16th day of September, 2004.



Signature

RECEIVED

SEP 21 2004

NORTH MARIN WATER DISTRICT

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This space is for the County's Clerk Filing Stamp:

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STATE OF CALIFORNIA
County of Marin

SEP 27 2004

NORTH MARIN WATER DISTRICT

Proof of Publication

I am a citizen of the United State and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the in the above-entitled matter. I am the publisher of The Point Reyes Light, a newspaper of general circulation, printed and published in the town of Point Reyes Station, county of Marin and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under the date of April 26, 1949, Case Number 18307; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to wit:

NOTICE

Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on August 2, 2004 and has caused sodium levels to increase from background levels of 30 parts per-million (ppm) to a current level of 62 pp. The table below lists most recent concentrations for sodium and chloride in the West Marin water supply:

Date	Sodium	Chloride
Week of 9/13/04	62	174 mg/l*
Week of 9/20/04	62	162 mg/l*

*milligrams per liter
Chris DeGabriele, General Manager
North Marin Water District
Published in the Point Reyes Light, Sept. 23, 2004.

Sept 23, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California; this 23rd day of September, 2004.


Signature

NOTICE

Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on August 2, 2004 and has caused sodium levels to increase from background levels of 30 parts per million (ppm) to a current level of 62 pp. The table below lists most recent concentrations for sodium and chloride in the West Marin water supply:

<u>Date</u>	<u>Sodium Chloride</u>	
<u>Week of 9/20/04</u>	62	162 mg/l*
<u>Week of 9/27/04</u>	61	147 mg/l*

*milligrams per liter

Chris DeGabelle, General Manager
North Marin Water District

Published in the Point Reyes

~~Light~~ Sept 30, 2004

PROOF OF PUBLICATION

PROOF OF PUBLICATION
(2015.5 CCP)

This space is for the County's Clerk Filing Stamp:

STATE OF CALIFORNIA
County of Marin

Proof of Publication

I am a citizen of the United State and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the in the above-entitled matter. I am the publisher of The Point Reyes Light, a newspaper of general circulation, printed and published in the town of Point Reyes Station, county of Marin and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under the date of April 26, 1949, Case Number 18307; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to wit:

NOTICE
Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on August 2, 2004 and has caused sodium levels to increase from background levels of 30 parts per million (ppm) to a current level of 62 pp. The table below lists most recent concentrations for sodium and chloride in the West Marin water supply:

Date	Sodium Chloride
Week of 9/27/04	61 - 147 mg/l*
Week of 10/4/04	58 - 106 mg/l*

*milligrams per liter
Chris DeGabriele, General Manager
North Marin Water District
Published in the Point Reyes Light, Sept. 30, 2004.

Oct 7, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this 7th day of October, 2004.

Rosalie N. Patterson
Signature

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OCT 11 2004

NORTH MARIN WATER DISTRICT

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County of Marin

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NOTICE

Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on August 2, 2004 and has caused sodium levels to increase from background levels of 30 parts per million (ppm) to a current level of 62 pp. The table below lists most recent concentrations for sodium and chloride in the West Marin water supply:

Date	Sodium Chloride
Week of 10/4/04	58 106 mg/l*
Week of 10/11/04	53 107 mg/l*

*milligrams per liter
Chris DeGabriele, General Manager
North Marin Water District
Published in the Point Reyes Light, Oct. 14, 2004.

Oct 14, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this 14th day of October, 2004.

Kristie H. Patterson

Signature

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GCT 19 2004

NORTH MARIN WATER DISTRICT

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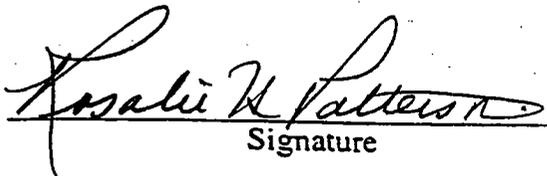
Proof of Publication

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Nov 10, 2004

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date at Pt. Reyes Station, California, this 10th day of November, 2004.


