

## **APPENDIX B: AGENCY CORRESPONDENCE**



**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

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calshpo@parks.ca.gov  
www.ohp.parks.ca.gov



August 7, 2013

Reply in Reference To: NPS\_2012\_1009\_001

Cicely Muldoon  
Superintendent  
National Park Service  
Point Reyes National Seashore  
Point Reyes, California 94956

Re: Rehabilitate Limantour Road, Lighthouse Road, and Chimney Rock Road Project, Point Reyes National Seashore

Dear Ms. Muldoon:

Thank you for your correspondence regarding this consultation for an undertaking at Point Reyes National Seashore. The National Park Service (NPS) is consulting with the State Historic Preservation Officer (SHPO) in order to comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended, and its implementing regulations at 36 CFR Part 800. Along with your letters, you also provided maps showing the Area of Potential Effect (APE) and a report entitled *Rehabilitate Limantour Road, Lighthouse Road, and Chimney Rock Road Project, Section 106 Study Report, Point Reyes National Seashore, California*, dated November 8, 2012. NPS is conducting simultaneous consultation with the Federated Indians of Graton Rancheria, the park's single culturally affiliated tribe.

The proposed undertaking as described in detail in the report, involves rehabilitation of three roads to improve safety and prolong their lifespans. Improvements include: repairing and resurfacing all three roads and with in-kind materials; drainage improvements; erosion control, possibly including revegetation; guardrail replacement along Limantour Road; improvements to an existing parking lot at the end of Lighthouse Road; widening Chimney Rock Road by one foot, paving three existing pullouts, and placing aggregate on remaining pullouts.

NPS has identified an Area of Potential Effects (APE) based upon direct physical effects from the project and a 10-meter buffer on either side of the roadway, totaling approximately 80 acres. The APE intersects A Ranch, a contributor to the Shafter / Howard Tenant Ranches Historic District. Lighthouse Road and Chimney Rock Road are also contributors to this district. Lighthouse Road is also a contributor to the Point Reyes Lighthouse Historic Site. The APE also intersects the Point Reyes Peninsula Indigenous Archaeological District, and two known sites that contribute to this district are located within the APE: CA-MRN-227 and CA-MRN-378. Two unevaluated sites are also located within the APE: CA-MRN-661H and CA-MRN-393. An intensive survey of the APE revealed no other cultural resources. NPS proposes to assume eligibility for these two unevaluated sites for the purposes of this undertaking.

As detailed in the report, NPS finds that the repairs proposed to the roads and appurtenant features will not compromise their individual integrity or that of the historic districts that include

them. Roads and parking areas will be resurfaced in-kind; Chimney Rock Road will remain a paved, one-lane road after the project; NPS intends to avoid potential effects to archaeological sites within the road buffer by installing temporary fencing and having a qualified archaeologist on site during construction. Therefore, NPS requests concurrence with a Finding of No Adverse Effects.

After reviewing the information submitted, the SHPO offers the following comments.

- The SHPO concurs that the project proposed constitutes an undertaking.
- The APE appears to be sufficient to take effects into account.
- The SHPO does not object to assuming eligibility for the two unevaluated sites and finds identification and evaluation efforts to be sufficient.
- The SHPO concurs that a finding of No Adverse Effects is appropriate for this undertaking.
- Please be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, NPS may have future responsibilities for this undertaking under 36 CFR Part 800.

Thank you for seeking the SHPO's comments and considering historic properties as part of your planning. If you have any questions or concerns, please contact Mark Beason, Project Review Unit historian, at (916) 445-7047 or [mark.beason@parks.ca.gov](mailto:mark.beason@parks.ca.gov).

Sincerely,



Carol Roland-Nawi, Ph.D.  
State Historic Preservation Officer



REC'D  
2012 DEC 11 PM 2:09  
POINT REYES

Sacred Sites Protection Committee  
6400 Redwood Drive, Suite 300  
Rohnert Park, CA 94928  
707-566-2288

December 10, 2012

Cicely Muldoon  
Superintendent  
Point Reyes National Seashore  
Point Reyes, CA 94956


RE: Rehabilitation of Limantour, Lighthouse and Chimney Rock Roads

Dear Cicely:

The Federated Indians of Graton Rancheria, a federally recognized Tribe and sovereign government, has received your notification regarding Section 106 consultation for the Rehabilitation of Limantour, Lighthouse and Chimney Rock Roads Project. Section 106 of the National Historic Preservation Act of 1966 (NHPA) require federal projects to meet the requirements of 36 CFR 800 for consultation with federally recognized Tribes. We appreciate your notice to continue this process.

We have reviewed the results of your project study mailed to our Office. We concur with your finding of "no adverse effect" with the mitigations described therein.

