



National Park Service
U.S. Department of the Interior

Pacific West
Regional Office
Oakland

1111 Jackson Street
Suite 700
Oakland, CA 94607
510-817-1300 phone
510-419-0197 fax

PACIFIC WEST REGIONAL OFFICE Memorandum

L7617 (PWRO-EQ)

JUN 18 2010

Memorandum

To: Superintendent, City of Rocks National Reserve
From: Acting Regional Director, Pacific West Region
Subject: Environmental Compliance for Relocating Circle Creek Overlook Parking

The finalized *Finding of No Significant Impact* for relocating the parking lot and installing appurtenant sanitation and interpretive facilities is approved. Our understanding is that an accessible trail linking the parking area with the overlook will be completed as part of another project, as well as providing for interpretive media at the overlook.

To complete this particular compliance effort, the park should send its notice of the decision to all individuals and organizations that received or consulted on the supporting environmental assessment.

Congratulations to park staff in completing this long anticipated planning effort, in collaboration with DSC, for enhancing visitor services and restoring the original site, in furtherance of the 1996 Comprehensive Management Plan.

FOR 
George J. Turnbull

Attachment

cc:
PWR-Teague
DSC-PM

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UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Finding of No Significant Impact

CIRCLE CREEK OVERLOOK PARKING LOT RELOCATION

City of Rocks National Reserve, Idaho

June 2010

The National Park Service has prepared this Finding of No Significant Impact (FONSI) based on the environmental impact analysis contained in the Environmental Assessment (EA) for the Circle Creek Overlook Parking Lot Relocation Project. This initiative enables the City of Rocks National Reserve to relocate a parking lot off of private land and out of the California National Historic Trail viewshed. The FONSI documents the decision made and basis for decision, the range of alternatives considered, public involvement and agency coordination in the conservation planning and environmental impact analysis process, determinations of significance and measures to minimize environmental harm, and findings of non-impairment.

Purpose and Need

The purpose of the proposed action is to relocate a day use parking lot while protecting natural and cultural resources as required by the laws and regulations. The primary need for taking action is to enhance recreation while ensuring that such use of the Reserve does not degrade its nationally significant values. The purpose of relocation of the parking lot at the Circle Creek Overlook is to remove the existing parking area from the viewshed of the California National Historic Trail (CNHT). The current parking area is an undefined dirt surface inappropriately located on a private in-holding. Relocation of the parking lot is overdue; one of the Reserve's primary goals is to preserve the cultural landscape of the CNHT. In addition, configuration of the current parking area impedes traffic flow and is expanding haphazardly to the detriment of the surrounding vegetation.

Selected Action

The NPS will implement the Preferred Alternative (Alternative 2 as described in the EA); there are no modifications due to public or agency comment incorporated herein.

The Reserve will relocate the parking area from private land within the viewshed of the CNHT to an area on Reserve property that is shielded from the viewshed of the CNHT in the Circle Creek Basin and will be screened by existing vegetation (juniper and pinyon trees) from the CNHT at the east entrance.

The NPS DSC will design and engineer the parking lot using best practices for construction, erosion control and drainage system, and dust abatement. The facility will have routine maintenance, but will need no major improvements for the foreseeable future within the 0.66 acre Area of Potential Effect (APE). Key practices are included in the mitigation table below.

A defined gravel parking lot for day use, designed as a one-way loop, would be constructed within the 0.66 acre APE. This parking lot will accommodate 20 vehicles up to 25 feet without trailers. The parking lot will be shielded from the viewshed of the CNHT in the Circle Creek basin by a prominent outcrop of granite. In addition, unauthorized and unwanted expansion would be prevented and parking regulations enforced through existing park operations. The installation of a unisex vault toilet at the Circle Creek Overlook parking lot will be completed as part of this project. All features and services will be ADA accessible. None of the site improvements require power so no utilities are included.

The construction of a ¼ mile accessible hardened trail to the overlook, surfaced with natural materials, and a wayside at the overlook, will be part of a future project.

The parking facilities, the associated vault toilet, and information sign will be inventoried and their conditions formally monitored. These periodic assessments will ensure data for the Facility Maintenance Software System is kept up-to-date (this information will be used to identify future facility maintenance funding needs for the park).

Other Alternatives Considered

Under Alternative 1 (no-action), the Circle Creek Overlook parking area would remain in its current location on private land, within the viewshed of the CNHT. In addition, the current parking area is an undefined dirt surface which tends to expand during peak use. Currently there are no sanitary facilities and no accessible hardened trail or interpretive wayside at the overlook. The current parking area is consistent with the management zone of the California Trail subzone in that the parking area is directly associated with access, enjoyment, and interpretation of the CNHT; however, it is inconsistent with private property rights.