Signature

PUBLIC NOTICES

PUBLIC HEALTH NOTICE

Salinity intrusion into the Point Reyes well supply serving the West Marin communities of Point Reyes, Olema, Inverness Park, and Paradise Ranch Estates has occurred beginning on Wednesday, October 27, 2004 and has caused sodium concentrations to increase from recent levels of below 50 parts per million (ppm) to a current level of 63 ppm. The United States Environmental Protection Agency has published a Drinking Water Advisory recommending sodium concentrations in drinking water between 30 and 60 ppm. Sodium concentration of 120 ppm is a health benchmark representing a 10% dietary contribution.

Additionally, chloride ion concentrations have increased from background levels of 20 ppm to a current level of 76 ppm. California Department of Health Services has set an upper aesthetic standard of 500 ppm for chlorides in drinking water.

Most persons will not be affected by the higher sodium concentration but to be safe, persons with cardiac problems or kidney problems or persons on a salt-free or low-salt diet are advised to check with their doctor about drinking the water supply.

Actions the District have taken to correct the problem are:

- 1) Continue off-tide pumping practice at the Pt. Reyes wells.
- 2) Continue sampling and monitoring of the sodium levels. Additional public notices will be issued should the sodium levels remain above 50 ppm.
- 3) Should sodium levels continue to exceed 60 ppm, steps will be undertaken to install a salinity intrusion barrier upstream of the State Route Highway 1 Bridge crossing Lagunitas Creek at Point Reyes Station, California.

We trust the salt levels will return to normal but the time this will take is unknown. In the meantime we will run weekly notices in the Point Reyes Light containing current sodium and chloride ion concentrations.

Thank you for your forbearance with this problem.

Chris DeGabriele
General Manager
North Marin Water District

Published in The Point Reyes Light, Nov. 10, 2004.

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NOV 17 2004

NORTH MARIN WATER DISTRICT

Quarterly TTHM Report for Disinfection Byproducts Compliance (in µg/L or ppb)

System Name: Point Reyes System No.: 2110006 Year: 2006 Quarter: 3rd

Year:	2002				2003				2004				2005				2006			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
Sample Date (month/date):									5/4	8/10			5/10	8/9			5/9	8/8		
Site 1									20.0	35.0			33.0	27.0			32.0	14.0		
Site 2									34.0	81.0			44.0	45.0			43.0	56.0		
Site 3																				
Site 4																				
Site 5																				
Site 6																				
Site 7																				
Site 8																				
Site 9																				
Site 10																				
Site 11																				
Site 12																				
Quarterly Average																				
Running Annual Average									27.0	58.0			38.5	36.0			37.5	35.0		
Meets Standard?*	Yes <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>								
(check box)	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>									
Number of Samples Taken																				

Identify the sample locations in the table below.

Site	Sample Location
1	Red Barn
2	PRE #4 Sample Station
3	
4	
5	
6	
7	
8	
9	
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11	
12	

Comments:

Signature: 

Date

10/9/2006

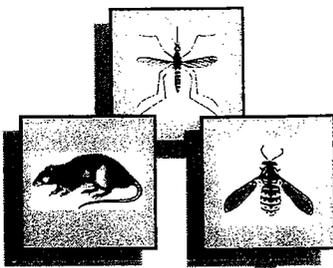
*If, during the first year of monitoring, any individual quarter's average will cause the running annual average of that system to exceed the standard, then the system is out of compliance at the end of that quarter.

