Appendix B

Comment 001:

Agency Response:

CPEOA

CATTLE POINT ESTATES OWNERS ASSOCIATION PO BOX 644 FRIDAY HARBOR WA 98250

October 4, 2010

Peter Dederich, Superintendent
San Juan Island National Historical Park
P.O. Box 429
Friday Harbor, WA 98250

Peter,

On behalf of the residents of the Cattle Point Estates Owners Association, I would like to thank you for your participation in the joint meeting between you, San Juan County Council Member Lovel Pratt, The Cape San Juan Homeowners Association and CPEOA. The meeting was very helpful, and we appreciate the straight forward manner in which you answered our questions.

Attached to this letter is the CPEOA response to the Draft Environmental Impact Statement for the Cattle Point Road Realignment Project. We endorse Alternative B, and urge you to take the lead in working with San Juan County to create an action plan to bring together the resources to gain the funding and carry the project to a timely completion.

We stand ready for action and feel a great sense of urgency.

Sincerely,

Earlene Rothauge, President
Cattle Point Estates Owners Association

Comment 001:

Agency Response:

Cattle Point Road Realignment
CPEOA Response to Draft EIS

Support for Alternative B

① The Cattle Point Estates Owners Association [CPEOA] endorses Alternative B of the Draft Cattle Point Road Realignment Project Environmental Impact Statement, dated August 2010, in San Juan County Washington [FHWA Project WA PLD SAJH 10(1)]. We recognize Alternative B as the only feasible choice of the four primary alternatives that were addressed in the EIS; one that would provide a satisfactory solution to both the environmental and socio-economic impacts of implementing a reasonable long term solution to preserving road access to homes and recreational sites at the east end of the Cattle Point peninsula.

Additional Comment on the EIS

In addition, CPEOA submits the following comment regarding the Draft EIS:

② We take issue with an important assumption in the Draft EIS: the notion in pages 20 and 21 that "**Bluff erosion is predicted to become a concern of roadway failure in about 16 years**". Current bluff recession measurement data[1] suggest that this estimate is overly optimistic. We fear that the statement minimizes the urgency of the project and may be used to justify unwise delays.

Due to the nature of the manner in which the bluff erosion starts at the bottom and works its way upward, there is an unstable top section sitting above the projection of the angle of repose from the bottom of the bluff to the top. This unstable area could range from 6 to 13 feet back from the actual edge, depending on the depth of the bluff face at any point of erosion [See diagrams in Attachment A]. We maintain that under a prudent project plan, a "concern of roadway failure" should certainly arise when the unstable portion of the top of the bluff retreats to within 10 feet of the guard rail.

As of September 2010 the distance from the guard rail at the side of the road to the edge of the bluff was 31 feet at reference stake 26. If we define the **safe margin of erosion** as equal to **the current distance from the guard rail to the edge of the bluff** minus **10 feet from the guard rail** minus the **length of the unstable top**, this yields a range of between 8 to 15 feet for a **safe margin of erosion** at stake 26. The rate of erosion at reference stake 26 has been 1.7 feet per year from 2001 to 2010. At that rate it would take from 5 to 9 years before failure of the road becomes a concern.

The Need for Action

The Cattle Point Road Alignment Project is seriously behind schedule. What do we stand to lose if this project is not successfully completed in a timely manner? Our road; our neighborhood; our homes; in short, the way of life that we have been working and saving for.

[1] K McMillen, unpublished recession measurements for the Cattle Point Road bluffs, September 11, 2010.

① Comment noted

② See Agency Response A-1

Comment 001:

Cattle Point Road Realignment
CPEOA Response to Draft EIS

We cannot afford further delay.

- The bluff has eroded 15 feet at reference stake 26 since 2001
- The project has been in-process for nine years, with only a Draft EIS and no further funding to show for the effort. The first public meeting with Tom Huse, former Director of San Juan County Public Works, was held in March 2001. San Juan County, with the Park Service as a cooperating agency, conducted a National Environmental Policy Act [NEPA] scoping and preliminary design in 2001 to 2002. Since Huse retired, and up until the recent community meeting with Lovel Pratt and Peter Dederich, involvement by the county has been all but invisible to our community.
- Beginning in Fiscal year 2003, Representative Larsen and Senator Murray obtained US Department of Transportation [USDOT] funds for the EIS. The NPS and Federal Highway Department were designated to co-lead the project, and in 2004 the project was re-scoped with a new Notice of Intent. The project schedule that was presented in the public scoping meeting in June 2004 called for delivery of the Draft EIS in early 2005 [See attachment B]. The EIS has just been delivered, 5 years late.
- While the San Juan Island Historical Park staff has been supportive throughout the process, they have been hamstrung by the lack of funding and the extraordinarily long time for the US Department of Highways to complete the EIS.

③ Success in avoiding a road failure requires a sense of urgency, commitment and cooperation from many people. We respectfully request the creation of an action plan that includes all affected government agencies -- county, state and federal. The action plan should recognize the urgency of the situation, elevate Cattle Point Road realignment to a highest priority project within each affected agency, and call for the responsible parties to act accordingly to secure the necessary funding and implement the realignment by 2015.

