National Park Service
U.S. Department of the Interior

Death Valley National Park
California/Nevada

FINDING OF NO SIGNIFICANT IMPACT

SALINE VALLEY ROAD BORROW SITES
DEATH VALLEY NATIONAL PARK, CALIFORNIA AND NEVADA

The National Park Service (NPS or Service) intends to permit the reactivation of sand and gravel borrow pits (sites) for maintenance of Saline Valley Road in Death Valley National Park (DVNP or Park). Saline Valley Road is an 84-mile-long, graded-dirt road connecting California State Highway 190 at the southern terminus of Saline Valley Road to the Loretta Mine-Death Valley Road at the northern terminus.

PURPOSE AND NEED FOR FEDERAL ACTION

This action is needed to repair and maintain sections of Saline Valley Road within the Park. Inyo County is responsible for maintenance of Saline Valley Road. Materials from the borrow sites are needed to maintain this road in a cost-effective manner. No other materials sites are located at a reasonable distance to the road within the Park boundaries, and obtaining materials from outside the Park is expensive and increases the risk of introducing non-native plant species to the Park environment.

Saline Valley Road forms much of the northwestern boundary of DVNP. Prior to the passage of the California Desert Protection Act of 1994 (PL 103-433) that created Death Valley National Park from expanded boundaries of Death Valley National Monument, the materials sites were located west of the monument boundary on lands administered by the Bureau of Land Management (BLM). During that period of time, Inyo County used several borrow sites under a permit issued by the BLM for maintenance of and repairs to Saline Valley Road.

Portions of Saline Valley Road were washed out in the late 1980s, particularly on the southern part of the roadway that goes through South Pass and Grapevine Canyon. Inyo County extracted sand and gravel from several sites for repair of the roadway, including the six sites considered in the attached Environmental Assessment (EA). In 1994, with the passage of the California Desert Protection Act, these sites became part of DVNP and are now administered by the NPS. These sites have not been used since 1994.

SELECTED ALTERNATIVE

Based on the environmental impact analysis documented in the EA, and with consideration for public scoping comments as well as responses received following release of the EA, the NPS has selected Alternative B – The Existing Borrow Pit Alternative (identified as agency-preferred in the EA) for

implementation. There are no substantive changes from what was proposed and analyzed in the EA – however, the following minor modification is incorporated herein:

Based on internal park staff deliberations with the NPS Geologic Resources Division, rather than issuing a 20-year permit, the NPS will issue Inyo County a renewable 5-year special use permit, allowing for operations which may be renewed for not more than a total of 20 years based upon this EA. The Park has determined that there is no change in any of the assessments of environmental impact as a result of this modification.

Under terms of the permit, Inyo County will be able to excavate and process sand and gravel from six approved borrow pits (i.e., the Cowhorn, Waucoba, Crusher, Ubehebe, Camp, and Tin Barn sites). No expansion of the pits will be allowed. This constitutes a re-use of these areas—no expansion of the pits will be allowed, so as to protect biological and cultural resources in the surrounding undisturbed (requested expansion) areas.

The NPS will require Inyo County Road Department to submit an operations and reclamation plan for Park review and approval prior to issuing the initial 5-year permit to re-use the sites. The pit area, access road, and stockpile areas will be included in the plans. Each borrow site will be reclaimed after the extractable material has been removed.

The NPS understands that operations at the borrow sites could be needed on an intermittent basis over the next 20 years. Additional environmental compliance could be undertaken to consider extending operations beyond 20 years.

While the borrow sites are in active use, material will be excavated on an as-needed basis. Material extraction operations may include the use of a D8 bulldozer, loaders, belly dumps, bobtail trucks, haul trucks, a maintenance truck, and a portable diesel generator. Material extraction will proceed to a depth of no more than 12 feet (4 yards) below the local surface elevation. Slopes within the site will be no greater than 3:1. A 50-foot setback from the property boundary will be implemented for all extraction activity. About 12 acres of existing borrow pits will be excavated. It is estimated that up to 146,154 cubic yards of gravel can be excavated under these conditions.

Processing activities will likely include a “grizzly” screening plant, which is a portable separation screen that requires no power to operate and separates minerals based upon particle size. A portable screening operation may be moved onto the site during periods of operation. Usable and unusable material will be separated at the screening plant and stored in the stockpile area. Usable material will eventually be transported off site. Fine-grained unusable road maintenance material will be stockpiled for use in reclamation. Unusable material is estimated to compose 5 percent of the extracted volume, which is more than the amount of waste needed for re-soiling.