MARIN / SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT

First Organized District in California
595 HELMAN LANE, COTATI, CALIFORNIA 94956
TELEPHONE (707) 285-2200 FAX (707) 285-2211

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National Seashore
FEB 14 '07

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<input type="checkbox"/>	RANGE CONS.
<input type="checkbox"/>	FIRE MGT.
<input type="checkbox"/>	INTERP.
<input type="checkbox"/>	CULT. RES.
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- ROGER SMITH
TIBURON

February 13, 2007

ATTN: Superintendent
Giacomini Wetland Restoration Project
DEIS/EIR, Point Reyes National Seashore
1 Bear Valley Road
Point Reyes Station, CA 94956

Dear Mr. Neubacher,

In our review of the proposals for Giacomini Ranch restoration project that we are in agreement with the park services' selection of alternatives C or D. Tidal recirculation is a preferred method to minimize mosquito production thereby reducing the amount of pesticide necessary to control mosquito populations. While both alternatives provide the greatest wetland value they are not completely without potential problems with regard to Culicidae production.

During the construction phase of the project, impounded water should be avoided. Surveillance of the construction site and surrounding area will be required to address any situation that would produce disease vectors as well as salt marsh species. While projects of this magnitude take years to stabilize, the interim period will require close monitoring. As previous experience has demonstrated with tidal recirculation in the Petaluma marsh, occasional populations of Culicidae need to be controlled due to the dynamic nature of the ecosystem. Access for surveillance utilizing battery-powered traps will be necessary to determine the presence or absence of mosquito populations. In addition, larval surveillance will be necessary to determine species and extent of production on site.

The fresh water component for the enhancement and preservation of red legged frog has the highest potential of supporting disease vector mosquito, specifically *Culex tarsalis*, *Culex erythrothorax*, *Culex stigmatosoma*, and *Culex pipiens pipiens*. Previous experience at a number of fresh water restoration habitats has been problematic with regard to mosquito production. To mitigate requires a comprehensive maintenance and management plan to address excessive and invasive vegetation, nutrient

ADMINISTRATION

- MANAGER
JAMES A. WANDERSCHIED
- ASST. MANAGER/VECTOR
ECOLOGIST
RON KEITH

input reduction, and access for control efforts, if needed. Surveillance in the fresh water wetland component will be essential to determine the presence or absence of vector Culicidae.

We applaud the Pt. Reyes staff for the extensive documentation and selection of a plan that will return the Giacomini Ranch property to historical wetland for the benefit of wildlife and the community.

Thank you, for the opportunity to comment on the project and we look forward to seeing the completion of the project.

Sincerely,

Handwritten signatures of Ronald D. Keith and Chuck Krause. The signature of Ronald D. Keith is on the left, and the signature of Chuck Krause is on the right.

Ronald D. Keith, Assistant Manager/Vector Ecologist
Chuck Krause, District Superintendent

DEPARTMENT OF PUBLIC WORKS

P. O. Box 4186, San Rafael, CA 94913-4186 • 415/499-6528 • FAX 415/499-3799 • TTY 415/499-3232

COUNTY OF MARIN
www.co.marin.ca.us/pw

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ACCOUNTING
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AIRPORT
451-A AIRPORT ROAD
NOVATO, CA 94945
897-1754 • FAX 897-1264

BUILDING MAINTENANCE
499-6576 • FAX 499-3250

CAPITAL PROJECTS
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COMMUNICATION
MAINTENANCE
499-7313 • FAX 499-3738

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499-6528 (VOICE)
499-3232 (TTY)

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FLOOD CONTROL DISTRICT
499-6528

COUNTY GARAGE
499-7380 • FAX 499-7190

LAND DEVELOPMENT
499-6549

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499-6371

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STORMWATER PROGRAM
499-6528

TRAFFIC ENGINEERING
499-6528

TRANSIT DISTRICT
499-6099 • FAX 499-6939

WASTE MANAGEMENT
499-6647 • FAX 446-7373

ALL AREA CODES ARE 415

February 14, 2007

Mr. Don Neubacher, Superintendent
United States Department of the Interior
National Park Service
Point Reyes, CA 94956

RE: Comments on Draft Environmental Impact Statement (DEIS/DEIR)
Giacomini Wetlands Restoration Plan