Action Plan

The plan should include:

- Situation
  - Erosion continues its inexorable march towards Cattle Point Road
  - The need to take action has been well established in scoping document and Draft EIS
  - The Draft EIS identifies Alternative B as an acceptable solution
  - The project is behind schedule and without funding to continue
- Target
  - Cattle Point Road is realigned as designated in Alternative B of the Draft EIS by 2015:
    - Preserving access to homes and recreation at the south east end of San Juan Island
    - Avoiding the need to implement a costly and environmentally damaging emergency plan caused by a road failure

Agency Response:

③ The interagency team consisting of the FHWA, NPS, San Juan County and DNR expects to complete the Cattle Point Road project NEPA process in 2012. The remaining NEPA steps include addressing public comments and preparating a Final EIS (FEIS), FHWA and NPS legal review of the FEIS, filing the FEIS in the Federal Register, and issuing a Record of Decision (ROD). The ROD is the final step in the NEPA process. The ROD identifies the selected alternative and presents the basis for the decision.

Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Comment 001:

Agency Response:

- Actions
  - All impacted government agencies should recognize the urgency and treat the Cattle Point Road Realignment as a highest priority project
    - **San Juan County**: Assume more ownership of the project and exert shared leadership
      - Co-author and co-manage, with the National Park Service, the action plan to secure funding
      - Quickly prepare and present a funding request to the federal government, with county council member Lovel Pratt contacting with Representative Larsen and Senators Murray and Cantwell directly to lay the groundwork for acquiring funding.
      - Acknowledge the potential problem of the steep portion of the realigned road becoming slippery during the winter, and give that section of Cattle Point Road high priority in winter road sanding plans
    - **Representative Larsen** and **Senators Murray and Cantwell:** Secure federal stimulus funding for the project to become available when design is complete
    - **State legislators Ranker, Quall,** and **Morris:** Lend Washington State support to the San Juan County request for funding
    - **The Washington Office** of the **Federal Highway Department [FHWA]:** Proceed with dispatch to complete the Final EIS and the final design for Alternative B of the Draft EIS
    - **San Juan County** and **San Juan National Historical Park:** Sign a letter of agreement that identifies responsibility and criteria for evaluating the threat from erosion to the safety of Cattle Point Road until the realignment project is complete
    - **Earlene Rothauge** and **Jim Hooper,** presidents of CPEOA and the Cape San Juan Homeowners Association, respectively [or their designees]: Monitor project progress and communicate with the NPS
    - **Peter Dederich,** San Juan Island National Historical Park Superintendent: Provide the local expertise, community outreach, and leadership to ensure successful and timely completion of the project. Co-author and co-manage, with San Juan County, the action plan to secure funding

Submitted on behalf of residents and owners of the Cattle Point Estates Owners Association by:

Earlene Rothauge, CPEOA President

Kurt McMillen, CPEOA Cattle Point Road Project Liaison

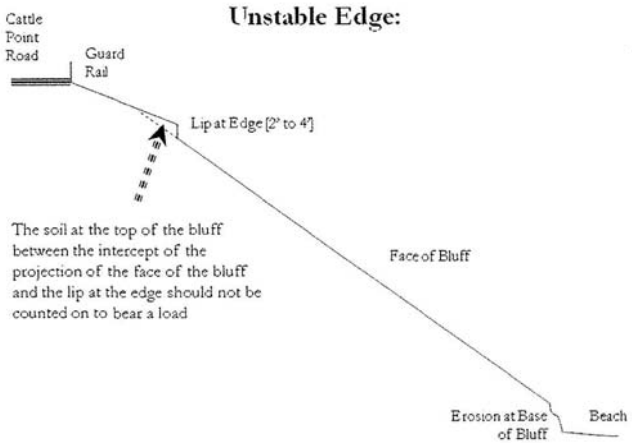
Comment 001:

Agency Response:

Attachment A: Bluff erosion diagrams from the EIS kickoff public meeting in 2004

Natural Resources

Unstable Edge:



Comment 001:

Agency Response:

Attachment A: Bluff erosion diagrams from the EIS kickoff public meeting in 2004 – Continued

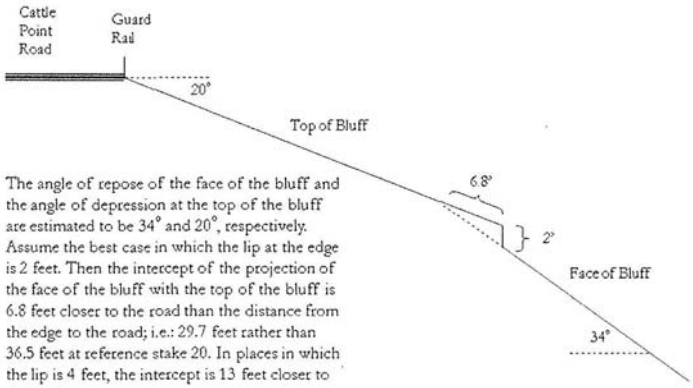
Note: *The following diagram and discussion from the 2004 public meeting presentation arbitrarily used reference stake 20 as an example. The discussion on page 1 of this response to the Draft EIS refers to reference stake 26 because it marks the area where the bluff recession poses the greatest threat. The concepts in the discussion below for stake 20 apply equally well to all of the other reference stakes, including stake 26.*

NPS logo

Natural Resources

County logo

Unstable Edge Detail at Stake 20:

