

CHAPTER 4. CONSULTATION AND COORDINATION

4.1 Scoping and Public Involvement

Scoping is an early and open process to determine the breadth of environmental issues and alternatives to be addressed in an environmental assessment. Through the scoping process, the NPS sought to obtain input from staff, the public, government and regulatory agencies, and environmental organizations. The following is a summary of the scoping activities.

The NPS conducted public scoping for this project from May 1 to May 31, 2006 and solicited input from the public through direct mailing and presentations. A scoping notice was sent to more than 250 individuals, nearby residents, regulatory and public agencies, Marin County environmental organizations, and other groups and posted on the NPS Planning, Environment, and Public Comment (PEPC) website (<http://parkplanning.nps.gov/goga>). A newspaper notice was also posted in the Marin Independent Journal on May 3 and 4, 2006. During scoping, a public site walk was conducted on May 13, 2006 and project posters and handouts were available at a GGNRA Open House on May 16, 2006. The project was presented at a Muir Beach Community Services District monthly meeting on April 26, 2006 and an Agency Site Walk was held on August 16, 2006. Information on the project was also available at two additional GGNRA Open Houses on September 19 and November 28, 2006. Notices for each of the GGNRA Open Houses were sent to a mailing list of approximately 4,000 individual and organizations.

One written comment was received as a result of project scoping. Comments received after the public scoping period were considered in the analysis. A summary of public comment is below:

- **Tributary Connections:** It might be more beneficial to creek flows during the low flow season if hillside tributaries connect to Redwood Creek very close to the MBCSD well location instead of letting them slowly grade into the mainstem.
- **California Red-Legged Frog Habitat:** Support was expressed for constructing a second red-legged frog breeding area on federal property, in addition to the existing habitat at Muir Beach.
- **Location of Set-back Levee on Old Ballfield:** A question was raised about whether the new setback levee on the Old Ballfield could be placed closer to Highway 1 and Muir Woods Road than was shown on initial conceptual plans of May 2006 to allow the entire field to store floodwaters, be more likely to moderate peak flows, and might require less height above the existing grade. The commentor inquired about mitigation, the previous condition of the ballfield, and the approach of the berm.
- **Trail Connections:** Conceptual designs did not clearly indicate how the new Coast View Trail connection would coordinate with the new setback levee. Support was expressed for a trail connection to get trail users off of both Highway 1 and Muir Woods Road and that the trail should be as close as possible to these roads. Some commented that the project should not preclude trail locations in the area, wetlands adjacent to trails should

be protected, and that the trails should be wide enough for multi-use (about 6 feet). One comment objected to a trail in the Upper Field.

- Flood Reduction: One comment reflected the importance of achieving flood reduction benefits sooner rather than later and encouraged the project to be completed as soon as possible.
- Farming: The resident and former farmer of the site stated he is still interested in farming at the site again eventually, particularly in the upper 10 acres of the main field.
- Mosquitoes: A concern was expressed about mosquito populations that would be supported by wetlands restoration.
- General Support: Multiple individuals supported the project and its benefits to habitat.

Internal scoping was conducted by GGNRA staff. Prior to initiating technical work on the project, the project manager presented the purpose of the project and the likely general actions at GGNRA's Project Review on November 11, 2004. This interdisciplinary review process identified the need to present the project for public and technical scoping, cultural resource and archaeological review by NPS, and the need for an EA to identify possible significant impacts. The project was presented to the NPS Pacific West Region project review on April 10, 2006 for a general update about an upcoming construction project. Design approaches for the project were presented to GGNRA's Project Review on Dec. 13, 2006.

4.2 Regulatory Compliance

Compliance with major federal laws and associated state regulations is summarized below.

National Environmental Policy Act (NEPA) of 1970. PL 91-190, 83 Stat. 852, 42 USC §4341 et seq.

This EA provides disclosure of the planning and potential environmental consequences of the proposed action and No Action Alternative, as required by NEPA. The EA will be made available for public review and comment for 30 days. Agency and public comments will then be considered and a determination will be made whether to further assess alternatives and impacts or to prepare a Finding of No Significant Impact (FONSI), which will respond individually or through summaries to all substantive comments.

U.S. Army Corps of Engineers

Pursuant to Section 404 of the Clean Water Act (33U.S.C. 1344), the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material to Waters of the U.S., including wetlands. On December 7, 2006, GGNRA sent the USACE the wetland delineation to determine if there are any jurisdictional wetlands that may be affected by proposed project activities resulting in the "fill" of Waters of the U.S. The USACE conducted a field review of the wetland delineation on January 23, 2007. Any necessary permits will be acquired before completion of the NEPA process.

San Francisco Bay Regional Water Quality Control Board

The Federal Clean Water Act, in Section 401, specifies that states must certify that any activity subject to a permit issued by a federal agency, such as the USACE, meets all state water quality standards. In California, the Regional Water Quality Control Board (RWQCB) is responsible for taking certification actions for activities subject to any permit issued by the USACE pursuant to Section 404. A Section 401 certification may be needed from the RWQCB for potential impacts to Waters of the State from proposed project activities. RWQCB representatives participated in an agency site walk on August 16, 2006 and a meeting and field walk on February 14, 2007 to review proposed designs.

U.S. Fish and Wildlife Service

Under Section 7 of the federal Endangered Species Act as amended, PL 93-205, 87 Stat. 884, 16 USC §1531 et seq., federal agencies are required to consult with the USFWS if their actions, including permit approvals, could adversely affect an endangered or threatened species, or its critical habitat. A Biological Assessment to initiate formal Section 7 interagency consultation between NPS and USFWS was submitted to the USFWS in November 2006 for two projects, to both construct the pond at the site for California red-legged frog habitat and to conduct the other actions proposed in this EA. USFWS issued a Biological Opinion on Dec. 22, 2006 for construction of the frog pond as mitigation for 2002 flood reduction actions conducted by NPS at Muir Beach and for proposed creek and floodplain restoration actions on Lower Redwood Creek at the Banducci site. USFWS determined that the level of anticipated take from these actions is not likely to result in jeopardy to the California red-legged frog or result in destruction or adverse modification to its proposed critical habitat. The BO also determined that the proposed actions are not likely to adversely affect the northern spotted owl.