Dear Mr. Neubacher:

The Marin County Department of Public Works (DPW) appreciates the opportunity to provide comments on the subject DEIS/DEIR. Our specific comments and concern are as follows:

- 1) The DEIS/DEIR identified a southern perimeter trail from a proposed bridge across Lagunitas Creek to White House County Park. No specifics were provided on the exact alignment and whether the pathway is proposed to be inside or outside of the county right of way. Please provide details in the environmental document. Any potential traffic impacts from the trail construction and use were also specifically not addressed.
- 2) The DEIS/DEIR identified a future public access trail extension from White House Pool County Park northward towards Inverness Park that would be constructed in collaboration with the County of Marin. The roadway is narrow and abuts wetlands or watercourses. Please provide more details on this proposed project segment. Please clarify whether a subsequent environmental document would be required prior to this extension being constructed.
- 3) The County's General Plan and Bicycle and Pedestrian Master Plan both identify a Class I pathway linking the village of Pt. Reyes Station with Inverness Park and Inverness. The Preferred Alternative (Alternative C), as well as Alternatives A and B, have the ability to provide this linkage (noted as the 'Southern Perimeter Trail') while the Environmentally Preferred Alternative (Alternative D) does not, as Alternative D does not feature the necessary bridge.

A concern raised by many residents of the area is that Sir Francis Drake Blvd in this area is undesirable for bicyclists and pedestrians, especially children. Therefore, parents drive their children to school instead of the children walking or biking. Residents also drive between the two villages when many mentioned that biking would be preferable. Further, visitors to the area will be forced to drive

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PERSONNEL
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Richard Mansourian, RCE
Director

from trailhead to trailhead under Alternative D as there would be no means to through-hike.

The attendant increase in vehicle trips because of these concerns negatively affects air quality through additional unnecessary vehicle miles traveled, increased noise levels, and a degraded visitor experience. The geometric constraints of Sir Francis Drake Blvd, including several homes located immediately adjacent to it near Shoreline Highway, preclude a pathway immediately adjacent to the roadway. Provision of a pathway connection as outlined in Alternatives A, B, and C would address a critical need of the communities in the area as well as provide a continuous link around the restoration area and a connection with other walking trails within the Seashore for an improved visitor experience.

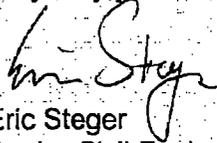
Per Caltrans design standards, a Class I pathway has a minimum paved width of 8 feet, with firm shoulders on either side. It is our recommendation that under Alternatives A, B, or C a paved Class I pathway be provided on the Southern Perimeter Trail between the trailhead in Pt. Reyes Station at 3rd and C Streets and the White House Pool property, and to extend this pathway at a minimum to the intersection of Sir Francis Drake Blvd and Bear Valley Road. Additionally, are the trails intended to be multimodal, for use by pedestrian, bicyclist or equestrian? Will all trails be accessible, and if so, to what standards (sidewalk, pathway or trails, to regulations or guidelines?). We also could not find a typical cross section, minimum width, standard surfacing, etc. in the environmental document.

- 4) The proposed project identifies a crosswalk along Sir Francis Drake Blvd. to connect the bridge crossing to Bear Valley Creek Trail. The DEIS/DEIR did not provide details on whether crosswalk is warranted nor analyzed any traffic or pedestrian hazards from such a crosswalk. Prior to construction of such a crosswalk, additional traffic and safety analysis would need to be provided to the County.
- 5) The proposed project shall comply with the County's local ordinance requiring encroachment permits for any work or facility that are constructed in the right-of-way, and the project must comply with the time, place, and manner restrictions established in the permit. In addition, construction methods, traffic control and accessibility compliance are not completely described in the document and will be required with the encroachment permit application. Provide information on proposed traffic control measures, and indicate if any lane closures are desired.
- 6) Various culverts are proposed to be replaced along county maintained right of ways. Before the County will approve the work, we will require that detailed hydrology and hydraulic analysis be provided to ensure that the project will not result in any increased risk of flooding. We are also concerned that the project design incorporates the County's need to maintain county roads and culverts, including clearance for equipment and personnel.
- 7) Please clarify whether there will be traffic generated on public roads from the import or export of needed construction materials, such as fill material, and the expected routes, especially if the Point Reyes Station village streets are used.