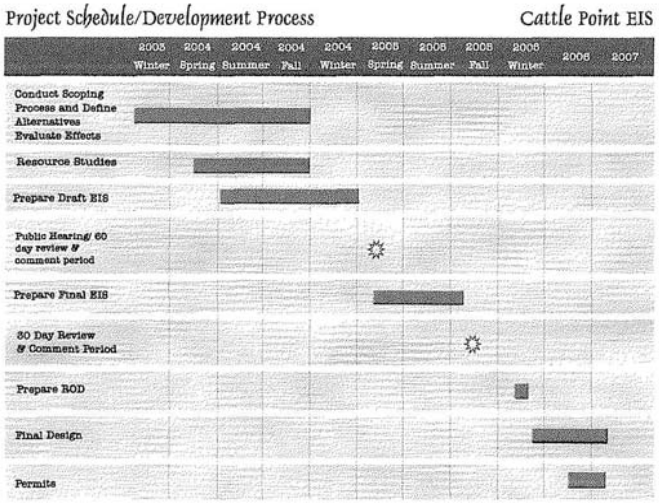


The angle of repose of the face of the bluff and the angle of depression at the top of the bluff are estimated to be 34° and 20°, respectively. Assume the best case in which the lip at the edge is 2 feet. Then the intercept of the projection of the face of the bluff with the top of the bluff is 6.8 feet closer to the road than the distance from the edge to the road; i.e.: 29.7 feet rather than 36.5 feet at reference stake 20. In places in which the lip is 4 feet, the intercept is 13 feet closer to the road.

Comment 001:

Agency Response:

Attachment B: Project Schedule from 2004 public Scoping Meeting



Comment 002:

Agency Response:

POSSIBLE IMPACT ON CAPE SAN JUAN AQUIFER

Sept. 18, 2010

PROPOSED ROAD
Alternative B would propose a new road be cut into the South slope of Mt. Finlayson roughly 300 feet S of the Mt. Finlayson trail at the point it would be the closest to our Well #3. That well is located about 10 feet below the trail and about 20 feet East of the Park's Northern border, marked by a sign on the trail.

① Section 3.2.4.2 of the DEIS titled HYDROLOGY states that the closest well is 800 feet from the proposed road alignment, but in fact, when measured from the C/L stake adjacent to the well, is about 380 feet. The Hydrology section concludes that due to distance and topography, surface water from the construction area is unlikely to effect the well aquifer. Although Fig. 3.6 shows Alt B much lower on the slope then the #3 wellhead, it appears visually to be about 20 feet below the Mt Finlayson Trail, thus about 10 feet lower than the Well Head (which is about 10 ft. below the trail, on the North side).

② WATER QUALITY 4.4.3
This section of the DEIS concludes that since the road will be further from the salt water, the runoff of probable contaminants from the road (heavy metals, oil, grease, hydrocarbons rust, rubber & other materials) won't be as great as currently. There is no mention of any consideration given to our wells.

MITIGATION MEASURES
Under Storm Water, the DEIS indicates that a SWPPP will be developed using best industry standards, and following construction, a "vegetated ditch" will be installed on both sides of the new road. Additional protection for our aquifer is not mentioned.

WELL HEAD PROTECTION PLAN (WHP) Cape San Juan Water District 1998

The Safe Drinking Water Act, passed in 1974, as amended in 1986, required the States to develop WHP's. Washington's plan (WAC 246-290) required the Dept. of Health to administer. A WHP protects the health of residents and avoids negative financial impacts associated with contamination. DOH has identified almost 20 direct and indirect costs that could be incurred, ranging from treatment facilities to finding a new water source. Cape San Juan developed a WHP in 1998, a copy of which will be provided to Mr. Peter Dederich. The Plan was written by Bill Van Alen, CFG, and the other Commissioners of CSJ Water District at the time.

① See Agency Response C-1

② See Agency Response C-2

Comment 002:

Agency Response:

One of the elements of the WHP is a map showing the location of CSJ's three wells, and Wellhead Protection Areas. Table 3 of the WHP shows the method used to calculate the Wellhead Protection Areas, and the map (Figure 1) shows them graphically. By the method used, the protection zone for Well number 3 (Source 2) was estimated to be a radius of 395 feet from the well for groundwater travel for a 10 year period of time. Since the Center Line of the proposed road will be about 380 feet from Well #3, the Northern ditch will be about 366 feet from the well, and within the Protection Zone. The static water level in well # 3, at the time of the WHP, was 264 feet. ③

In the section titled GEOLOGY, the WHP indicates that "the aquifer was created by a N/S glacial trough cut by Pleistocene glaciation, filled with porous and permeable sand and gravel outwash deposited by melt-water streams. It is this glacial outwash that collects rainwater and constitutes the aquifer" for CSJ. Although not specifically mentioned, it seems possible that runoff from the road could also reach Wells 1 & 2, if they share a common aquifer.

CONCLUSION

There are two errors in the DEIS: 1) The fact that the closest well is about 380 feet not 800. 2) Figure 3.5 gives the false idea that the proposed road is way below the closest well, whereas it is less than 20 feet, albeit on the other side of the hill from the well.

Since water perks downward it seems logical that runoff from the road could reach the aquifer, considering that the static water level in well # 3, as indicated in the WHP, was 264 feet (below the surface), and considering that the road runoff will be within the Well Head Protection Area for well # 3.

