

## **APPENDIX H: PUBLIC AND AGENCY COMMENTS AND RESPONSES ON SEA/SIS**



## Sir Francis Drake Boulevard SEA/SIS Public/Agency Review Comments and Responses

No.	Name and Date Sent	Comment	Response
<p>Please note: <b>Color bolded</b> comment text is directly answered in response column</p>			
<p>1</p>	<p>Megan Isadore Co-Founder and Executive Director River Otter Ecology Project</p> <p>Sent: Jul 18, 2018</p>	<p>Dear Mr. Allen, Thank you for the opportunity to comment on the Sir Francis Drake Boulevard Improvements Draft SEA / SIS. Our comments focus on the proposed restoration of the historic wetland at Drakes Beach as mitigation for the destruction of jurisdictional wetlands in other areas of Point Reyes National Seashore (PRNS).</p> <p>River Otter Ecology Project, based in Marin County, CA, engages the public in supporting conservation and restoration by linking river otter recovery to the health of our watersheds through education, research, and community science. River otters, although not a protected species, are sentinel apex predators that use every part of watersheds, from headwaters to ocean. Their presence and success are important indicators of ecosystem function and environmental health. They provide critical ecosystem services such as transport of marine nutrients to terrestrial habitats and transmission of trophic effects. They also affect the composition and abundance of prey species.</p> <p>We support the restoration of the historic wetlands at Drakes Beach, but we deeply regret that the project will come about only as a consequence of the destruction of other wetland areas in Point Reyes National Seashore. <b>We also have reason to believe that, if not properly mitigated, the construction activities associated with the restoration may have negative impacts on river otters resident in the Drakes Beach area.</b></p> <p>For six years, we have conducted intensive research on recovering river otter populations within Point Reyes National Seashore. Considered extirpated in the SF Bay Area until 1989, river otters have been reintroducing themselves on their own, in a highly-positive and well-publicized recovery. Consistent with NPS Management Policy 4.2, our studies support the NPS mission by providing the Service, the scientific community, and the public with an understanding of park resources, processes, values, and uses that will be cumulative and constantly refined.</p> <p>River otters depend upon fresh water for drinking and grooming, but fish comfortably in fresh, brackish, and nearshore ocean waters. Natal dens tend to be high above average water levels to avoid spring flood events. The otters ability to move with their pups between denning and hunting areas is critical to their ability to thrive. Because of their fast metabolism and high energy needs, river otters hunt often throughout the day and night.</p> <p>The Drakes Beach area provides rich habitat for river otters, and consequently is of critical importance for the recovery of the species in PRNS. They give birth and den in the upland areas, hunt and feed in the freshwater pond, and transit the culverts under the footpath to the Peter Behr Overlook Trail to access nearshore foraging grounds in Drakes Bay.</p>	<p><b>Response 1a:</b> Spring and summer rhythmic activity of river otters is generally highest during night time and early morning hours generally before 7 am. While construction at Drakes Beach may temporarily disrupt feeding and daytime activities, construction would only occur during daylight hours (1/2 hour after sunrise to 1/2 hour before sunset) which would minimize disruption of nocturnal activities. In addition, major construction activities at the Drakes Beach parking lot would only be one season. While the existing culverts at Drakes Beach may be impacted, the overall intent of the mitigation design is to create a more natural freshwater wetland-dune interface. Therefore, the site should also increase potentially suitable habitat for the river otter. For these reasons, while temporary disruption of river otters may occur, it is anticipated to be minimal and short-term, and therefore less than significant. Once complete, the mitigation site is anticipated to benefit species within the area, including river otter. This assessment has been noted in the errata to the SEA/SIS.</p> <p><b>Response 1b:</b> See Response 1a.</p> <p><b>Response 1c:</b> The construction plan has already been developed, including methods and timing restrictions, in coordination with National Park Service, US Fish &amp; Wildlife Service, and National Marine Fisheries Service.</p> <p><b>Response 1d:</b> Based on the existing timing restrictions in place for protected species, and to avoid the wet season due to concerns with water quality, it is not feasible to further restrict construction at Drakes Beach. However, as noted in Response 1a, restriction of construction to daylight hours and major construction activities being limited to one season at Drakes Beach are anticipated to minimize potential impacts to otters to a less than significant level.</p> <p><b>Response 1e:</b> Based on the temporary nature of the impacts, and limited exposure of the otters to construction activities, no post-construction monitoring related to otters is warranted or proposed.</p>