NOAA Fisheries

Under Section 7 of the federal Endangered Species Act as amended, PL 93-205, 87 Stat. 884, 16 USC §1531 et seq., federal agencies are required to consult with the NOAA Fisheries if their actions, including permit approvals, could adversely affect an endangered or threatened species, or its critical habitat. Section 7 consultation would result in the issuance of a Biological Opinion. NOAA Fisheries may issue an incidental take statement in the biological opinion allowing take of a species that is incidental to another authorized activity, provided the action will not jeopardize the continued existence of the species.

This Environmental Assessment is intended to also serve as a Biological Assessment to initiate formal Section 7 interagency consultation between NPS and NOAA Fisheries. The GGNRA has already initiated informal consultation with NOAA Fisheries by conducting an on-site walk through on August 16, 2006 and a meeting and field walk on February 14, 2007 to review proposed designs.

California Coastal Commission

In accordance with the Coastal Zone Management Act of 1972, as amended, Section 307c(1), the GGNRA will apply to the California Coastal Commission for a Negative Determination stating that the project will not affect the coast zone, public access of the coast, or coastal resources.

California Department of Fish and Game

Since the project area lies entirely within federal property, the project is not regulated by the

California Department of Fish and Game (CDFG). However, in an effort to work collaboratively with regulatory agencies so as to be as protective as possible to California endangered species, the GGNRA has provided updates to the CDFG about this project.

Advisory Council on Historic Preservation and California State Historic Preservation Officer

The National Historic Preservation Act of 1966, as amended PL 89-665, 80 Stat. 915, 16 USC §470 et seq. and 36 CFR 18, 60, 61, 63, 68, 79, 800, requires federal agencies to consult with the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Officer (SHPO) regarding undertakings that may affect properties listed in or eligible for listing in the National Register of Historic Places. In 1992, Golden Gate National Recreation Area entered into a Programmatic Agreement with the ACHP and the SHPO which allows park staff from the Division of Cultural Resources to review undertakings for National Historic Preservation Act conformance as long as such undertakings are found to have No Effect or No Adverse Effect on properties listed in or eligible for listing in the National Register of Historic Places. The park reports to the ACHP and the SHPO on such reviews annually. During the planning phase for this restoration project, park cultural resources staff conducted an archeological investigation at the site and did not find archeological resources in areas proposed for excavation. A prior study to determine the site's eligibility for listing on the National Register found the site was not eligible. A final review of this determination is pending by SHPO. Final review of this project will be conducted by GGNRA under its Programmatic Agreement with SHPO.

4.3 List of Preparers and Contributors

Preparers

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4.4 List of Recipients and Review of EA

The EA notification mailing list totals agencies, organization, and individuals. The following is agencies and organizations that will receive a copy of the EA; others will receive a postcard notice of availability. A complete list of names on the NPS mailing list for this project is in the project file and is available from the issuing office. Additionally, notice of the project and EA was sent to all individuals that indicated interest in GGNRA planning and management activities (approximately 4,000) as part of the notice for the GGNRA Park Open House on Tuesday, February 27, 2007, from 4 p.m. to 7 p.m. at the Mill Valley Community Center. The EA will be available at the open house.

Federal Agencies

U.S. Fish and Wildlife Service
Gulf of the Farallones National Marine Sanctuary
National Marine Fisheries Service
Natural Resources Conservation Service
U.S. Army Corps of Engineers

State Agencies

California Coastal Commission
California Coastal Conservancy
California Department of Fish and Game
California Department of Parks and Recreation
California Department of Transportation, Region 4
California Native American Heritage Commission
California Office of Planning and Resources State Clearinghouse
California State Lands Commission
California Resources Agency
State Historic Preservation Office

Regional, County, and Municipal Agencies

Association of Bay Area Governments
Bay Area Air Quality Management District
San Francisco Bay Regional Water Quality Control Board
Marin County Supervisor Steve Kinsey
Marin County Community Development Agency
Marin County Department of Public Works
Federated Indians of Graton Rancheria

Organizations

San Francisco Zen Center
Bay Area Ridge Trail
California Native Plant Society, Yerba Buena Chapter
Environmental Action Committee of West Marin
Muir Beach Community Services District
Ocean Riders
People for a GGNRA
Sierra Club, Marin Group
SPAWN

Libraries

The following is a list of libraries where the public can access this EA and review the document onsite.

- Mill Valley Library, 375 Throckmorton Ave., Mill Valley, CA; (415) 389-4292
- Muir Woods Visitor Center, Muir Woods National Monument, Mill Valley, CA; (415) 331-2596
- Sausalito Public Library, 420 Litho Street, Sausalito, CA; (415) 289-4121
- The Muir Beach Community Center, 19 Seascape Drive, Muir Beach, CA; (415) 383-2359
- Pacific West Regional Office Visitor Center, Fort Mason, Building 201, San Francisco; (415) 561-4700

There will be a 30-day comment period on the EA. Comments may be submitted online at: <http://parkplanning.nps.gov/goga> (click on the project title and follow then follow instructions) or in writing to the following address:

Superintendent, Golden Gate National Recreation Area
ATTN: Lower Redwood Creek Floodplain and Salmonid Habitat at the Banducci Site
Fort Mason, Building 201
San Francisco, CA 94123

4.5 References

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