Lastly, there is no agreement on division of maintenance responsibility for trails that may exist or be built in the right of way, and the county has not budgeted for any potential

capital improvements. We encourage the National Park Service to work with the County on any needed agreements as the project components are being developed.

Very truly yours,



Eric Steger
Senior Civil Engineer

C: Farhad Mansourian
Craig Tackabery
Tim Haddad, CDA
Ed Hume, P&OS



"McNamee, Sharon"
<SMcNamee@co.marin
.ca.us>

02/14/2007 04:55 PM
PST

To: <pore_planning@nps.gov>
cc: "Crosse, Liza" <LCrosse@co.marin.ca.us>, "Steger, Eric"
<ESteger@co.marin.ca.us>, "Lewis, Liz" <LizLewis@co.marin.ca.us>,
"Hulme, Ed" <EHulme@co.marin.ca.us>
Subject: ATTN: Final draft NPS - Giacommini Ranch Restoration Project EIR
Comments

February 14, 2007

Don Neubacher,
Superintendent Point Reyes National Seashore
1 Bear Valley Road, Point Reyes Station, CA 94956
Submitted by E-mail: February 14, 2007

Subject: NPS - Giacommini Ranch Restoration Project EIR Comments

SENT VIA EMAIL

Dear Superintendent Neubacher-

We respectfully submit the following comments regarding the NPS - Giacommini Ranch Restoration Project EIR.

We are excited about the restoration project and the overall positive impacts for the region and Tomales Bay. The Parks and Open Space Department is primarily focusing our comments on the areas we manage known in your document as the White House Pool Park and the Green Bridge Park.

The Whitehouse Pool Park parking lot is heavily used and is one of the main access points for viewing the southern portion of the preserve; therefore, we feel the following improvements and issues should be included in analysis of the project:

- Allow access from C Street to the Southern Spur Trail and to the new bridge across the creek. We feel that this is a safer route than Highway 1 and Sir Francis Drake Blvd. for most users, including children and equestrians. It also reduces the potential environmental impact that would result from changes to the Green Bridge wetlands area
- Increase the elevation of the White House Pool parking lot to reduce flooding and provide year-round access
- Provide for trail repair if the restoration work/improvements causes erosion or damages the existing trail network through the County park.
- Construct an elevated boardwalk for multi-use purposes, if the current trail system through the Whitehouse Pool Park is not functional after restoration work
- Include a fully accessible, raised viewing platform at the Whitehouse Pool Park site. We acknowledge that we could reduce the number of viewing points currently in place along the creek edge.
- Address drainage/flow issues in and adjacent to the parking lot
- Consider protection of the existing wooden bridge near the Whitehouse Pool parking lot as a part of the trail system
- Address needed maintenance and improvements of drainage facilities throughout the area with specific attention paid to flooding in the area of White House Pool and the Tomasini Creek – Mesa Road area
- Consider multi-model transportation needs to include sufficient space and all weather access in and around the project area, recognizing possible conflicts may occur with multiple users such as bikes, children, horses and dogs
- Replace the current portable toilets at the White House Pool parking lot with a permanent fully accessible, full-service restroom recognizing there will be an increase in usage

- Coordinate agencies regulations and signage for public viewing and access for the entire project site

We look forward to continuing to work with you and interested parties to make this a successful project.