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		<p>We have documented the importance of the area (ROEP unpublished data):</p> <ul style="list-style-type: none"> <li>• In 2017, 33% of the known river otter population in PRNS inhabited the area around Drakes Beach.</li> <li>• From 2014 through 2017, 32% of known PRNS river otter pups were born and reared in that area.</li> <li>• From June through December 2017, river otters used the culverts at the foot of the Peter Behr Overlook trail on 165 days, 77% of total days.</li> <li>• From July through September 2017, river otter pups used the culverts on 42 days, 46% of total days.</li> </ul> <p>From September 2016 to June 2018, we conducted a monitoring study for Mt View Sanitary District (MVSD) in Martinez, CA. <b>We documented that construction activities associated with restoration of the Districts reclamation ponds changed the foraging behavior of the resident river otters, forcing the otters into an increasingly narrow habitat corridor, and eventually leading them to temporarily abandon the restoration area. We believe as similar dynamic will occur at Drakes Beach with unknown consequences for the larger PRNS river otter population.</b></p> <p><b>1b</b></p> <p><b>1c</b> In order to minimize the negative effects of construction activities on river otters, we recommend and request the following:</p> <ul style="list-style-type: none"> <li>• <b>The River Otter Ecology Project requests inclusion in the process for developing the detailed construction plan.</b></li> </ul> <p><b>1d</b></p> <ul style="list-style-type: none"> <li>• <b>Construction activities should be limited to the period outside the post-den rearing season for river otters, typically April through September.</b></li> </ul> <p><b>1e</b></p> <ul style="list-style-type: none"> <li>• <b>The Mitigation Monitoring and Reporting Program should provide for funded post-construction and continuing monitoring of river otter usage of Drakes Beach and adjacent areas.</b></li> </ul> <p>Point Reyes National Seashore has done exemplary work in protecting and aiding the recovery of harbor seals and Northern elephant seals in Drakes Bay. River otters are a key part of that same ecosystem, and the recovery of populations there, while not legally mandated, serves the same ecological purpose and supports the Parks mission to preserve its natural resources.</p> <p>Thank you for considering our comments.</p>	
2	Morgan Patton Environmental Action Committee of West Marin (EAC) Sent: Jul 18, 2018	The Environmental Action Committee of West Marin (EAC) is based in Point Reyes Station and has been working to protect the unique lands, waters, and biodiversity of West Marin since 1971. EAC submits the below brief comments on the Sir Francis Drake Boulevard Improvement Project Draft Supplemental Environmental Assessment/Subsequent Initial Study (SEA/SIS) and Proposed	<p><b>Response 2a:</b> Thank you for your comment. Our response to your similar 2015 comment remains applicable to the SEA/SIS prepared for this project:</p> <p>“As a result of widening the roadway to a consistent 24-foot width, areas along the side of the roadway that are currently used for informal pullouts are likely to be reduced. Access to informal pullouts would not be permanently precluded by the improvements, although</p>

