

Mojave National Preserve

National Park Service
U.S. Department of the Interior



Roadway Safety Improvements Project

PUBLIC SCOPING COMMENT SUMMARY

Environmental Assessment

**National Park Service
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February 2014

Introduction

The National Park Service (NPS) is in the process of preparing an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) for a project to improve roadway safety in Mojave National Preserve (Preserve). As part of the EA process, the lead agency notifies the public of the proposed project and solicits public input regarding the scope and content of the EA through a public scoping process. Individual comments are not directly responded to, but instead are used to shape the EA's scope and analysis. This Public Scoping Comment Summary presents a summary of the comments received during the public scoping period, January 15, 2014 through February 15, 2014. Although not all comments received are described individually in this report, all comments will be considered by NPS in preparation of the EA.

Background

Numerous serious vehicle accidents occur every year on Preserve roads, often involving vehicle rollovers, injuries and fatalities.

The proposed changes to the roadways are designed to reduce the number of accidents within the Preserve by improving roadway elevations, grades, curvature, and sight distances, and by realigning two intersections. Four locations are on paved road and total 1.94 miles; one location is on an unpaved road and is less than one quarter mile in length. The project also includes improvements to maintain safe ingress/egress at three sites on unpaved roads that serve as main access roads for the local community. Roadway embankment protection totaling about 1.5 miles in length will be installed where flood events have frequently caused damage to the roadway and two low water crossings which total 460 feet in length will be reinforced to reduce the severity and incidence of washouts.

These dangerous road conditions have contributed to high rate of single vehicle accidents and increased accident severity, particularly when combined with drivers who are distracted or exceeding the speed limit.

The purpose of the proposed project is to increase public safety by reducing the number and severity of traffic accidents in the Preserve. The project objectives are as follows:

- Reduce motor vehicle accidents in the Preserve;
- Improve road safety while protecting adjacent wilderness areas and the federally threatened desert tortoise;
- Reduce maintenance costs associated with roads that receive frequent localized flooding and decrease the time required to restore access; and
- Improve the visitor experience for both motorists and pedestrians by reducing dangerous road conditions and confusion at intersections.

Public Scoping Comment Summary

The NPS published a Project Scoping Newsletter on January 15, 2014, commencing the planning process for the Roadway Safety Improvements Project in Mojave National Preserve. On February 1, 2014, the NPS held a public meeting at the Interagency Fire Center at Hole in the Wall in the Preserve. The comment period closed on February 15, 2014. Over the 30-day comment period, a total of 18 correspondences were received, not including comments received at the public meeting.

The commenters included unaffiliated individuals representing themselves as residents or visitors to the Preserve, an individual representing landowners within the Preserve, and the following state agencies and organizations:

- California Department of Fish and Wildlife (CDFW)
- Lahontan Regional Water Quality Control Board (RWQCB)
- Center for Biological Diversity
- Eastern Sierra Center for Applied Population Ecology
- Society for the Conservation of Bighorn Sheep
- Wild Sheep Foundation

Almost all of the individual commenters agreed with the purpose and need for the project, and encouraged the NPS on moving forward with the planned improvements. Many commenters also recommended additional measures to reduce speeds and improve safety throughout the Preserve, such as reduced speed limits, improved signage and the use of other techniques such as rumble strips and flashing signs. A number of comments (primarily by residents of the Preserve) suggested locations for additional roadway improvements that are not part of the scope of the current project, particularly on the maintained dirt roads that develop potholes and/or washboard surfaces, and are subject to damage during floods. Comments by regulatory agencies primarily focused on potential impacts and mitigations for natural resources, and on the regulatory and permit requirements associated with the planned projects. The commenters representing conservation or environmental organizations were concerned with impacts to natural resources such as desert tortoise and other wildlife. Others were not generally in favor of the proposed project, instead recommending reduced speed limits and increased enforcement throughout the Preserve.