One option which had received preliminary consideration during internal scoping but was not carried forward for full analysis in the EA was the removal of the Circle Creek Parking Area. The Circle Creek Overlook and associated parking area are very popular for visitors who have come to get a sense of the CNHT and those who have come to climb the nearby rock formations as well as a starting point for hikes. Removing the parking area would restore the viewshed of the CNHT and allow the natural vegetation to return, restoring the private in holding. However, this action would conflict with the Reserve's CMP and the goal of managing recreation for the enjoyment of the visitors. Such an action would remove a key facility visitors use to enjoy the Reserve. Because removal of the parking area would not be consistent with the CMP or the goal of facilitating recreation use as specified in the Reserve's enabling legislation, this preliminary alternative was rejected.

Environmentally Preferred Alternative

As documented in the EA, the environmentally preferred alternative was determined by duly considering the six national environmental policy goals as expressed in §101(b) of the National Environmental Policy Act of 1969. As per guidance from the CEQ (46 FR 18026 - 46 FR 18038), generally the environmentally preferred alternative is that course of action which causes the least damage to the biological and physical environment and that best protects, preserves, and enhances historic, cultural, and natural resources.

Under Alternative 2 (selected action) while constructing the new parking lot will impact vegetation, this impact will be mitigated by restoring the current parking area's vegetation. In addition, it will remove the existing undefined and expanding parking area from the viewshed of the CNHT, provide sanitary facilities at a heavily used point of interest, and create a well defined and easily enforceable gravel parking lot. Clearly defining the area available for parking will prevent visitors from damaging vegetation surrounding the parking lot, and avoids cumulative damage. In addition, providing sanitary facilities will prevent visitors from improperly using and contaminating the surrounding landscape.

Alternative 1 is not environmentally preferred because maintaining use of the undefined dirt parking area continues the adverse cumulative effects to the vegetation surrounding the parking area, allows erosion of the soil from the parking area surface, and does not curtail contamination of the area with human waste. In addition, the current parking area is within the viewshed of the CNHT and causes an adverse effect to the cultural resource, and infringes upon private property.

Environmental Consequences - Why the Selected Alternative Will Not Have a Significant Effect

With due consideration for the ten criteria as set forth by 40 CFR 1508.27, it was determined that implementing the selected alternative will not significantly affect the environment. In particular, all foreseeable environmental consequences, whether taken individually or as a whole, do not reach the level of significance. Most of the adverse impacts are temporary and occur during construction. Visitor impacts, such as increase in noise levels, are short-term. The selected alternative would have long-term beneficial effects on public health and park maintenance operations by providing better sanitary conditions. The proposed actions did not generated public controversy - in fact, despite extensive notices of public review of the EA, minimal comments were received. The project will not directly affect historic properties, prehistoric resources, or ethnographic resources. No known archeological resources occur at the project site, but as a precaution, intervention will be enacted in the event of an unexpected discovery to prevent any unanticipated impact to archeological resources. As noted below, the park conferred with USFWS and IDFG, and determined that neither any species status species nor habitat would be affected .

In addition, the following specific factors (as well as mitigations summarized below) ameliorate all potential adverse effects:

Where available, the park will use locally-grown native plant materials for landscaping the new parking lot and restoring the original parking area. Steps would be taken to ensure that all construction materials are free of nonnative plant seeds or germplasm. Prior to beginning work, all contractors' equipment would be thoroughly cleaned and inspected to prevent importation or dispersal of nonnative seeds or other plant materials.

Relocation of the parking lot will include reestablishing the natural topography, placement of suitable topsoil, and revegetation of most of the current parking area. These actions will, over time, greatly reduce the unnatural, accelerated erosion occurring presently. Soil erosion from the current parking area will diminish and return to natural levels. Reestablishment of the natural site topography and vegetation will also decrease runoff rates, thereby increasing infiltration and the availability of precipitation to the area. Overall, the action is expected to result in long-term, moderate, beneficial impacts to site topography, hydrology, and soils.

Seeding and planting will reestablish a native plant community in the current parking area. Appropriate treatments, applied as necessary, will prevent the establishment and spread of invasive weeds. Native plants established on the site will blend with the surrounding vegetation over time, creating a dynamic native plant community. Eventually, ecological processes would return to near pre-disturbance conditions. Wildlife that use the area will benefit from the improved food and cover on the site. There are no special status species in the project area.

These minor to moderate beneficial impacts to vegetation, and wildlife are expected to remain long-term. Reestablished natural topography and native vegetation will, over time, help restore the viewshed from the California Trail corridor to the Circle Creek Basin. In turn, this will result in long-term, moderate, beneficial effects on cultural resources.