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		<p>Mitigated Negative Declaration. These comments follow up on our 2015 comments.</p> <p>While EAC is supportive of road improvements to increase driver safety, we have a number of environmental concerns around the proposed road improvements including concerns around the impacts from road widening, potential increased speeds, and impacts to biological resources. We are supportive of the projects incorporation of planning for environmental hazards like sea level rise.</p> <p>Impacts to Wildlife Viewing</p> <p><b>2a</b> As EAC stated in our 2015 comments, <u>this project may have impacts to public wildlife viewing of elk, birds, bobcats, and coyotes from the roadway. Currently, there are several areas where the public can make roadside observations safely by utilizing informal parking alongside the roadway. With the widening of the roadway, some of these wildlife viewing sites will be impacted, including birdwatching at the western portion of the road where people from around the world observe birds in windbreak and other trees.</u></p> <p><b>2b</b> <u>The widening of the road may reduce informal parking spaces, forcing cars to park dangerously close to the road. This would make it hazardous to get in and out of cars, and will reduce the distance between parked cars and traffic.</u></p> <p>Point Reyes National Seashore is an internationally recognized birding area with more than 490 species recorded (over 50% of the species in North America)(1). <u>The ability for wildlife viewing and birdwatching to continue along the roadside within the Seashore should be prioritized with roadside improvements for safety.</u></p> <p>Potential for Increases of Vehicle Velocity</p> <p><b>2c</b> <u>The improvements of road conditions could result in higher vehicle velocity. Currently, the poor condition of the road generally results in slower driving speeds that make the roadways somewhat safer for roadside wildlife watching and wildlife crossings in this environmentally sensitive habitat area. Regardless, there are still issues with accidents, speeding, and wildlife casualties.</u> We are supportive of the language on page 8 of the SEA/SIS which states:</p> <p>All traffic control signs within the study area would be reviewed and replaced, if needed, to meet current standards. Advanced warning signs would also be considered and may be included at approaches to areas where speed limits would be reduced, such as ranches and sharp turns.</p> <p><b>2d</b> <u>Advanced warning signs should be included, where needed i.e. near ranches, bird watching areas, and sharp turns.</u></p>	<p>access may be temporarily limited during construction at these locations. Paved ditches may be installed north of Historic B Ranch to minimize earthwork on the west side of the roadway where steep hillsides occur; however, these would not be located adjacent to the informal pullout (i.e., cattle access) where it is believed birdwatchers park.”</p> <p>The errata for the 2015 EA/IS modified that document per your 2015 comments as follows; underlines indicate next text added to the EA/IS:</p> <p>“Based on public comments received concerning impacts to recreational birdwatchers, the following revisions were made to the Action Alternative analysis:</p> <p>The Action Alternative would improve the convenience, safety, and reliability of SFDB for access to park visitor centers and other popular destinations in PRNS. Resurfacing and rehabilitating the road would preserve this highly traveled transportation route for continued visitor use. Improved sight distance, widened shoulders, and curve modifications would enhance safety. In addition, raising and realigning the roadway between PM 9 and PM 10 would improve safety in this area where accidents are most common. Roadway closures due to flooding would also be less likely, thereby providing a more reliable transportation route for park visitors. Resurfacing and widening the shoulders would improve safety and riding experience for cyclists, which may encourage more cyclists to visit the park. Improvements to <u>existing designated</u> pullouts would provide safer areas for visitors to pull over while safely allowing traffic to pass. <u>However, widening the roadway would also reduce the size of informal, undesignated roadside pullouts near Historic A Ranch and Historic B Ranch that are used as parking by birdwatchers. While this may reduce the potential capacity of these sites, no barriers or curbs are proposed adjacent to these areas that would limit access to the area or preclude birdwatchers from using the informal roadside pullouts. In addition, no impacts to the windbreaks that draw birdwatchers would occur, and protective measures, such as fencing, would be implemented during construction to avoid inadvertent impacts to the windbreaks. For these reasons, impacts to recreational birdwatchers is anticipated to be negligible and, overall, the roadway improvements proposed under the Action Alternative would have long term beneficial impacts for park visitors accessing the destinations served by SFDB.