Comments on the Planning Process and Scope of the EA

As part of public scoping, NPS asked the public to identify any specific impacts that the planning team should study. Most comments were focused on roadway safety related issues, and the potential impacts and benefits of the proposed project. Several conservation organizations identified potential impacts to wildlife (and specifically bighorn sheep, mule deer and other mammals) should be analyzed in detail. The Center for Biological Diversity commented extensively on potential impacts to desert tortoise. CDFW provided detailed recommendations on the analysis of biological impacts, as well as habitats affected by surface water. Similarly, RWQCB provided detailed recommendations on the analysis of habitats affected by surface water as well as the regulatory process. Summaries of major comments are below.

Comments on the Proposed Project and Alternatives

Overall, there were 18 correspondences received by the NPS regarding the project, not counting comments received at the public scoping meeting, which was attended by five members of the public. Of the 18 submittals, 9 were by unaffiliated individuals, 2 were by state government agencies, 1 was from a representative of landowners within the Preserve, and 6 were from 4 separate individuals affiliated with organizations representing environmental or conservation interests. The comments were divided into 116 individual comments for analysis and consideration. The resident representing landowners submitted a detailed letter describing comments and recommendations that was subdivided into 22 individual comments. The state agencies submittals included 37 individual comments.

Comments Regarding the Need for the Project

Almost all of the individual commenters (8 of 9), the individual representing landowners, and the members of the public (all 5) attending the scoping meeting, expressed agreement with the overall project goals, as well as the specific project site locations. Most of them also suggested additional measures for safety improvements, and several individuals identified additional locations for improvements within the Preserve.

One individual commenter and all of the individuals affiliated with environmental or conservation interests were not in favor of the proposed project, instead recommending analysis of impacts to wildlife and increased enforcement of speed limits and/or lower speed limits throughout the Preserve.

The Center for Biological Diversity urged the Preserve to consider a more holistic approach by first completing a road management plan as required by the Preserve's General Management Plan. They also urged NPS to adopt measures to deter the use of the Preserve as a "shortcut" between southern California and Las Vegas. They believe that the proposed improvements will allow for even faster speeds, and, as a result, may not in practice improve safety for visitors or wildlife.

Comments Regarding Additional Measures to Improve Safety

Numerous commenters noted that many of the safety issues in the Preserve are caused by a combination of speeding and distracted drivers that present a hazard by stopping in the roadway or intersections. Several commenters expressed concern that the road improvements could allow motorists to go even faster. Approximately 25 of the individual comments recommended additional measures to improve safety through the Preserve beyond the revised roadway alignments, intersection improvements and low water crossings. Many commenters suggested reducing speed limits in certain areas, such as near Kelso Depot, or approaching curves in the roadway. Some commenters suggested reducing speed limits throughout the Preserve to as low as 25 mph in areas where desert tortoise occur.

Most of the individual commenters and one of the organizations recommended improved signage throughout the Preserve to slow speeds, discourage stopping on the roads, and reduce the obstruction of traffic. Rumble strips, flashing lights and radar speed signs were recommended by many individuals as effective methods to reduce speeds. Additional stop signs at the Kelbaker Road/Kelso Cima Road intersection were recommended, and at two other intersections (Morning Star Mine/Kelso-Cima/Cima Roads and Kelso-Cima/Cedar Canyon Roads), left turn lanes were recommended by several individuals. Several commenters requested that additional pullouts throughout the Preserve (and particularly at Granite Pass) would provide visitors a place to stop, park and enjoy the Preserve. The pullouts could be combined with signs or displays to explain the views and Preserve resources.

The Center for Biological Diversity recommended a range of "traffic calming" approaches, including improved signage, rumble strips, speed cushions, roundabouts, and hardened pull outs for passing. They recommend that road lanes and shoulders should be kept narrow (e.g. 11 feet), and that pull outs and shoulder areas should be hardened with a curb to prevent widening over time into fragile habitat areas and provide a safe place for visitors to stop and observe.

Other common, specific suggestions included improved signage at the entrances to the Preserve, to explain to visitors the purpose of the roadways in the Preserve, and to discourage through travelers from using the Preserve roads as a shortcut.

Comments on Biological Resources (Wildlife and Vegetation)

The Center for Biological Diversity submitted detailed comments focused on desert tortoise protection. The comments cite sections of the Preserve's General Management Plan (GMP) (2002) and USFWS Revised Recovery Plan for the Desert Tortoise (2011) and discuss standards to minimize impacts on desert tortoise, such as fencing and reduction of the speed limit to 25 mph. They surmised that slower speed limits could obviate the need for many of the proposed actions. They recommend that the Preserve could minimize needed changes to improving shoulders, pull-outs, signage, etc.