Respectfully,

  
Nick Tipon  
Sacred Sites Protection Committee



**Sacred Sites Protection Committee**  
**6400 Redwood Drive, Suite 300**  
**Rohnert Park, CA 94928**  
**707- 566-2288**

October 10, 2012

Cicely Muldoon  
Superintendent  
Point Reyes National Seashore  
Point Reyes, CA 94956

RE: Rehabilitation of Limantour, Lighthouse and Chimney Rock Roads

Dear Cicely:

The Federated Indians of Graton Rancheria, a federally recognized Tribe and sovereign government, has received your letter regarding Section 106 Consultation for the Rehabilitation of Limantour, Lighthouse and Chimney Rock Roads Project. Section 106 of the National Historic Preservation Act of 1966 (NHPA) require federal projects to meet the requirements of 36 CFR 800 for consultation with federally recognized Tribes. We appreciate your notice to begin this process.

We have reviewed the materials you provided. We concur with your definition of the APE.

In regards to the potential impacts to CA-MRN-378 and CA-MRN-277, we request subsurface testing to the depth the sites will be impacted by construction activities in addition to your proposed activities.

Respectfully,

Nick Tipon  
Sacred Sites Protection Committee



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

September 3, 2013

John Dell'Osso  
National Park Service - Point Reyes National Seashore  
1 Bear Valley Road  
Point Reyes Station, CA 94956

Subject: Initial Scoping for Roads Rehabilitation Project EA  
SCH#: 2013084001

Dear John Dell'Osso:

The State Clearinghouse submitted the above named Environmental Assessment to selected state agencies for review. The review period closed on August 30, 2013, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2013084001  
**Project Title** Initial Scoping for Roads Rehabilitation Project EA  
**Lead Agency** National Park Service

**Type** EA Environmental Assessment  
**Description** The NPS in cooperation with the Federal Highway Administration proposes to rehabilitate 22 miles of paved park roads and parking areas in Point Reyes National Seashore (PRNS) including Limantour Road and the roads to the Lighthouse and Chimney Rock. The purpose of the proposed action is to restore the structural integrity of these roads to ensure safe driving conditions for visitors traveling in the park, provide efficient parking space to support demand for recreational access in the park, correct road-related drainage problems, and reduce long-term road and parking area maintenance needs and costs.

**Lead Agency Contact**

**Name** John Dell'Osso  
**Agency** National Park Service - Point Reyes National Seashore  
**Phone** 415 464 5135 **Fax**  
**email**  
**Address** 1 Bear Valley Road  
**City** Point Reyes Station **State** CA **Zip** 94956

**Project Location**

**County** Marin  
**City**  
**Region**  
**Lat / Long**  
**Cross Streets** 22 miles of roads/ Parking areas within Point Reyes National Seashore  
**Parcel No.**  

<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Base</b>

**Proximity to:**

**Highways** Hwy 1  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** Point Reyes National Seashore

**Project Issues** Biological Resources; Recreation/Parks; Traffic/Circulation; Water Quality; Wetland/Riparian

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 3; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; State Lands Commission

**Date Received** 08/01/2013 **Start of Review** 08/01/2013 **End of Review** 08/30/2013





**United States Department of the Interior**  
**FISH AND WILDLIFE SERVICE**

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825



March 7, 2013

Document Number: 130307041637

Steven Culver  
National Park Service - Denver Service Center  
12795 W. Alameda Parkway  
Lakewood, CO 80228

Subject: Species List for Point Reyes Road Rehabilitation Project

Dear: Mr. Culver

We are sending this official species list in response to your March 7, 2013 request for information about endangered and threatened species. The list covers the California counties and/or U.S. Geological Survey 7½ minute quad or quads you requested.

Our database was developed primarily to assist Federal agencies that are consulting with us. Therefore, our lists include all of the sensitive species that have been found in a certain area *and also ones that may be affected by projects in the area*. For example, a fish may be on the list for a quad if it lives somewhere downstream from that quad. Birds are included even if they only migrate through an area. In other words, we include all of the species we want people to consider when they do something that affects the environment.

Please read Important Information About Your Species List (below). It explains how we made the list and describes your responsibilities under the Endangered Species Act.

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be June 05, 2013.

Please contact us if your project may affect endangered or threatened species or if you have any questions about the attached list or your responsibilities under the Endangered Species Act. A list of Endangered Species Program contacts can be found [here](#).