</u></p> <p>Short-term, adverse impacts would occur during construction. Project construction could coincide with peak visitation (July through September), and construction-related delays could discourage some people from visiting the peninsula. However, such delays would <u>primarily</u> occur during weekdays, when visitation is lower, and for short periods of time. In addition, at least one lane of traffic would remain open during construction with a maximum 30-minute delay, as described under Avoidance, Minimization, and/or Mitigation Measures, below. <u>Access to the informal, undesignated roadside pullouts near Historic A Ranch and Historic B Ranch may also be restricted during periods of construction, but this would be short term in nature and would not persist throughout construction.”</u></p> <p>None of the project modifications analyzed in the SEA/SIS would further affect wildlife viewing sites, including the western portion of the road in the windbreak.</p>

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		<p data-bbox="415 159 1167 315"><b>2e</b> It would be helpful if there will speed limit reductions through the ranch home sites. In our 2015 comments, we recommended that the informal parking in the vicinity of A and B ranches be maintained and improved, and that speed limits in those areas be reduced to 25 miles per hour. From a review of the SEA/SIS, EAC does not see that this comment was addressed.</p> <p data-bbox="491 347 947 370">Impacts to Wetlands and California red-legged frogs</p> <p data-bbox="491 402 1167 727">It is unfortunate that this project will result in permanent wetland impacts, as there are very few remaining intact wetlands. For example, the San Francisco Bay Area has nearly lost all of its tidal wetlands in the last century (2) and maintaining wetlands within publicly protected lands should be a priority, as wetlands provide critical wildlife habitat. EAC is supportive of the Action Alternative that would re-establish and create approximately 2-acres of historical wetland area including freshwater wetland and brackish components. EAC understands that the project will be timed to reduce impacts to Northern Elephant Seals during pupping season. EAC has observed elephant seals are present along Drakes Beach and in the parking lot during the winter and spring and understands the project will be managed to take all feasible steps to avoid impacts to seals and other wildlife.</p> <p data-bbox="415 760 1167 915"><b>2f</b> In addition, the permanent impacts to California red-legged frog breeding habitat is troubling, as their threatened status indicates the species may become endangered in coming years and efforts to retain and not harm their endemic habitat should be prioritized. <b>What measures will NPS take to ensure that California red-legged frogs utilize these new ponds as breeding habitat?</b></p> <p data-bbox="415 932 1167 1110"><b>2g</b> <b>EAC encourages the project proponents to limit environmental impacts to the greatest extent possible during the project duration and to prioritize habitat restoration as part of the proposed mitigation.</b> EAC is very supportive of the projects use of native plants as part of the restoration and the Native Plant Societys 2017 comments that encouraged mitigating impacts to special-status plant species.</p> <p data-bbox="491 1143 659 1166">Sea Level Rise As</p> <p data-bbox="415 1198 1167 1328"><b>2h</b> West Marin plans for the impending challenges that our coastal communities will face with the threat of sea level rise, <b>it is critical that infrastructure projects adaptively plan and incorporate resiliency into projects. EAC is supportive of this projects proposal to raise the roadway to accommodate for flooding impacts and more natural water</b> (3).</p> <p data-bbox="491 1360 1104 1383">Thank you for your consideration of EAC's comments on the SEA/SIS.</p> <p data-bbox="491 1416 600 1438">References:</p>	<p data-bbox="1199 123 1986 237"><b>Response 2b:</b> The proposed project would maintain designated pullouts along the roadway. As noted in our response to your similar 2015 comment, providing a uniform width roadway, 1-foot shoulders, and flattening roadside slopes will not exacerbate safety concerns for vehicles that have pulled off the road.</p> <p data-bbox="1199 269 1944 318"><b>Response 2c:</b> Our response to your similar 2015 comment remains applicable to the SEA/SIS prepared for this project:</p> <p data-bbox="1199 350 1986 513">"The requirements for setting speed limits are set forth in the California Vehicle Code. Speed limits require an engineering and traffic study in order to set speed limits that are uniform throughout the state and are not set arbitrarily. As stated in the California Manual for Setting Speed Limits, 'setting the speed limit arbitrarily low often makes violators of a disproportionate number of drivers, does not facilitate orderly movement of traffic, and requires constant enforcement to maintain compliance' (CalTrans 2014).