At the end of the permit period, the County and the NPS will evaluate the need for continued use of the pits. If the NPS decides that keeping the pits open agrees with Park management objectives, another NEPA analysis would be conducted before permits would be issued for continued extraction from the pits. If it is decided that any (or all) of the pits are no longer suitable as a source of road material, the County will reclaim the borrow sites at the end of the permit period.

OTHER ALTERNATIVES CONSIDERED

Two other alternatives were considered in the Environmental Assessment in addition to the selected alterative.

The No Action Alternative (Alternative A) represents the Park's ongoing routine of resource management and implementing previously approved plans. The No Action Alternative provided a basis for comparing present Park operations with the action alternatives and their anticipated environmental consequences. Under the No Action Alternative, the NPS would not issue a permit to Inyo County to reactivate the existing borrow pits or to expand the pits beyond their current borders. Inyo County would need to import sand and gravel for road repair and maintenance from outside the Park, re-use material currently within the roadway, or employ other methods for maintaining the Saline Valley Road. There would be no requirement for Inyo County to maintain or reclaim the existing borrow sites or restore surface vegetation. Implementation of the No Action Alternative would result in no additional impact to biological or cultural resources at the borrow sites beyond that currently occurring.

Under the Expanded Borrow Pit Alternative (Alternative C), the NPS would issue Inyo County a 20-year permit to excavate and process sand and gravel from the existing borrow pits as well as their adjacent expansion areas. This alternative would greatly increase the supply of sand and gravel for road maintenance, and would allow the pits to remain active longer. Implementation of this alternative would result in the excavation of several acres of undisturbed native habitat. Visitor experience could be altered as the pits were expanded beyond their current size, and there would be potential impacts to water and air resources. As under the selected alternative, the need to keep the pits open would be evaluated at the end of the permit period and additional NEPA analysis conducted before a new permit would be issued. If the Park determined that the expanded pits were no longer suitable as a source of road material, the County would reclaim and revegetate the borrow sites at the end of the original permit period.

ALTERNATIVES CONSIDERED BUT DISMISSED

The following alternatives were considered during the project scoping phase and were subsequently dismissed from further consideration.

Use of Lee Flat and Corral Borrow Sites. As a result of the internal scoping process, two of the eight in-park sites were eliminated from further consideration and analysis. The Lee Flat site at the southern end of the project area was determined to be within the range of the Mohave ground squirrel, a California state-listed threatened species, and would require additional survey and monitoring before reactivation. The Corral site, also in the southern portion of the project area, contains a potentially historic structure and other cultural resources that may be harmed by reactivation or expansion of the borrow pit. Consequently, the Lee Flat and Corral borrow sites were dismissed from further consideration. The Park may choose to re-evaluate the use of these sites after further analysis (i.e., in-depth studies of ground squirrel and historic designations).

Use of County-Delineated Expansion Areas. As part of Inyo County's request for reactivation of the Saline Valley borrow sites, the County Road Department submitted GPS survey data showing the boundaries of the existing borrow pits and the proposed pit expansion areas. After review of likely gravel requirements and environmental considerations, the Park modified the proposed expansion areas to

better conform to the Park's management objectives. Specifically, the Park reduced the size of the proposed expansion areas and limited expansion to certain areas. Thus, the County's initial proposed expansion areas were eliminated from further consideration and instead replaced with Park-specified expansion areas for impact analysis.

RATIONALE FOR SELECTED ALTERNATIVE

The Saline Valley Road and associated borrow sites are located in a remote, rugged part of DVNP that has a long history of human use and resource exploitation. It is not a pristine wilderness but an area that retains many of the natural and man-made characteristics of earlier times. Mining, roads, and surface disturbance are as much a part of the Saline Valley environment as the native wildlife, landscapes, and cultural resources. The reactivation and expansion of borrow sites to maintain Saline Valley Road will not in itself be out of place in this environment.

An examination of environmental impact topics found that both action alternatives could potentially cause negligible to moderate impacts (adverse and beneficial) to Park resources; however, most adverse impacts could be mitigated to insignificant levels. Because the use of borrow sites to maintain Saline Valley Road is a Park management objective, the action of removing sand and gravel from the sites would not in itself cause an impairment of Park resources or values.

Given that the Park's primary purpose is to protect "significant desert features that provide world class scenic, scientific, and educational opportunities to visitors and academics to explore and study," both the "environmentally preferable" and the Park's operationally preferred alternative is Alternative B, use of the existing borrow sites only. Implementation of this selected alternative would provide for the immediate requirement to repair sections of Saline Valley Road without precluding the potential use of the expansion areas in the future, should the need be realized.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE

In accordance with NPS Director's Order 12 (DO-12), the NPS has identified the Existing Borrow Pit Alternative (Alternative B) as the "environmentally preferable alternative" based on the results of the environmental assessment. This alternative meets the DVNP management objective to "maintain Saline Valley Road to its current surface condition by Inyo County," while minimizing environmental disturbance. This environmentally preferable alternative is the alternative that will promote the national environmental policy expressed in NEPA [Sec. 101(b)], specifically to:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
- Ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
- Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
- Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.

- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Reactivation of the selected six borrow pits (Alternative B) will provide the Inyo County Road Department with enough sand and gravel material to make near-term repairs to Saline Valley Road, as well as fulfill at least some of its long-term road maintenance needs. Since future road maintenance needs are dependent on future weather and road-use conditions, the actual amount of borrow material required cannot be predicted with any certainty. Permitting use of the existing borrow pits would meet the County's immediate requirements while protecting Park resources, yet still allow the County to request expansion of the borrow pits in the future should the need arise.

Specifically, Alternative B (use of existing borrow pits to maintain Saline Valley Road) allows the Park to attain a wider range of beneficial uses of the Saline Valley environment than can be attained through Alternative A (no action). Implementation of Alternative B will also require Inyo County Road Department to reclaim and restore the existing borrow pits and reverse some of the resource degradation; something not required under Alternative A. In addition, Alternative B limits excavation to the existing borrow pits and will not disturb adjacent land, unlike Alternative C (expansion of borrow pits). Thus Alternative B will preserve more historic, cultural, and natural aspects of the Saline Valley environment than Alternative C. Because Alternative B (selected alternative) better promotes national environmental policy than Alternatives A or C, it is the environmentally preferable alternative.

Mitigation Measures

Death Valley National Park places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the mitigation measures identified below will be implemented as part of the selected alternative. Inyo County will be responsible for developing a reclamation plan, encompassing all six borrow sites, for review and approval by the NPS prior to issuance of any permit. Inyo County will reclaim and restore each site within one year of its closure or abandonment, and will ensure performance success of the site for five years thereafter. Both the NPS and the Inyo County Road Department will be responsible for monitoring and reporting the performance of mitigation measures throughout the permitted operational period and subsequent reclamation period for the six approved borrow sites.

Table 1, below, itemizes the required mitigation for the project.

Table 1. Mitigation Measures to be Implemented for Saline Valley Road Borrow Site Selected Alternative

Resource Topic	Mitigation Measure	Responsibility
General Measures	Require the establishment of a project management team, and the preparation of a reclamation plan to include reclamation performance standards and monitoring/reporting protocols.	Park Environmental Protection Specialist

Resource Topic	Mitigation Measure	Responsibility
	Approve or require revision of the reclamation plan within 60 days of submittal.	Park Environmental Protection Specialist
	NPS and Inyo County Road Department representatives will conduct a joint annual inspection of the borrow sites to ensure permit requirements are being followed and to determine if any remedial actions need to be taken.	Park Resources Management Division and Environmental Protection Specialist
	Require annual report of project operation and reclamation activities.	Park Environmental Protection Specialist
	Approve or require correction of annual report within 60 days.	Park Environmental Protection Specialist
	Ensure compliance with local and federal laws and regulations, along with implementation of measures to minimize wind and water erosion; blend the disturbed lands into surrounding landscape; and return site to beneficial end use.	Park Resources Management Division and Environmental Protection Specialist
Initial Reclamation Activities	Require construction of borrow site sediment basins according to reclamation plan.	Park Facility Management Division and Environmental Protection Specialist
	Require construction of external drainage control structures according to reclamation plan.	Park Facility Management Division and Environmental Protection Specialist
	Require construction of internal drainage control structures according to reclamation plan.	Park Facility Management Division and Environmental Protection Specialist
	Require reclamation of unpaved pit access roads according to reclamation plan.	Park Facility Management Division and Environmental Protection Specialist
Operations-Phase Reclamation Activities	Require maintenance of initial site reclamation treatments during the operations phase.	Park Facility Management Division and Environmental Protection Specialist
	Require maintenance of pit slopes not greater than 3:1 (horizontal run to vertical rise), or 18°, during the operations phase.	Park Facility Management Division and Environmental Protection Specialist
	Require maintenance of sites in an orderly, workman-like manner. This includes removal of temporary screening plant and other equipment from site within 60 days following termination of activity.	Park Facility Management Division and Environmental Protection Specialist
	Require submission of annual operation monitoring report to NPS per reclamation plan. Annual report will	Park Facility Management Division