It is requested that the errors in the DEIS be corrected so as not to mislead the reader. It is also requested that following those corrections, a Professional Hydrologist readdress the conclusions in 4.4.2 Hydrology and 4.4.3 Water Quality, and amend the conclusions if necessary regarding impact on our aquifer/wells. Further, it is suggested that as an additional element of the Mitigation Measures, the ditches on both sides of the road be lined with a non-permeable material for a distance of at least 200 feet in either direction from the nearest point to well number 3. ④

Clark Munroe, President
Cape San Juan Water District

Clark Munroe

③ See Agency Response C-2

④ See Agency Response C-3

Comment 003:

Spencer, Diane F (FHWA)

From: Bob Schwartzberg[redacted]
Sent: Wednesday, October 13, 2010 3:39 PM
To: CattlePointRoad
Subject: Cattle Point Road EIS

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Spenser
As you may be aware the Draft Environmental Impact Statement for the Cattle Point Road Realignment Project on San Juan Island has finally been released.

① I am writing to you to endorse the recommendation of the Draft EIS to relocate the road to a high point on the side of Mt. Finlayson [Alternative B]. Unfortunately the Draft EIS was delivered 5 years past the date originally proposed by the Department of Highways, and there is no current funding to complete the project.

The bluff at Cattle Point Road continues to erode. Analysis says that only 8 to 15 feet remain before the road is no longer safe. Any further delays could result in failure of the road, requiring an expensive emergency repair plus a more expensive long term fix.

② I understand that you are in the middle of a difficult election campaign, however we believe that there are still stimulus funds to be had – or will be soon – and ask you to please work with Representative Larsen to secure funding to complete the design and construction of the project to save Cattle Point Road.

I am counting on your support, and stand ready to help in any way that we can.

Sincerely

Robert Schwartzberg
[redacted]

1

Agency Response:

① Comment noted

② Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Comment 004:

Agency Response:

From: Peter_Dederich@nps.gov
To: Spencer, Diane F (FHWA)
Subject: Fw: Cattle Pt. Road Relocation Proposal
Date: Thursday, October 14, 2010 8:31:26 AM

----- Forwarded by Peter Dederich/SAJH/NPS on 10/14/2010 08:25 AM -----

Jason Ontjes
[redacted]
m> To
council@sanjuanco.com
10/02/2010 07:06 cc
AM Kurt McMillen
[redacted]
Subject
Cattle Pt. Road Relocation Proposal

Dear Council Members and Staff:

My family and I, who are members of the Cattle Point Estate Owners' ①
Association (CPEOA), would like to express our support for Alternative B in the latest draft EIS on the Cattle Point Road realignment. The CPEOA and residents of Cape San Juan (CSJ) have formally endorsed Alternative B in a recent meeting, and as you are aware, the National Park Service has chosen B as its preferred alternative in the draft EIS.

We realize that San Juan County must weigh the merits of many different projects as far as legislative priorities, but as with many projects of this sort, the longer the wait, the more expensive it becomes. We do not believe that the other alternatives are viable in terms of expense, and the 'no action' alternative is simply not an option for those of us who own property on the southern part of the island. In just 16 years, with no intervention, the road's integrity would become a serious concern due to continuous bank erosion, according to the latest draft EIS.

We believe that, with the County Council's vigorous endorsement of Alternative B, state and federal highway dollars would be forthcoming, and with the National Park Service as the leading agency, I am fairly confident that Alternative B would prove desirable in appearance, with the old road erased with proper grading and native vegetation. The net aesthetic effect would be neutral, in other words.

Thank you for placing this project on your list of highest legislative priorities.

Yours cordially,

① Comment noted

Comment 004:

Jason A. Ontjes [redacted] and Jennifer DeGroot
owners, [redacted]

Agency Response:

Comment 005:

From: David Earl
To: CattlePointRoad
Subject: Cattle Point Road
Date: Thursday, October 14, 2010 3:10:07 PM

Good Afternoon Diane,

I am David Earl with Puget Sound Precast in Tacoma, WA.
We manufacture Redi Rock in the Northwest.[redacted]
Redi Rock has been used across the United States as a Large Gravity Retaining Block.

① The Cattle point Road project looks like something that would greatly benefit from the Gravity Retaining System that Redi rock has available.

Would it be possible to come and give a presentation on the Redi Rock Retaining wall system?

Thank you for your time.

Look forward to talking more soon.

DAVID EARL
Puget Sound Precast
REDI-ROCK Design and Sales
[redacted]

Agency Response:

① Comment noted

Comment 006:

From: D. Hoopes
To: CattlePointRoad
Subject: Revision of Cattle Point Road
Date: Saturday, October 16, 2010 12:40:32 PM

Dear Administrators and Park Service:
My wife and I live at 95 Meadow Lane on Cattle point. We, of course, depend on the Cattle Point road for all access to and from Friday Harbor and the rest of the world. I have studied the DEIS for the relocation of that portion of the road threatened by bank erosion. ①
After careful consideration my wife and I strongly recommend the preferred alternative be chosen and implemented. The alternatives are much too costly and would reduce the scenic approach to Cattle Point.
Thank you for this opportunity to express our views,
Sincerely,
David T. Hoopes & Patricia L. Lundin

Agency Response:

① Comment noted

Comment 007:

From: Frank Fagan
To: CattlePointRoad
Subject: Comments of Draft EIS
Date: Wednesday, October 20, 2010 6:21:28 PM

As someone who has watched the erosion – from the water, driving the road –every day, and now and then walking the land, since 1989, and a full time resident from August 1996; I offer the following comments on the Draft Environmental Impact Statement for the Cattle Point Road Realignment Project:

I have reviewed the Draft EIS and attended an information meeting.

① I support the recommended Alternative B as the approach to fixing this problem.

② I really question the projected 16 year claim for the current life of the road....use of the average erosion rates, rather than the most rapid years, put the road and project cost at a major risk.