The comments also recommended that the Preserve examine measures implemented in other Park Service Units to assure safety of wildlife and humans in road projects, specifically citing the Pinto Basin Road Rehabilitation and Reconstruction project at Joshua Tree National Park.

NPS received comments from representatives of three organizations known as the Eastern Sierra Center for Applied Population Ecology, the Society for the Conservation of Bighorn Sheep and the Wild Sheep Foundation. These comments expressed very similar concerns that the EA would not adequately assess how the roadway safety improvements project would impact the movement of large mammals, or the potential for it to result in increased road-kills of bighorn sheep, mule deer, and mountain lions, as well as other smaller vertebrates, including a variety of small carnivores (bobcats, coyotes, foxes). In addition, the comments from each organization stated that the government was ignoring the primary cause of safety problems in the Preserve (speeding) and that the preferred remedy should be for the Preserve to enforce existing speed limits, and/or reduce (and enforce) the speed limits. This approach would reduce the use of the Preserve as a shortcut between Southern California and Las Vegas. The commenters also expressed the view that the proposed project would only encourage more speeding.

CDFW provided a comment letter in accordance with their responsibilities and jurisdiction. The comments requested a complete assessment of the flora and fauna within and adjacent to the project, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats. The comments contained detailed recommendations regarding rare plants and natural communities; sensitive fish, wildlife, reptile and amphibian species; rare, threatened and endangered species under NEPA.

The comments included specific recommendations related to potential impacts on the western burrowing owl and the desert tortoise. CDFW recommended a thorough discussion of direct, indirect, and cumulative impacts to biological resources; assessment of the regional setting; analysis of impacts to off-site habitats, including wildlife corridors; and analysis of possible human-wildlife conflicts and mitigations. A cumulative impacts analysis was requested, including analysis of past, present and potential future projects. They also requested analysis of the effect that the project may have on completion and implementation of regional and /or sub-regional conservation programs.

CDFW requested that a range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. The Department considers Rare Natural Communities as threatened habitats that should be avoided and protected from impacts.

Comments on Surface Water Resources (Floodplains, Stream Channels)

CDFW stated that it opposes elimination of watercourses or channelization or conversion to subsurface drains. All wetlands and watercourses, intermittent or perennial, must be retained. The analysis should include impacts of the proposed project on the lake or streambed, an analysis of the

biological resources present on the site, copies of biological studies conducted on the site, biological survey methodology, and a discussion of any alternative, avoidance, or mitigation measures which will reduce the impacts of the proposed development to a level of insignificance.

The RWQCB submitted a comment letter related to their jurisdiction and responsibilities that noted they may be required to issue discretionary permits for implementation of the Project, and therefore requested that the environmental document prepared for the Project comply with and satisfy the requirements of both NEPA and CEQA.

They further commented that surface waters support a variety of beneficial uses, and to ensure that no net loss of function and value will occur, they provided a number of specific technical and engineering recommendations related to culvert design, rock slope protection within stream channels, at-grade stream crossings, storm water management, and vegetation clearing.

The comment noted that compensatory mitigation will be required for unavoidable impacts to surface water resources, and provided information related to mitigation programs.

The comment also included requirements and recommendations for reclamation of realigned roadways and staging areas, land disturbance of more than one acre, streambed alteration and/or discharge of fill material, and water diversion or dewatering. They described potential permitting requirements from CWA Sections 401 and 402, as well as the requirements of the State Water Board and RWQCB.

Comments on Visitor Experience

Several individuals and organization submitted comments recommending the construction of additional pullouts to both enhance safety and improve the visitor experience by providing visitors with a place to stop and enjoy the scenery and/or wildlife. One individual recommended that the Preserve consider constructing bike paths.

Need for Concurrent California Environmental Quality Act Analysis

Both the California Department of Fish and Wildlife, and the Lahontan Regional Water Quality Control Board, requested that NPS conduct a concurrent California Environmental Quality Act Analysis (CEQA).



As the nation's principal conservation agency, the Department of the Interior has the responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.