Resource Topic	Mitigation Measure	Responsibility
	include name and credentials of monitors (investigators), a summary, dates of site visits, methods, data collected, analysis of data, compliance with performance standards, and recommended remedial measures.	and Environmental Protection Specialist
	Approve or require correction of annual reclamation monitoring report within 60 days.	Park Environmental Protection Specialist
Final Reclamation Activities	Install reclamation treatments (including re-soiling and revegetation) when side slopes are configured to final grade, according to the reclamation plan.	Park Facility Management Division, Park Botanist
	After final reclamation treatments are initiated, monitor the sites for conformance with the performance standards (as detailed in the approved reclamation plan). Perform remedial maintenance as needed.	Park Resources Management Division, Facility Management Division, and Environmental Protection Specialist
	Require submission of annual reclamation monitoring report (as above), until the NPS is satisfied that all standards are met.	Park Environmental Protection Specialist
	Approve or require correction of annual report within 60 days.	Park Environmental Protection Specialist
	Certify that performance standards are met and reclamation is complete.	Park Resources Management Division, Environmental Protection Specialist
Topography and Drainage	When borrow sites are deactivated, configure the site to the contours specified in the reclamation plan. At a minimum, the pit will be contoured to blend with the surrounding landscape, not be greater than 20 feet deep, and have side slopes not greater than 3:1 (horizontal run over vertical rise). An exception is that the temporary sediment basins may have down side slopes as steep as 2:1 while maintaining up side slopes at a ratio 3:1 or greater (i.e., less slope).	Park Facility Management Division, Park Hydrologist
	Remove all non-native materials from the pit and dispose of at an appropriate off-site location.	Park Facility Management Division
	Block, reshape, and reclaim the access road to blend with the surrounding landscape. Distribute stockpiled soil to site and apply straw and native seed mix in accordance with the reclamation plan.	Park Facility Management Division, Park Botanist
	Maintain and monitor the sediment basin and other runoff control structures in place during pit operation. Once revegetation of the site has been deemed successful, remove these structures in accordance with the reclamation plan.	Park Facility Management Division, Park Botanist, Park Hydrologist

Resource Topic	Mitigation Measure	Responsibility
	Monitor slope gradients throughout the permit period to ensure they are stable. If excess slope erosion is observed or failures noted, require appropriate remedial actions.	Park Facility Management Division, Park Hydrologist
Soils	Require the removal and stockpiling of "topsoil" (defined as top 6 – 8 inches of pit material) at each pit prior to excavating borrow materials from that pit. This only needs to be done if new vegetation has become established in the topsoil.	Park Environmental Protection Specialist
	Require use of the stockpiled topsoil material in final reclamation of borrow site.	Park Botanist, , Hydrologist, and Environmental Protection Specialist
	Comply with performance standards and monitoring requirements specified in the erosion and sediment control section.	Park Hydrologist
Vegetation	Allow and promote natural revegetation of the borrow sites in order to achieve visual integration with the surrounding vegetation, control surface erosion, and maintain wildlife values specified in the reclamation plan.	Park Botanist
	Where a site has not naturally revegetated, use native plant materials obtained from local sources for reclamation, as approved by the Park botanist.	Park Botanist
	Seed the sites, as needed, following the seed mix and rates prescribed in the reclamation plan.	Park Botanist
	Broadcast seeds over the site and mix into the top half-inch of substrate. If areas are to be treated with gravel mulch (as approved in the reclamation plan), broadcast the seed mix over the site prior to applying the gravel mulch.	Park Botanist
	Prior to re-spreading processed and sediment-basin fine materials over a site, conduct a soil analysis to determine the adequacy of soil fertility levels and the necessity of fertilizers to meet revegetation performance standards specified in the reclamation plan.	Park Botanist
	Apply irrigation or other remedial revegetation methods if required to meet performance standards and approved by the NPS.	Park Facility Management Division, Park Botanist
	Monitor progress of revegetation for a minimum of five years following the reclamation of each borrow site. Monitoring will take place during the peak flowering season for that site, according to monitoring protocols in the approved reclamation plan. Report results of revegetation monitoring in the annual reclamation monitoring report described above.	Park Botanist

Resource Topic	Mitigation Measure	Responsibility
Erosion and Sediment Control	Require implementation of topographic, drainage, and vegetation measures in order to control erosion and sedimentation and from the borrow site.	Park Hydrologist, Environmental Protection Specialist
	Require maintenance and monitoring of all erosion and sediment control structures during the operational and reclamation phases of the project. Include results of monitoring in the annual reclamation report described above.	Park Hydrologist, Environmental Protection Specialist
Public Safety	Require maintenance of pits to be less than 20 feet deep with side slopes no greater than 3:1 (horizontal run to vertical rise).	Park Environmental Protection Specialist
	Require proper storage of any hazardous materials kept on-site during excavation and processing. Require proper disposal of hazardous materials or wastes off site.	Park Environmental Protection Specialist
	If conditions at a site are deemed potentially unsafe, require installation of a locked gate at the access to the site. During final reclamation, require replacement of the gate with boulders to block access to the site and reduce visual impacts.	Park Environmental Protection Specialist
Visual Resources	Ensure that any emplaced rock structures visible from the main road are a color that blends with the surrounding substrate. If the emplaced rock contrasts with surroundings, require use of a rock staining compound to achieve the required color.	Park Environmental Protection Specialist
Archaeological and Paleontological Resources	If any archaeological or paleontological resources are found within an approved borrow site boundary, all excavation within that area will cease until the Park is notified and the Park Archaeologist authorizes the work to re-commence.	Park Archaeologist

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WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts which require analysis in an EIS.