If the project were to progress along the most reasonable timetable....1 year/18 months - to complete the EIS and final road design, 4 years for construction, we (the taxpayers) could avoid the potential of an extreme added cost related to having to do an emergency fix, should mother nature not live by your 16 year estimate. (I could also sleep better during our extreme winter storms)

③ I request that this project be a top priority: for completion of the EIS, Approval, Funding, and Beginning Construction.....not a panic, with overtime and other added cost....just move along as a top priority AND hopefully we can avoid having to do an emergency short term fix, and then the added costs of doing it right, after the fact, with all of the other problems and costs that come from having to deal with a failed road.

Thanks you for listening. If you have questions, or if I can be of

Agency Response:

① Comment noted

② See Agency Response A-1

③ The interagency team consisting of the FHWA, NPS, San Juan County and DNR expects to complete the Cattle Point Road project NEPA process in 2012. The remaining NEPA steps include addressing public comments and preparating a Final EIS (FEIS), FHWA and NPS legal review of the FEIS, filing the FEIS in the Federal Register, and issuing a Record of Decision (ROD). The ROD is the final step in the NEPA process. The ROD identifies the selected alternative and presents the basis for the decision.

Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Comment 007:

Agency Response:

help – in anyway – my phone and address are: [redacted]

Sincerely, Frank J. Fagan

Comment 008:

San Juan County Council

350 Court Street No. 1
Friday Harbor, WA 98250
(360) 378 - 2898

District 1, Lovel Pratt
District 2, Rich Peterson
District 3, Howard Rosenfeld

District 4, Richard Fralick
District 5, Gene Knapp
District 6, Bob Mylhr

October 19, 2010

Diane Spencer
Environmental Project Manager
Western Federal Lands Highway Department
610 East Fifth Street
Vancouver, WA 98661

Dear Ms. Spencer,

① The San Juan County Council supports the recommendation of the Draft Environmental Impact Statement (DEIS), dated August, 2010, titled "Cattle Point Road Realignment Project." The DEIS recommends action Alternative B, the Hybrid Mid-Slope Realignment.

The portion of Cattle Point Road which must be relocated is at the south east end of San Juan Island and is an important and unique road in San Juan County. It is important because it provides the only access for tourists and county residents to recreation opportunities that the San Juan Island National Historical Park, the Cattle Point Lighthouse and Cattle Point Interpretive Center provide at the south end of San Juan Island.

Approximately 250 residents of the County reside in the Cattle Point and Cape San Juan neighborhoods. Cattle Point Road, including that section that must be relocated, provides their only access. The section of Cattle Point Road that must be realigned is unique because it is a County connector which is on National Parks Service land and Washington State Department of Natural Resources land.

The San Juan County Council supports the recommended Alternative B because it is a cost-effective solution to maintaining road access in light of the eroding bluff along Cattle Point Road. In addition, the recommended Alternative B is a solution that effectively meets the needs of the project while minimizing impacts on the natural, cultural, and recreational resources of the National Park and the Cattle Point Natural Resources Conservation area. Alternative B will provide safe access for tourists, county residents, and the residents who live in the Cattle Point and Cape San Juan area.

A number of alternatives were considered but rejected during the scoping phase of the project. Some were not technically feasible (a bridge), or did not present any significant planning benefits. Other alternatives, such as the potential route on the north side of Mt. Finlayson or shoreline armoring, would cause unacceptably large impacts to natural or cultural resources in the National Historical Park and Natural Resource Conservation Area. Shoreline armoring is not a viable option nor would that be a long-term solution. It would have a significant negative impact on the feeder bluff which provides an important shoreline ecological function supplying sediment materials to beaches on San Juan Island including the popular American Camp's South

Agency Response:

① Comment noted

Comment 008:

Agency Response:

Beach in the San Juan Island National Historical Park. Moreover, shoreline armoring would not be a long-term solution given the high wave action along that shoreline.

We thank the project team for their work in bringing the project to this point. We also support the process being followed to get public feedback on the DEIS in order to update and finalize the DEIS. The Council recognizes that the planning process has been long and sometimes frustrating. However, the DEIS represents important progress. Completing the Environmental Impact Statement will be an important milestone and will facilitate the process to obtain funding. It is now vital to complete the decision document as soon as possible so that construction funding can be obtained and the road can be relocated before it becomes unsafe.

Sincerely,

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

Lovel Pratt, Vice-Chair District No. 1	Richard Peterson, Member District No. 2	Howard Rosenfeld, Member District No. 3
Richard Fralick, Chair District No. 4	Gene Knapp, Member District No. 5	Bob Myhr, Member District No. 6

Copy to: The Honorable Maria Cantwell
The Honorable Patty Murry
The Honorable Rick Larsen

Comment 009:

Agency Response

From: Marilyn Ross
To: CattlePointRoad
Subject: Cattle Point DEIS
Date: Friday, October 29, 2010 3:18:13 PM

To Whom it May Concern:

I am writing to comment on the proposed Draft Environmental Impact Statement regarding the relocation of Cattle Point Road on San Juan Island. I am a resident of Cattle Point Estates, one of two communities served by Cattle Point Road.

① I strongly support the recommendation of the National Park Service (NPS) to implement Alternative B. This alternative provides a sound solution to the pressing need to provide continuous access to the eastern portion of the Park as well as the two communities located east of the potential erosion point in the road. Having participated in the initial EIS scoping project in 2002, I believe that the Park has come up with the best solution available for the road relocation, striking the right balance between maintaining the area with the least possible disruption to views and trails, while still providing a solution that will endure for a significant period of time.