Endangered Species Division



**U.S. Fish & Wildlife Service**  
**Sacramento Fish & Wildlife Office**  
**Federal Endangered and Threatened Species that Occur in**  
**or may be Affected by Projects in the Counties and/or**  
**U.S.G.S. 7 1/2 Minute Quads you requested**  
 Document Number: 130307041637  
 Database Last Updated: September 18, 2011

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Quad Lists

Listed Species

Invertebrates

- Haliotes cracherodii*  
black abalone (E) (NMFS)
- Haliotes sorenseni*  
white abalone (E) (NMFS)
- Speyeria zerene myrtleae*  
Myrtle's silverspot butterfly (E)
- Syncaris pacifica*  
California freshwater shrimp (E)

Fish

- Eucyclogobius newberryi*  
critical habitat, tidewater goby (X)  
tidewater goby (E)
- Hypomesus transpacificus*  
delta smelt (T)
- Oncorhynchus kisutch*  
coho salmon - central CA coast (E) (NMFS)  
Critical habitat, coho salmon - central CA coast (X) (NMFS)
- Oncorhynchus mykiss*  
Central California Coastal steelhead (T) (NMFS)  
Central Valley steelhead (T) (NMFS)  
Critical habitat, Central California coastal steelhead (X) (NMFS)
- Oncorhynchus tshawytscha*  
California coastal chinook salmon (T) (NMFS)

Amphibians

- Rana draytonii*  
California red-legged frog (T)  
Critical habitat, California red-legged frog (X)

Reptiles

- Caretta caretta*  
loggerhead turtle (T) (NMFS)
- Chelonia mydas (incl. agassizi)*  
green turtle (T) (NMFS)
- Dermochelys coriacea*  
leatherback turtle (E) (NMFS)
- Lepidochelys olivacea*  
olive (=Pacific) ridley sea turtle (T) (NMFS)

Birds

- Brachyramphus marmoratus*  
Critical habitat, marbled murrelet (X)  
marbled murrelet (T)
- Charadrius alexandrinus nivosus*  
Critical habitat, western snowy plover (X)  
western snowy plover (T)
- Diomedea albatrus*  
short-tailed albatross (E)
- Pelecanus occidentalis californicus*  
California brown pelican (E)
- Rallus longirostris obsoletus*  
California clapper rail (E)
- Sternula antillarum* (=Sterna, =albifrons) browni  
California least tern (E)
- Strix occidentalis caurina*  
northern spotted owl (T)

### Mammals

- Arctocephalus townsendi*  
Guadalupe fur seal (T) (NMFS)
- Balaenoptera borealis*  
sei whale (E) (NMFS)
- Balaenoptera musculus*  
blue whale (E) (NMFS)
- Balaenoptera physalus*  
finback (=fin) whale (E) (NMFS)
- Eubalaena* (=Balaena) *glacialis*  
right whale (E) (NMFS)
- Eumetopias jubatus*  
Critical Habitat, Steller (=northern) sea-lion (X) (NMFS)  
Steller (=northern) sea-lion (T) (NMFS)
- Physeter catodon* (=macrocephalus)  
sperm whale (E) (NMFS)

### Plants

- Alopecurus aequalis* var. *sonomensis*  
Sonoma alopecurus (E)
- Castilleja affinis* ssp. *neglecta*  
Tiburon paintbrush (E)
- Chorizanthe robusta* var. *robusta*  
robust spineflower (E)
- Chorizanthe valida*  
Sonoma spineflower (E)
- Delphinium bakeri*  
Baker's larkspur (E)
- Delphinium luteum*  
Critical habitat, yellow larkspur (X)  
yellow larkspur (E)
- Hesperolinon congestum*  
Marin dwarf-flax (=western flax) (T)
- Layia carnosa*  
beach layia (E)
- Lupinus tidestromii*  
clover lupine [Tidestrom's lupine] (E)

*Trifolium amoenum*  
showy Indian clover (E)

#### Quads Containing Listed, Proposed or Candidate Species:

BOLINAS (467B)  
TOMALES (485B)  
DRAKES BAY (485C)  
INVERNESS (485D)

## County Lists

No county species lists requested.

### Key:

- (E) *Endangered* - Listed as being in danger of extinction.
- (T) *Threatened* - Listed as likely to become endangered within the foreseeable future.
- (P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.
- (NMFS) Species under the Jurisdiction of the [National Oceanic & Atmospheric Administration Fisheries Service](#). Consult with them directly about these species.
- Critical Habitat* - Area essential to the conservation of a species.
- (PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.
- (C) *Candidate* - Candidate to become a proposed species.
- (V) *Vacated* by a court order. Not currently in effect. Being reviewed by the Service.
- (X) *Critical Habitat* designated for this species

## Important Information About Your Species List

### How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

### Plants

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online [Inventory of Rare and Endangered Plants](#).

### Surveying

Some of the species on your list may not be affected by your project. A trained biologist and/or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. See our [Protocol](#) and [Recovery Permits](#) pages.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepared for your project.

## Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal [consultation](#) with the Service.

During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

## Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our [Map Room](#) page.

## Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning

process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

### Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. [More info](#)

### Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6520.

### Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be June 05, 2013.