The road to the Circle Creek Overlook will be temporarily closed during the construction phase of the project. The project will result in short-term, minor adverse impacts to recreation. The completion of the project with the new parking lot, sanitary facilities, and improved traffic flow will enhance the visitors experience thus long-term impacts to recreation will be beneficial.

Measures to Minimize Environmental Harm

The selected alternative includes resource protection measures designed to minimize harm to the environment. These measures and park personnel responsible for satisfactory completion are summarized in the following table.

Mitigation Measure	Actions	Responsible Party
Construct parking facility to manage runoff and minimize erosion.	Construct gravel parking lot with appropriate design, surfacing and control measures (for example, water bars) to hold erosion rates to negligible levels and channel runoff properly.	NPS Denver Service Center
Weed prevention	All contractor's materials and heavy equipment will be thoroughly cleaned and inspected to prevent importation or dispersal of nonnative seeds or other plant materials into the Reserve. Ensure that all materials used in revegetation, including fill, topsoil and plant materials, are free of nonnative plant seeds or materials. If necessary, apply appropriate site treatments (physical, biological, or chemical) to prevent the establishment and spread of invasive weeds.	CIRO Natural Resource Ranger/Chief of Maintenance
Cultural Resources	Monitor earth moving to ensure no inadvertently discovered cultural material is damaged during the project.	CIRO Chief of Cultural Resources

Public Engagement & Agency Consultation

Public scoping for this EA relied upon the Reserve's Comprehensive Management Plan (CMP), which was developed through a lengthy and open public process, beginning November 1989, leading to final approval and activation on February 1, 1996. The CMP fully considered issues relevant to this project, such as protection of the CNHT, restoration of disturbed areas, and cooperation with owners of private in-holdings. While the exact project design was not available in

1994, specifications about the number of cars and pavement type have not been altered. No additional public information was sought for the preparation of this EA because it is a design phase of a concept plan thoroughly addressed in the CMP. Currently the NPS and Reserve are preparing a new General Management Plan (GMP). This project is consistent with and will not be altered by the new GMP (to date, two newsletters have been sent to stakeholders and general public for comment).

A 30-day opportunity for public review and comment was provided from April 19 through May 20, 2010. A total of 70 notices concerning the public availability of the EA were emailed to county, state, and federal government offices and officials, Tribal officials, organizations, and interested individuals. Notices of availability for the EA were also published in local and regional newspapers (Idaho Statesman, Idaho State Journal, and the Times-News). The Idaho Statesman has a state-wide readership and the Idaho State Journal and the Times-News are based in Pocatello and Twin Falls, respectively. Additionally, notices of availability for the EA were publicly posted in the general store/post office in Almo, Idaho. The EA was available to the public at the City of Rocks National Reserve Visitor's Center and administrative office, and at the public libraries in Albion, Oakley, and Burley. Copies were also sent to the Shoshone-Bannock Tribe and private landowners within the Reserve; the EA was also available for download from the Reserve's website as well as the NPS PEPC website.

During the public comment period, comments were received from Cassia County and the Idaho Department of Parks and Recreation (which endorsed the plan to move the parking lot off of private land). The Cassia County Board was also supportive of the move, but noted that the Cassia County's Public Land Use Plan was not mentioned in the EA. However, the selected alternative is fully consistent with the County's land use plan. The Reserve recognized Cassia County's entitlement to consult with federal and state agencies by requesting their comments during scoping, as well as soliciting their review of the EA.

Two additional responses were received via the internet from interested individuals. Comments included a suggestion to retain a maintained road with a few parking spaces so visitors could remain in their cars while viewing from the overlook. However, vehicles would still be visible from the California National Historic Trail and therefore, this suggestion is not compatible with protection of the Reserve's resources and values, particularly those associated with the California National Historic Trail. Both respondents did support moving the parking, although one suggested that the parking lot should be shifted only slightly from its current location, and then restore with landscaping the impacted area. This suggestion does not address the problem of perpetuating the parking conflicts on private land nor completely removing the parking area from the historic trail viewshed.

No new substantive issues were raised by the comment letters received, and neither corrections to the text of the EA nor any modifications to the preferred alternative were required. Responses to individual comments and a copy of this FONSI will be sent to all those who responded.