② I would note, however, that I disagree with certain conclusions stated in Section 4.3.18, "Socioeconomics" which state that the no action alternative would have "negligible" impacts on employment and income, demographics and the local industry and economics of Friday Harbor and San Juan island. These conclusions were based on bare assumptions, without factual support, that the majority of residents living in Cattle Point Estates and Cape San Juan (the other community affected) are retired, part time and "affluent." The majority of homeowners in my community, Cattle Point Estates, are full time residents, employed on a regular or part time basis, and entirely dependent on Cattle Point Road to maintain their livelihood. We have all ages, including schoolchildren, who ride the school bus over Cattle Point Road daily. In addition to residents who are employed, many retired residents in both communities provide critical services to San Juan Island as a whole, as well as to the Park, including EMT's, fire personnel (District 3 Fire Station is located at Cape San Juan) Red Cross emergency personnel, medical professionals and hospice caregivers. Their inability to travel to the rest of the island would have a serious and deleterious impact on the island as a whole. Finally, should these communities be unable to access the rest of the island, the property values of 270 homes would decline precipitously, resulting in greatly reduced property tax revenue to San Juan County, which it can ill afford during the current economic downturn.

Finally, I would urge San Juan County, Washington DOT, the Park Service and the Federal Highway Administration to use all available resources to procure funding for this project as quickly as possible. ③ We live with the ongoing possibility of road failure, and should it occur when the road is in use, we could have a needless tragedy. The Park has estimated that we have more than ten years until road failure; however, I am skeptical, as I walk the trails alongside the eroded area on a daily basis, and have noted significant erosion in the past few years.

Thank you for your consideration of these comments.

Marilyn Ross
[redacted]

① Comment noted

② See Agency Response D-1

③ Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Comment 010:

From: Mike Lazzari
To: CattlePointRoad
Cc: Peter_Dederich@nps.gov
Subject: cattle point road open house
Date: Wednesday, October 27, 2010 11:45:23 AM

Diane,

I appreciated the chance to meet you, Betty and Jack yesterday on SJI and discuss the Cattle Point Road project. I was one of the attendees ① concerned with losing the trail on top of Mt Finlayson. Betty especially patiently heard my concerns. I'm sure they will be addressed as the project continues. Thanks for the visit.

Mike Lazzari

Agency Response:

① See Agency Response B-3

Comment 011:

From: James Schubert
To: CattlePointRoad
Cc: "guards@sjcpublicworks.org"; Mark Tilstra; Terry Turner
Subject: Cattle point realignment
Date: Friday, October 29, 2010 1:27:15 PM

To whom it may concern,

1 Orcas Power and Light Cooperative has existing three phase power under and/or along the existing roadway that is planned to be relocated.
I believe CenturyLink has a cable along this route as well.

2 OPALCO will need to have a utility corridor/easement for the relocation of the utilities within the new alignment of the roadway. OPALCO
will need to install a 6 inch conduit with electrical cable for the length of the project as well as equipment along the new alignment to tie back
into our existing cables.

3 Will OPALCO be responsible for the cost of the relocation and installation of our new facilities or will there be funds available to help defray all
or part of the costs.

4 Will the utilities then be required to remove our existing underground cables and equipment from the roadway that will be abandoned?

Should you have questions or need more information please contact me at 360-376-3566.

Jim Schubert
Staking Technician
Orcas Power and Light Cooperative

Agency Response:

① Comment noted

② See Agency Response F-3

③ See Agency Response F-1

④ See Agency Response F-2

Comment 012:

Agency Response:

Public Works Department
San Juan County
915 Spring St. • P. O. Box 729 • (360) 370-0500 www.sanjuanco.com/publicworks
Friday Harbor, WA 98250 • Fax (360) 378-6405 email: pubwks@sjcpublicworks.org

November 2, 2010

Diane Spencer
Senior Environmental Protection Specialist
Western Federal Lands Hwy Division
Federal Highway Administration
610 East Fifth Street
Vancouver, WA 98661

RE: Comments on Draft Environmental Impact Statement (DEIS)

Dear Ms. Spencer,

① San Juan County is in favor of Alternative B as the preferred alternative as presented in the DEIS. Alternative B provides the best balance of minimizing impacts to the biological and physical environment while providing safe, long-term transportation to the residents at the south end of San Juan Island. However, the County does have three concerns that we would like to see addressed in the Final EIS:

- ② Electrical power, phone, cable television and internet lines are currently buried beneath the road shoulder in the right of way via a franchise agreement administered by San Juan County. What provisions are being made for the relocation of those utilities during construction? ③ Will the abandoned utility lines remain in place or be removed during construction? ④ Is the cost for utility relocation and abandonment included in the construction cost estimate? Who will pay for the cost of relocating the utilities?
- The proposed project includes steep grades up to 10.5%. ⑤ Please clarify the justification of the steep grades in the road design.
- If the National Parks System (NPS) intends to operate and maintain the relocated portion of the road, ⑥ it will be necessary to sand and snow plow the road under adverse conditions. Please discuss the NPS' schedule and commitment to performing these actions, as well as general maintenance, on the preferred road alternative once it is operational.

The relocation of Cattle Point Road is a necessary project. We look forward to the completion of the environmental documentation process and we will continue to seek funding grants for the project final design and construction.