No major adverse or beneficial impacts were identified that would require analysis in an environmental impact statement.

Under the selected alternative (use of Existing Borrow), the NPS will issue a 5 year renewable permit allowing Inyo County to excavate sand and gravel from the existing borrow pits but not from the adjacent areas. Inyo County will be required to reclaim the sites to natural contours and restore native vegetation at the end of the permit period.

Geologic Resources and Soils

The selected alternative will result in a minor adverse impact to the geologic resources and soils of the six borrow sites, since only the existing pits would be used. Topsoil and vegetation in the adjacent areas will not be disturbed. A beneficial effect will be the ultimate reclamation and restoration of these sites at the end of the permit period. This will alleviate potential long-term or cumulative effects to the geologic resources and soils. The selected alternative does not conflict with or cause additional impacts to the development of the new Gravel Management Plan or Road Management Plan being developed for DVNP.

Species of Special Concern

The selected alternative will have only a minor impact on species of special concern at or near the existing borrow pits. Recent surveys found no evidence that federally listed species inhabit the sites. Those animal species that were observed are highly mobile and can easily move away from the sites during the infrequent, short-duration operations at the sites. No special concern plant species were detected at the sites.

Since the selected alternative uses only the existing borrow pits, none of the adjacent areas will be disturbed by excavation. There will be no cumulative loss of native habitat. There will be no cumulative impact related to other ongoing resource planning activities or currently planned projects.

Unique or Important Wildlife or Wildlife Habitat

No unique or important wildlife or wildlife habitat were detected at the six existing borrow sites and, consequently, the selected alternative will have negligible impact on these resources. It will also not have a cumulative impact on these resources.

Non-Native Plant Species

The selected alternative may have a moderate impact on the dispersal of non-native plant species at or from the six existing borrow sites. As one of the mitigation measures, the top few inches of aggregate (where weeds are present) will be stockpiled onsite to control the spread of weeds both on and off site. Even with this treatment, it will be difficult to completely control the incidental spread of weed seeds and plant parts. The potential for spreading weeds will be long-term, although actual land disturbing activities (excavation and processing in existing pits) will occur only a couple weeks at a time. The

ultimate reclamation and revegetation of these sites with native species will have a long-term positive impact on local habitats. This alternative causes no cumulative impacts with other projects in the area.

Visitor Experience

The selected alternative will have only a minor adverse impact on visitor experience. Infrequent, limited excavation of the existing pits will not be noticed by most of the visitors to Saline Valley. A beneficial effect for many visitors will be the improvements to Saline Valley Road that will allow them more ready access to recreation areas. Another potential minor impact will be the occasional loss of camping activities when sand and gravel is actively being excavated from the pits. As suggested by the public scoping comments, this alternative, combined with Saline Valley Road maintenance, will have a net positive cumulative effect on visitor experience in Saline Valley.

Archeological Resources

The selected alternative will have a negligible impact on archeological resources at the six existing borrow sites. Significant impacts will occur only if subsurface sites or artifacts are damaged or destroyed during excavation of the existing pits. This will be mitigated in part by the requirement for Inyo County Road Department to immediately notify the Park should archeological resources be discovered on site. In addition, a Park archaeologist will inspect each borrow site located near sensitive cultural resources at least once a year to confirm that borrow pit operations stay within their approved boundaries. Given the unlikelihood of loss of archeological resources within the existing pit areas, this alternative will have no cumulative effect on archeological resources protection within the Park.

Degree of effect on public health or safety.

Each borrow pit will be no greater than 20 feet deep with 3:1 (horizontal run to vertical rise) side slopes in order to minimize the hazard to humans and wildlife. Hazardous materials associated with operations and processing will be stored properly on-site, and prior to reclamation will be disposed of properly off-site. A locked gate may be installed at any site deemed potentially hazardous to the public. During final reclamation, the gate will be replaced with boulders to reduce the visual impacts. With the mitigation measures in place the potential effect of this actions on public health and safety are deemed to be negligible.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

As described in the EA, prime farmlands, wetlands, wild and scenic rivers, and ecologically critical areas will not be affected. The selected alternative involves use of existing borrow sites and will have negligible effects on historic and cultural resources.