</p> <p data-bbox="1199 545 1986 708">Existing posted speed limits in the project corridor vary between 35 mph and 40 mph. Based on coordination with Marin County and PRNS as well as review of available safety data, travel speeds were not identified as an issue to be addressed in this corridor. Therefore, changes to the design speed of the roadway or the existing posted speed limits are not proposed as part of this project and travel speeds in the corridor are expected to remain generally consistent with existing conditions."</p> <p data-bbox="1199 740 1986 919"><b>Response 2d:</b> In the areas of Historic A Ranch and Historic B Ranch, which correspond to noted birdwatching areas, existing advanced warning signs will be maintained or replaced and new advanced warning signs added in select locations. These signs warn of cattle crossings; sharp curves or winding roads, including recommended reduced speeds along sharp curves; and identify historic ranches. These were determined in coordination with the National Park Service. Signage specific to birdwatching areas would be a National Park Service management decision.</p> <p data-bbox="1199 951 1566 974"><b>Response 2e:</b> See Response 2c, above.</p> <p data-bbox="1199 1006 1986 1331"><b>Response 2f:</b> The locations for the ponds were selected in consultation with the Western Ecological Research Center, who monitored California red-legged frog movement within Point Reyes, as well as the National Park Service. The design of the ponds was based upon identifying areas for the creation of aquatic breeding habitat that can be used by the frogs between December 31 and July 31 for laying eggs and rearing tadpoles into juvenile frogs. Part of the monitoring effort to ensure success of the ponds is conducting Visual Encounter Surveys to determine presence of frogs. If the ponds are determined to not meet success criteria, then adaptive measures will be employed in coordination with National Park Service and US Fish &amp; Wildlife Service. However, given that suitable aquatic breeding habitat is somewhat limited on the peninsula and the extensive movement of frogs over upland areas to locate and utilize aquatic breeding habitat, frogs are expected to utilize the ponds once completed.</p> <p data-bbox="1199 1364 1986 1463"><b>Response 2g:</b> Extensive efforts have gone into avoiding and minimizing impacts to the extent practicable and improving habitat within the area, such as replacing the two twin culverts at Schooner Creek with a bridge to provide a more open, natural channel. Appendix A (Mitigation and Monitoring Reporting Program [MMRP]) to the SEA/SIS</p>

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		<p>1. Point Reyes National Seashore, Birds,  <a href="https://www.nps.gov/pore/learn/nature/birds.htm">https://www.nps.gov/pore/learn/nature/birds.htm</a></p> <p>2. United States Geological Survey, Coastal Wetlands and Sediments of the San Francisco Bay System,  <a href="https://pubs.usgs.gov/fs/coastal-wetlands">https://pubs.usgs.gov/fs/coastal-wetlands</a></p> <p>3. Department of Transportation and County of Marin, Sir Francis Drake Boulevard Improvement Project Draft Supplemental Environmental Assessment /Subsequent Initial Study, June 2018, page 50.</p>	<p>details measures to be implemented to further reduce the potential environmental effects of the proposed project to a less than significant level. Coordination and consultation with resource and regulatory agencies is focused on ensuring the purpose of the project is met, while minimizing overall environmental impacts and ensuring success of the proposed mitigations sites.</p> <p><b>Response 2h:</b> Thank you for your comment.</p>
3	<p>Buffy McQuillen,  THPO  Federated Indians of Graton Rancheria</p> <p>Sent: Jul 19, 2018</p>	<p>Dear Nathan Allen,</p> <p>Thank you for notifying the federated Indians of Graton Rancheria about Sir Francis Drake Boulevard Improvement Project, Schooner Creek, a project within the Tribe's Ancestral Territory. We appreciate being notified and will review your project within 10 business days. If you have an immediate request please contact the Tribal Heritage Preservation Office for assistance by phone at (707) 566-2288 or by email at <a href="mailto:thpo@gratonrancheria.com">thpo@gratonrancheria.com</a>.</p>	<p>Thank you for your comment.</p>