In October 1993, Robert K. Moseley, Plant Ecologist with the Idaho Department of Fish and Game published *The Status and Distribution of Christ's Indian Paintbrush (Castilleja christii) and Davis' Wavewing (Cymopterus davisii) in the Albion Mountains, Sawtooth National Forest*

and City of Rocks National Reserve. The study determined that Davis' wavewing occurs on Graham Peak within the Reserve, that it is endemic to the Albion Mountains, that its population is local and rare, and that the NPS should treat Davis' wavewing as a sensitive species in developing management plans at the Reserve. Informal consultation with the USFWS has determined that Christ's Indian paintbrush (*Castilleja christii*) is a candidate species for listing under the Endangered Species Act of 1973 (ESA). NPS policy requires an analysis of impacts to federal candidate species, even though they are not formally protected under the ESA. Christ's Indian paintbrush is not known to exist within the Reserve. The only known population is located several miles to the north on Mount Harrison. Within the Reserve, the only area that offers any habitat potentially suitable for this species is the top of Graham Peak. The study indicates that no listed species are present in the APE and that no issues have been identified that indicate consultation under §7 ESA is needed for this project.

An archeological survey of the APE, completed by ISU in 2007, found no significant cultural material. Subsequent review of the proposed project by NPS cultural resources specialists resulted in a finding of no effect to properties listed in or eligible for listing in the National Register of Historic Places. The Idaho State Historic Preservation Office of the Idaho State Historical Society has participated in the scoping and review of the project, and their April 7, 2010 letter reaffirmed their support of the finding of no effect.

Native American consultation regarding this project was included in the Tribal consultation for the CMP.

Basis for Decision

The NPS selected Alternative 2 over not taking action because it is consistent with the purposes of the Reserve as stated in the enabling legislation. The construction of the new parking lot will cause an impact to vegetation; however, this impact will be mitigated by restoring the current parking area's vegetation. In addition, the project will remove the existing undefined and expanding parking area from private property and the viewshed of the CNHT, provide sanitary facilities at a heavily used point of interest, and create a well defined, safe, and easily managed gravel parking lot. Clearly defining the area available for parking will prevent visitors from damaging vegetation surrounding the parking lot. This prevents the expanding and cumulative damage to vegetation surrounding the current parking lot, and parking regulations will be easier to enforce. In addition, providing sanitary facilities will prevent visitors from contaminating the surrounding landscape, groundwater, and watercourses.

Alternative 1 was not selected because continued use of the undefined dirt parking area will continue the adverse cumulative effects to the vegetation surrounding the parking area, erosion of the soil from the parking area surface, and contamination of the area with human waste. In addition, the current parking area is on private property and within the viewshed of the CNHT and causes an adverse effect to the cultural resource.

No Impairment of Park Values

The National Park Service has determined that implementation of the selected alternative will not constitute an impairment to City of Rocks National Reserve's resources and values. This conclusion is based on a thorough analysis of the environmental impacts, the minimal nature of

public comments received, and the professional judgment of the decision-maker guided by the direction in NPS 2006 Management Policies. Although project implementation has some minor adverse impacts, in all cases these impacts result from actions taken minimize or eliminate other impacts necessary to preserve and restore park values. Overall, the project results in benefits to park resources and values, opportunities for their enjoyment, and it does not result in their impairment.

In particular, the project will not impair any of the natural or cultural resources within the APE because adverse effects on soils will be short term but the long term effects will be minimal to beneficial. The effects on to water, vegetation, and wildlife are short term and the long term effect will be beneficial. There will be no effect on prehistoric or historic archaeological sites, or historic structures. The cultural landscape and viewshed of the CHNT will be enhanced.

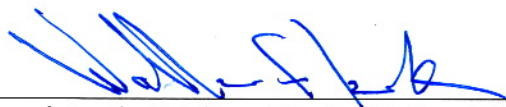
The NPS does not assess impairment on non-NPS lands or private property.


Conclusion

Implementing the selected alternative does not constitute an action that normally requires preparation of an EIS, and will not have a significant effect on the quality of the human environment. Negative environmental impacts that could occur are minor in intensity and short term in duration. There are no unacceptable impacts on public health and safety, park operations, or visitor use. No highly uncertain impacts, unique or unknown risks, or elements of precedence were identified. Implementation of the action will not violate any federal, state, or local environmental protection law.

Based on the foregoing, as well as the capability of mitigation measures to minimize or eliminate potential environmental consequences, and with due consideration for the minor nature of public response, the NPS finds that relocation of the Circle Creek Overlook Parking Lot, as described above and detailed in the EA, does not constitute a major federal action that will have a significant effect on the quality of the human environment. Therefore, relocation of the Circle Creek Overlook Parking Lot may be implemented as soon as practicable.

Signatures

Recommended:  Date June 14, 2010
Superintendent, City of Rocks National Reserve

Approved:  Date 6-18-10
Director Pacific West Region, National Park Service