Sincerely yours,

Jon Shannon
Public Works Director

cc: John Van Lund, P.E., county Engineer
Pete Rose, County Administrator
Lovel Pratt, County Council
Peter Dederich, National Parks Service

① Comment noted

② See Agency Response F-1
③ See Agency Response F-2
④ See Agency ResponseF-1

⑤ See Agency Response G-1

⑥ See Agency Response G-4

Comment 013:

Agency Response:

From: Mike Lazzari
To: CattlePointRoad
Subject: Comment on cattle point road project
Date: Tuesday, November 02, 2010 3:10:53 PM
Attachments: CattlePtRd6625.jpg
CattlePtRd6619.jpg
RdAlign1.gpx

To Whom It May Concern:

I have spent considerable time going over the Draft EIS document and walking the site on numerous occasions and I attended the Open House on Oct 26, 2010 and spoke to engineers Betty Chon and Jack Doucey and Diane Spencer and viewed the proposed alignment survey. I appreciate their patience.

Therefore I would like to make the following comments and recommendations:

① --I support a *Modified* Hybrid Mid-Slope Realignment

② --On page 57 of the document Resource: Trail System, column B. I disagree that there would be negligible impact on the trail system. The most scenic section of trail along the top of Mt Finnlayson would be obliterated by the proposed Preferred Alternative B. This trail was not included in the document inventory as it should have been nor was the effects on it taken into consideration. The trail is clearly visible on the aerial photos which were on display at the Cattle Point Road Realignment Open House on 10-26-10.

① --I suggest that the Mid-Slope Realignment Alternative B be modified in the following manner. Starting at approximately station #105 as staked on site my proposed realignment should follow a course gradually diverging to the south of the staked alignment following the south edge of the natural bench. The proposed realignment would intersect the staked alignment below station #123 on the east side of Mt Finnlayson (approx. zero cut/zero fill) and continue east slightly to the north of the staked alignment through the old gravel pit finally meeting the staked alignment at the existing road.

--This proposed realignment would introduce a slight "S" curve in the proposed road. However the excessively steep grade on the east end would benefit from an estimated 25-30 foot reduction in height from the staked route and a slight increase in length.

③ --I believe that a steeper cut slope is possible and desirable. This would reduce the site impacts. In places the overall impacted width may exceed 100' horizontal as designed. The project site averages less than 20" annual rainfall and has an absorbent soil so erosion effects are minimal. The existing road typically has sections where the cut slope is approximately 1:1 with existing stable natural vegetation. By following the outer edge of the natural bench the effects of the cut slope will be minimized.

--The proposed alignment together with recommendations would lessen the impact on the above referenced trail. The road would still be very intrusive but would be below the line of sight from the trail increasing the enjoyment of the view-shed.

--My suggested realignment might require a design speed limit of 25mph along this

① Comment noted

② See Agency Response B-3

① See Agency Response B-3

③ See Agency Response B-4

Comment 013:

section. However the posted speed limit to the east of the proposed realignment already is posted 25mph. In fact, I believe a reduction to 25mph is prudent due to the steep grade, limited sight distance and the abrupt merge into a posted 25mph section of road as it enters the residential area and scenic viewpoint turnouts. The west end of the realignment may be appropriate for a design speed of 35mph as per the document, page 53. ④

--Scenic turnouts should not be located at the top of the alignment due to limited sight distance and steep slopes. Appropriate locations would be the existing turnouts at the east end at the bottom of the grade and at the west end. ⑤

--I have attached gps coordinates delineating my proposed alignment. *(Note: track shown north of staked alignment and east of station #123 deviates a bit farther north from staked alignment than I had intended. This section is the old gravel pit and thick brush difficult to walk.)*

--I have attached photographs showing the approximate proposed alignment.

--Attachments are also at the following link:
<http://www.interisland.net/watershed/mike/CattlePtRd/>

Thank you for your attention,

Mike Lazzari
[redacted]

Agency Response:

④ Comment noted

⑤ See Agency Response G-3

Comment 014:

Agency Response:

From: Kurt McMillen
To: CattlePointRoad
Cc: "Earlene Rothauge"
Subject: Comments on Draft EIS for Cattle Point Road
Date: Tuesday, November 02, 2010 3:19:38 PM

November 2, 2010

Diane Spencer
Environmental Project Manager
Western Federal Lands Highway Division
610 East Fifth Street
Vancouver, Washington 98661

Diane,

It was good to talk to you and your staff at the open house meeting for the Draft EIS for Cattle Point Road. We appreciate the thorough job on the EIS and the recommendation for Alternative B. However, as we discussed at the open house meeting, the residents of Cattle Point Estates Owners Association take issue with the statement on page 20 the Draft EIS that "At current estimated rates, bluff erosion would likely become a concern for roadway failure in about 16 years;" ① This position was also restated on page 21.

When I first read that statement, I interpreted "... **become a concern** for roadway failure in about 16 years" to mean that I should not have to begin to worry about it for another 16 years. This was also the general reading of CPEOA members at our annual meeting in September -- it is too easy to ignore the follow-on disclaimer "however, a large storm event could advance the erosion." We are afraid that politicians and funding agencies will feel the same way, making it easy to put off funding until some future time. Also, we have to agree with Park Superintendent Dederich that restricting the road to one way traffic is not an acceptable solution.