Sincerely,

Sharon McNamee
Director and General Manager Marin County Parks and Open Space

CC: Supervisor Steve Kinsey
Eric Steger, DPW
Liz Lewis, DPW
Gordon Bennett, Sierra Club
Ed Hulme, Marin County Parks

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DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

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February 13, 2007

Mr. Eric L. Gillies
California State Lands Commission
100 Howe Avenue, Ste 100 South
Sacramento CA 95825

Don Neubacher, Superintendent
Giacomini Wetland Restoration Project DEIS/EIR
Point Reyes National Seashore
1 Bear Valley Road
Pt. Reyes Station, CA 94956

Subject: SCH# 2002114002 - Draft Environmental Impact Report Statement for the
Giacomini Wetlands Restoration Project, Marin County

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Dear Mr. Gillies and Superintendent Neubacher:

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act, California Farmland Conservancy Program, and other agricultural land conservation programs.

The California State Lands Commission and the National Park Service are acting as lead agencies in preparation of the document cited above. The proposed project involves wetland restoration of the Giacomini Ranch and Olema Marsh. The Giacomini Ranch is located at the southern end of Tomales Bay; a 6,800 acre, 12 mile long mile wide estuarine embayment that runs along Point Reyes National Seashore's north perimeter. Together, the ranch and the marsh comprise the project area. The ranch has historically supported dairy operations. The Park Service currently owns approximately 550 acres of the ranch. The State Lands Commission owns a portion of Lagunitas Creek between the ranch's east and west pastures. The Park Service owns approximately 50 percent of Olema marsh. A non-profit organization, the Audubon Canyon Ranch owns the East and West Pastures of the Ranch.

Williamson Act

Some of the land that may be converted to non-agricultural uses is under Williamson Act contract. The California Land Conservation Act (Government Code §51200 et seq.) of 1965, commonly known as the Williamson Act. The document correctly reflects that

*The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.*

Mr. Eric L. Gillies and Superintendent Don Neubacher

February 13, 2007

Page 2 of 3

the Act provides a tax incentive for the voluntary enrollment of agricultural and open space lands in contracts between local government and private landowners. The contract enforceably restricts the land to agricultural and open space uses, and compatible uses defined in state law and local ordinances. An agricultural preserve, which is established by local government, defines the boundary of an area within which a city or county will enter into contracts with landowners. Local governments calculate the property tax assessment based on the actual use of the land instead of the potential land value assuming full development.

Williamson Act contracts are for 10 years and longer. The contract is automatically renewed each year, maintaining a constant, ten-year contract, unless the landowner or local government files to initiate non-renewal. Should that occur, the Williamson Act would terminate 10 years after the filing of a notice of non-renewal. Only a landowner can petition for a contract cancellation. Tentative contract cancellations can only be approved after a local government makes specific findings and determines the cancellation fee to be paid by the landowner. The County and Coastal Zone LLP have identified maintenance of agricultural resources as a priority. The document indicates that the East and West Pastures (currently under contract) will have no agricultural land management involved with any of the project alternatives. We suggest that the landowner and local government rescind the Williamson Act contract and re-enter into an Open-Space contract as long as the acreage is privately owned.

Public Acquisition

The document indicates that there may be additional acquisitions that would expand the Wildlife Area in the future, but does not elaborate. Any future acquisition would require additional environmental documentation, and we ask that we receive a copy of the documents for our review and comment. As is required by Government Code section 51291©, we request that the Director of the Department of Conservation receive notification of any proposed acquisition within 10 days of its occurrence, as the subject land may be under Williamson Act contract. Government Code section 51291 specifies the notification provisions of the Williamson Act when there is a possible acquisition of Williamson Act lands. We suggest that sections 51290 – 51295 be reviewed in detail. Please do not hesitate to contact the Division for assistance, and we would be pleased to meet with you when an acquisition is planned to discuss statutory requirements for such an action.