Degree to which effects on the quality of the human environment are likely to be highly controversial.

There were no highly controversial effects identified during the public scoping process or during the EA public comment period.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.

There were no highly uncertain, unique or unknown risks identified during either preparation of the EA or the public review period.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The selected alternative neither establishes a National Park Service precedent for future actions with significant effects nor represents a decision in principle about a future consideration. At the end of each 5 year permit term, the National Park Service will evaluate the applicability of this NEPA analysis and the terms and condition of the permit and update and revise these as may be necessary to protect park resources and values.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Cumulative impacts were determined by combining the impacts of the selected alternative (preferred alternative) with other past, present, and reasonably foreseeable future actions. Several projects were identified that would have negligible or minor contributions to cumulative impacts of the selected alternative. Those projects include ongoing or upcoming Park planning projects, including the Saline Valley Site Management Plan, the Sand and Gravel for Road Management Plan, and the Road Management Plan. No projects were identified that, when considered with the impacts of the selected alternative, would have greater than minor impacts.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The selected alternative will not adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historic resources. Prospective borrow sites that may have effected these resources were removed from consideration and are not part of the selected alternative.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat.

No endangered or threatened species or critical habitat is present in the project area and, consequently, the selected alternative will not adversely affect these resources.

Whether the action threatens a violation of federal, state, or local environmental protection law.

The selected alternative does not violate any federal, state or local environmental protection laws. As a condition of the Park's permit to reactivate the six borrow sites, Inyo County will be required to develop a Park-approved site operation and restoration plan, and to obtain any secondary permits (e.g., storm water discharge, air emissions) needed by state or local agencies.

PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

The need to maintain the Saline Valley Road was identified in the 2002 General Management Plan for Death Valley National Park and was included as one of the Park's management objectives. Internal

scoping for the re-activation of the Saline Valley Road borrow sites was initiated in early 2010 and included cultural resources and biological field surveys of the existing borrow pits and the proposed expansion areas. During the internal scoping process, the Park outlined these preliminary site selection criteria:

- Each borrow site was previously used for obtaining materials for use on Saline Valley Road and thus native vegetation was previously disturbed in the area of excavation;
- Each borrow site contains appropriate material (sand and gravel) for road maintenance;
- Each borrow site is in a non-wilderness area;
- Each borrow site is adjacent to, or a short distance away (less than1/2 mile) from the roadway and is spaced out along the roadway to reduce material haul distances and associated impacts;
- Each borrow site is located on NPS-administered land within DVNP; and
- Material from the borrow sites will only be used on Saline Valley Road within DVNP.

In March and May 2010, the DVNP Archeologist and crew conducted cultural resource surveys of the eight Saline Valley borrow sites, to include the existing pits and proposed expansion areas. Subsequent to the cultural survey, the Park conducted an Inter-Disciplinary Team (IDT) site visit on March 26, 2010. Park managers and resource staff, environmental consultants, and representatives of the Inyo County Road Department toured five of the borrow sites in the southern portion of the project area, and discussed potential issues and concerns related to the project. Two of the key concerns were the presence of a significant cultural site within the Corral borrow site and possible sensitive species habitat at the Lee Flat site. As a result of the resource surveys and the IDT visit, the Park Superintendent decided to eliminate the Corral and Lee Flat borrow sites from further consideration for reactivation under this current environmental assessment. However, the Park may reconsider use of the Lee Flat site at a future date after further analysis is conducted.

Based on the internal scoping and site review, the Park released a public scoping letter and project description on July 20, 2010, that was mailed directly to interested parties and posted on the NPS "Planning, Environment, and Public Comment" (PEPC) website. The mailing went to more than twenty stakeholder organizations and ten federal, state, and local agencies.

The Park received 12 responses within the 30-day comment period and three additional comments shortly afterwards. Four of the twelve responses were from public interest groups (Saline Valley Preservation Association, Indian Valley Geology Club, The Athenian School, and National Parks Conservation Association) and one was from a federal agency (U.S. Fish and Wildlife Service). The issues raised in these initial scoping comments included visitor access, visitor safety, impact to adjacent habitat, noise, dust, potential for expansion of pits, monitoring, and reclamation. These topics were addressed in the Environmental Assessment.

The Environmental Assessment was released to the public for a 30-day comment period starting on June 3, 2011 and ending on July 5, 2011. The EA was posted on the Park (PEPC) website, and a notice of its availability was sent out in a press release and directly to about 33 stakeholders. Comments were received from four sources: two park stakeholder organizations, the Timbisha Shoshone Tribal Historic Preservation Officer (THPO) and the Inyo County Road Department.