Land Evaluation and Site Assessment and Impact Analysis

The document provides a discussion regarding the Land Evaluation and Site Assessment model. Its use is required under the Code of Federal Regulations, and is a tool that is encouraged under California Environmental Quality Act. The final EIS/EIR should include the computation and provide an explanation of the resultant finding. The document also indicates that an expanded range of impact thresholds has been developed based on the LESA guidelines for evaluation of intensity of impacts (page 419). The FEIS/EIR should contain this "expanded range of thresholds", and provide

Mr. Eric L. Gillies and Superintendent Don Neubacher

February 13, 2007

Page 3 of 3

rationale for how these thresholds apply to the proposed project. As the state agency charged with monitoring statewide agricultural land conversion, and charged under CEQA as the agency responsible for reviewing such impacts, we can not concur with a finding that conversion of the east and west pastures to non-agricultural uses would be less than significant unless additional clarifying detail is provided.

Thank you for the opportunity to review this EIS/EIR. We look forward to receiving your response. Please contact Jeannie Blakeslee at (916) 323-4943 should you have any questions regarding these comments. Hard copy delivered via US Mail.

Sincerely,



Brian Leahy
Assistant Director

cc: VIA EMAIL www.Park_Planning@nps.org



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

RECEIVED
Point Reyes
ARNOLD SCHWARZENEGGER, Governor

FEB 9 - '07



February 7, 2007

Mr. Don Neubacher
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

Dear Mr. Neubacher:

Subject: Giacomini Wetlands Restoration Project Draft Environmental Impact Report

<input checked="" type="checkbox"/>	SUPT.
<input type="checkbox"/>	SCIENCE
<input type="checkbox"/>	SPEC. PK. USES
<input type="checkbox"/>	LAW ENFORC.
<input checked="" type="checkbox"/>	NAT. RES.
<input type="checkbox"/>	RANGE CONS.
<input type="checkbox"/>	FIRE MGT.
<input type="checkbox"/>	INTERP.
<input type="checkbox"/>	CULT. RES.
<input type="checkbox"/>	MAINT
<input type="checkbox"/>	CONTRACTING
<input type="checkbox"/>	PERSONNEL
<input type="checkbox"/>	BUDGET
<input checked="" type="checkbox"/>	CENTRAL FILES

The Department of Fish and Game (DFG) supports the proposed Giacomini Wetlands Restoration Project in an effort to restore hydrologic and ecological process and functions to the project area and, in a larger context, restoration of the Tomales Bay watershed. The lead agency, the National Park Service, has selected Alternative C as the preferred alternative which includes full restoration of the Giacomini Ranch East and West Pastures and restoration of Olema Marsh, with moderate development of public access paths within the project area.

Alternative C involves the complete removal of several levees in the East and West Pastures, grading, revegetation and integration of the Olema Marsh into the restored wetland complex. Other important elements of this project include dedication of project areas' appropriative water rights to in-stream flow uses, removal of the "Main Dairy" from upland areas, removal of high priority invasive plants, removal of worker housing along Tomasini Creek, and other restoration management actions.

During implementation of this project there is the potential for short term and/or long term impacts to several special status State/Federal species and their habitat including: California clapper rail, central coast coho salmon, California brown pelican, Least Bell's vireo, California red-legged frog, as well as other species. Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document has specified impacts, mitigation measures, and a mitigation monitoring and reporting program.

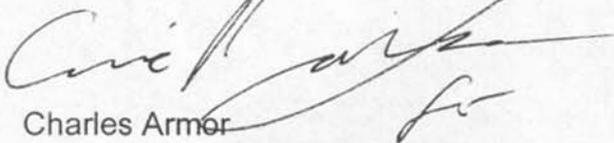


Mr. Don Neubacher
February 7, 2007
Page 2

For any activity (such as levee removal or stream channel re-alignment), that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of SAAs is subject to the California Environmental Quality Act (CEQA). DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. To obtain information about the SAA notification process, please access our website at www.dfg.ca.gov/1600; or to request a notification package, contact the Streambed Alteration Program at (707) 944-5520.

If you have questions, please contact Mr. Jeremy Sarrow, Environmental Scientist, at (707) 944-5573; or Mr. Greg Martinelli, Water Conservation Supervisor, at (707) 944-5570.

Sincerely,



Charles Armor
Acting Regional Manager
Bay Delta Region

cc: Mr. Ryan Olaf
U. S. Fish and Wildlife Service
2800 Cottage Way, Suite W 2605
Sacramento, CA 95829



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105-3901

RECEIVED

Point Reyes

FEB 14 2007

February 14, 2007

Don Neubacher, Superintendent
 Point Reyes National Seashore
 Point Reyes, CA 94956

Attn: Giacomini Wetlands Restoration

Subject: Giacomini Wetland Restoration Project Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) [CEQ #200605]

<input checked="" type="checkbox"/>	SUPT.
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<input type="checkbox"/>	SPEC. PK. USES
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<input type="checkbox"/>	PERSONNEL
<input type="checkbox"/>	BUDGET
<input checked="" type="checkbox"/>	CENTRAL FILES

Dear Mr. Neubacher:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's (CEQ) NEPA Implementation Regulations at 40 CFR 1500-1508, and our NEPA review authority under Section 309 of the Clean Air Act.

EPA supports the objectives of this project and believes the proposed project will significantly improve the hydrologic and ecological processes and functions in the Tomales Bay watershed. We have, therefore, rated this Draft EIS/EIR as LO - Lack of Objections (see enclosed "Summary of Rating Definitions"). We recommend additional mitigation measures to minimize potential impacts from spills during construction/restoration activities in this highly sensitive project area. We also recommend that the Final EIS/EIR provide more specific information regarding the project's estimated nitrogen dioxide emissions and conformity to the State Implementation Plan.

We appreciate the opportunity to review this Draft EIS/EIR and request a copy of the Final EIS/EIR when it is officially filed with our Washington, D.C., office. If you have any questions, please call me at (415) 972-3846, or have your staff call Jeanne Geselbracht at (415) 972-3853.

Sincerely,

Nova Blazej, Manager
 Environmental Review Office

Printed on Recycled Paper

GIACOMINI WETLAND RESTORATION PROJECT DRAFT EIS/EIR
EPA COMMENTS – FEBRUARY, 2007

Spill Prevention and Response Plan

The Draft EIS/EIR specifies several effective measures that will be required during construction to avoid contaminant spills. In this sensitive project area, we strongly encourage stringent best management practices and recommend additional measures be included in these requirements.

Recommendation: We recommend the following additional measures to minimize the impact of potential spills.

- A spill kit with boom and sorbent materials should be on site at all times during construction;
- No vehicles will be fueled, lubricated, or otherwise serviced within 100 feet of the normal high-water area of any surface water body.

Recommendation: We also recommend you contact Peter Reich in EPA Region 9's Oil Program at 415-972-3052 to discuss the project's intended operations to ensure compliance with any oil spill regulations that may apply to the project.

Air Emissions

The Draft EIS/EIR indicates that, under the proposed project, earth moving equipment during restoration activities would potentially generate major or substantial amounts of nitrogen dioxide (NO_x). For purposes of this EIS/EIR, "major or substantial emissions" are emissions greater than 80 pounds per day. The Bay Area is a non-attainment area for ozone. The General Conformity requirement of the Clean Air Act (CAA) mandates that the Federal Government not license, permit, or approve any activity not conforming to an approved CAA implementation plan. However, the Draft EIS/EIR does not include the projected NO_x emissions for the proposed project or indicate whether the project conforms to the State Implementation Plan (SIP). Additional information is needed in the Final EIS/EIR to demonstrate that the project conforms to the SIP.

Recommendation: The Final EIS/EIR should provide NO_x emissions estimates for the proposed project and discuss how the project conforms to the SIP. The National Park Service should work with the Bay Area Air Quality Management District to ensure that anticipated emissions from the proposed project are consistent with the applicable SIP.