A representative of the Saline Valley Preservation Association stated that the proposed project "is a good idea and will allow Inyo County to repair the roads to the benefit of NPS and the public." A representative of the Athenian School was concerned that re-activation of the Camp and Tin Barn borrow sites would cause noise and dust that may negatively affect the riparian corridors at the bottom of Grapevine Canyon. The commenter proposed that the Corral and Lee Flat sites would be better suited to supplying gravel to the southern portion of Saline Valley Road (outside Grapevine Canyon). The Athenian School brought up these concerns during the scoping period and they were incorporated into the overall assessment of the prospective borrow sites.

Hardcopies of the EA were sent to the California State Historic Preservation Officer (SHPO) and Timbisha Shoshone Tribal Historic Preservation Officer on June 14, 2011. The Park Archeologist visited three of the proposed borrow pit sites with the THPO and Timbisha Historic Preservation Committee (HPC) members on July 28, 2010. A written response was not received from the THPO in regard to this project; however, during a phone call on August 1, 2011, the THPO related that the Tribe did not have a problem with the project as planned, provided the borrow pits do not expand beyond their initial footprint, and natural and cultural resources were protected. The Park received inquiries from the SHPO office on July 25 and August 16, 2011, requesting additional information. The Park provided the additional information on July 25 and August 16, 2011. The SHPO reviewed the provided information and concurred with the park's No Historic Properties Affected recommendation by letter on September 19, 2011.

The Road Commissioner for the Inyo County Road Department took exception to two of the mitigation measures outlined in the Environmental Assessment. The Park agreed to remove the requirement to have a portal toilet at the borrow sites during operation and processing, and agreed to allow the County to follow its standard practices for handling topsoil and controlling off-site weed distribution. The Park declined a request to allow further expansion of the Tin Barn borrow site, which the Commissioner stated was needed to effectively maintain the southern portion of the Saline Valley Road. The Tin Barn site cannot currently be expanded due to biological and archaeological concerns.

The Park may consider the use of the Lee Flat borrow site in the future, but only under a separate environmental compliance process including an opportunity for public involvement. This process would also require conducting presence / absence surveys for the Mohave ground squirrel, and conducting a habitat assessment.

IMPAIRMENT OF PARK RESOURCES OR VALUES

The NPS has determined that implementation of the selected alternative will not constitute impairment to the resources or values of Death Valley National Park. This conclusion is based on a thorough analysis of the environmental impacts described in the Saline Valley Road Borrow Sites environmental assessment, relevant scientific studies, and professional judgment of the decision-maker guided by the direction in NPS Management Practices (2006). As described in the environmental assessment, implementation of the selected alternative will not result in major adverse impacts on a resource or value whose conservation is (1) necessary to fulfill specific purposes identified in the establishing legislation or proclamation of Death Valley National Park; (2) key to the natural or cultural integrity of the park; or (3) identified as a goal in the Park's General Management Plan or other relevant National Park Service planning documents.

CONCLUSION

The National Park Service has selected Alternative B – The Existing Borrow Pit Alternative for implementation, modified as described above. Based on the analysis in the EA, the capability of the incorporated mitigations to reduce or avoid potential impacts, and with due consideration for the public scoping and EA review comments, the NPS has determined that the selected alternative does not constitute an action that would normally require the preparation of an environmental impact statement. The selected alternative will not have significant impacts on public health, safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected alternative will not violate any federal, state, or local environmental law. Based on the foregoing, it has been determined that an environmental impact statement is not required by this action and thus will not be prepared, and the approved borrow site permitting process will be initiated as soon as practicable.

Recommended: Sarah Craighead — 10/20/11

Sarah Craighead
Superintendent, Death Valley National Park

Date

Approved: for [illegible] — 11/23/11

Christine S. Lehnertz
Director, Pacific West Region

Date

ERRATA SHEETS

SALINE VALLEY ROAD BORROW SITES
DEATH VALLEY NATIONAL PARK, CALIFORNIA AND NEVADA

Environmental Assessment

These errata sheets address changes to the text of the Saline Valley Road Borrow Site Environmental Assessment (EA) based on comments received from the Inyo County Roads Department and the National Park Service's Geologic Resources Division (NPS GRD). A copy of the EA had been provided to the County prior to its public release on June 3, 2011, and NPS GRD reviewed in September 2011.

The errata sheets must be attached to the original Environmental Assessment document to comprise a full and complete record of the environmental implementation process.

In a letter dated June 2, 2011, Mr. Doug Wilson, Director of Public Works / Road Commissioner for Inyo County, submitted three comments on the proposed action. The comments are shown below as indented text, and are followed by the Park's response and changes to the EA, if any.

Comment by Inyo County Road Department:

> *The Inyo County Road Department disagrees with the recommendation to site portable toilets at the pits. Road Department staff work from 7:00 a.m. to 3:00 p.m. In general, there will be no overnight stays by the Road Department at the borrow pits. The portable toilets will create management concerns for both the National Park Service and the County in that the toilets will attract overnight campers to stay at the pits. This will focus visitor use at the pits and potentially subject County equipment to an increased risk of vandalism. The use of the pits by the Road Department is only occasional for maintenance and in response to flood events.*
>
> *It is our suggestion that this requirement only be applied to those situations where Road Department staff would be spending the night at the pits for more than three nights. The only instance where Road Department will be based at the pits for that long of a period would be in response to a major flood event where adequate funding is available. The toilets should only be in place when Road Department personnel are camping at the pit. The toilets should be removed within a week of the completion of work.*

Response:

The Park agrees to remove the requirement for the Inyo County Roads Department to have a portable toilet station at the borrow pits.

Comment by Inyo County Road Department:

> *Inyo County Road Department disagrees with requirement to use of herbicides prior to removing material. It is standard operating procedure for the Road Department to remove the top 6 to 8*

inches of topsoil. This material is then stockpiled in a corner of the pit and is a key component of the eventual reclamation of the pit. Every time there is new growth in the pit, the Road Department will remove topsoil and stockpile it. The Road Department only uses material below the topsoil level.

The Road Department has previously spread material derived from these pits over the length of Saline Valley Road and the exotic species have not spread over the entire distance of the roadway. The exotic species that are part of the seed mix in the topsoil will be addressed during reclamation. The Road Department believes this mitigation measure is not necessary and is redundant. However, if necessary, the Road Department will comply with this requirement.

Response:

The Park will accept the County Road Department's procedure for storing topsoil and only using subsurface soil for road maintenance, in order to minimize the use of herbicide. Park staff will monitor the borrow sites, access roads, and Saline Valley Road, for excessive spread of weeds and may require the Road Department to apply herbicide to borrow sites if necessary to control infestations.

Comment by Inyo County Road Department:

The Tin Barn borrow site boundary is too restrictive, the existing disturbance calculates out to be app. 0.3 acres and the expanded area is app. 0.2 acres for a total of app. 0.5 acres. This is the first site the Road Department can use on Saline Valley road from the south end. This site will be used to maintain the Saline Valley road south to Hwy 190 or 16.6 miles. This site is located at the top of Grapevine Canyon area and the nearest borrow pit to the north is 4 miles away. This means that this pit will be used to cover 18.6 miles of road. One significant storm could use all the material in the small expansion area. Inyo County would like the expansion boundary be moved an additional 150 feet to the west.

It is not possible for a pit of the proposed size to provide adequate material for this length of roadway.

Response:

The Park has determined that the Tin Barn site cannot be expanded due to biological and archaeological concerns. However, the Park will evaluate the use of the Lee Flat borrow site after conducting presence / absence surveys for the Mojave ground squirrel and habitat assessment. The Lee Flat site (dismissed from consideration in this current EA) is in a better position than the Tin Barn site to service Saline Valley Road between Grapevine Canyon and State Highway 190.

This issue was addressed in the EA on page 22 with the statement "The Park may choose to re-evaluate the use of these sites after further analysis (i.e., in-depth studies of ground squirrel and historic designations)."

Comment by NPS GRD:

> *It is important for the public to fully understand the criteria the Superintendent examined in deciding not to use off-park borrow sources.*

Response:

The Park will follow the guidance of the NPS GRD to make the rationale for this decision clear.

Change to EA text:

Page 22: Before the sentence that reads "Consequently, the Park dismissed as infeasible an alternative to haul in sand and gravel material from off-park borrow sites," add the following explanation: "Consistent with past road planning, there are four off-site materials sites that were considered for the associated road maintenance purpose: Panamint Springs, California; Ridgecrest, California; Big Pine, California; and Pahrump Nevada. Panamint Springs, which is the closest site to southern portions of the Saline Valley Road, does not have sufficient quantities of material to accomplish road maintenance. The Big Pine site is located at a distance of 50-90 miles, mostly on dirt road, from potential road maintenance locations. The Ridgecrest and Pahrump sites are over 100 miles and 200 miles away respectively. The rugged condition of the Saline Valley Road would limit the size of vehicles available to haul material, making multiple trips necessary. This would generate additional impacts to air quality from dust and emissions. Additionally, the Park re-investigated these external sources and concluded that it continues to be impractical to guarantee that borrow materials would be free of exotic, invasive plant seed. The potential impacts from exotic invasive plants, the distance from external borrow sites, the condition of the road, and the impacts to air quality were all factors in making this determination."