I appreciate your concern that we are dealing with estimates, and that you have to make some statement about the expected useful life of the road based on the current rate of erosion. In the initial CPEOA response to the Draft EIS we had proposed that a "concern for road failure" should arise when the projection of the angle of repose retreats to within 10 feet of the guard rail. I may be wrong, but I came away from our discussions at the open house with the understanding that the Department of Highways does not accept the "10 feet" buffer, and wants to focus on estimates of when the projection of the angle of repose actually reaches the current road way. ② I believe that this is unwise. However, if that is indeed the position of the Department of Highways, I would suggest the following language to replace the second sentence in the first paragraph of page 20, with a similar replacement on page 21.

> At current estimated rates, the projection of the angle of repose at the closest point to Cattle Point Road will reach the road in about 12 years, resulting in imminent road failure. ① Furthermore, the structural integrity of the safety barrier erected by San Juan County along the curve in the road near the erosion area will be seriously compromised and unlikely to provide adequate restraint to a vehicle that leaves the road in that area. A large storm event would advance the erosion.

The "12 years" estimate is based on my last visual estimate that the edge of the bluff is 3 feet deep

① See Agency Response A-1

② See Agency Response A-2

① See Agency Response A-1

Comment 014:

Agency Response:

at reference stake 26; an estimated angle of repose of 34 degrees; the slope at the top of the bluff is 20 degrees; and the average rate of recession at reference stake 26 has been 1.7 feet per year.

Once again, thanks to your team for all of the work and the chance to talk to you and them at the open house. I would be most happy to meet with any members of the team at the erosion site the next time you are on the island to answer any questions about the bluff measurement protocol.

Kurt McMillen
CPEOA Liaison for Cattle Point Road

Comment 015:

From: Rosa Blair
To: CattlePointRoad
Subject: please do not route road over hill
Date: Tuesday, November 02, 2010 10:39:46 PM

To Whom it may concern.

① I am writing to urge you to consider moving the proposed Cattle Pt. Rd. rerouting farther down the hill and away from the trail at the top of the ridge.

The Mt. Finlayson trail that runs along the ridge is probably the most beautiful walking area on this island and is beloved by a large portion of our community.
② Rerouting the road up and over the ridge would unnecessarily destroy an aesthetically and recreationally valuable area. In addition, such a plan would be excessively costly.

I believe that I speak for many in this community.

There are surely less costly, and less invasive options. I strongly request that you consider them.

With respect,

Rosa Blair

Agency Response:

① See Agency Response B-1

② See Agency Response B-1

Comment 016:

From: Grisha Krivchenia
To: CattlePointRoad
Subject: Please position the road farther down the hill...
Date: Tuesday, November 02, 2010 9:28:46 PM

Dear Sir or Madam:

① I strongly urge you to consider placing Cattle Point road farther south and lower on the hill, instead of putting it on top of the hill. Mt. Finlayson is one of the finest hikes on San Juan Island, and it would be forever changed if it were paved. I am especially partial to this zone, since it is the first National Park site that my wife and I visited after falling in love.

③

② A road farther down would be cheaper to build, and it would help to maintain the scenic value of this site.

Thank you for considering these comments.

With Kindness,
Grisha Krivchenia
[redacted]

Agency Response:

① See Agency Response B-1

② Rerouting the road a short distance down-slope would not change the cost of the project appreciably. The characteristics of a route located further down-slope would not differ from the preferred alternative. A lower route would be approximately the same length and would have the same road design features. The amount of road cuts and fills would not differ substantially between the two locations. Costs for construction materials, equipment, labor, mobilization, operations, and related expenses would be the same.

③ See Agency Response B-2

Comment 017:

From: Robin
To: CattlePointRoad
Subject: proposed Cattle Pt. Rd. realignment
Date: Tuesday, November 02, 2010 6:30:56 PM

---

① I believe that the current Cattle Pt. Rd. realignment proposal is needlessly intrusive to the walking trail on top of Mt. Finlayson. In my opinion this trail is the most beautiful spot in all of the San Juan Islands and we walk on it several times a week all year long as do many, many other people. This extraordinary trail should be protected. My first choice would be to shore up the existing road as often as necessary but, since that is probably not an option, I would support moving the road farther south and lower on the hill than the current plan shows. ② Please don't destroy our beautiful trail.
Sincerely,
Robin Blair

Agency Response:

① See Agency Response B-2

② See Agency Response B-2

Comment 018:

Federal Highway Administration
Western Federal Lands Highway Division

National Park Service
San Juan Island National Historical Park

018
Place Postage
Here

RECEIVED
FHWA-VANCOUVER
2010 NOV -3 AM 11:31
MAIL ROOM

FHWA
Western Federal Lands Highway Division
610 East Fifth Street
Vancouver, WA 98661

ATTN: Diane Spencer
Cattle Point Road DEIS comment

I believe the ① failure to seriously consider the shoreline armoring alternative to produce a permanent fix to the problem is an inexcusable mistake! I also believe that your estimate of 5-8 million dollars ② for your preferred alternative is outrageously high for less than one mile of road through sand and silt. Competitive bidding should demonstrate that fact. A competent construction contractor can build your road in a week! That assumes common sense in contract specification

David Price
[redacted]

Agency Response:

① See Agency Response H-1

② See Agency Response G-5

Comment 019:

Agency Response:

014

COMMENT

Cattle Point Road Realignment DEIS

NAME Clark Munroe, Pres. of Cape SJ Water District

ADDRESS [redacted]

[redacted]

Comment:

As I commented to Diane, another resident (Garrett Sweeney) made a valid point to amplify my prior written comment re. the proximity of the road to Cape SJ's well #3. Garrett pointed out that

① my estimate of 300' from uphill ditch to the well doesn't consider the possible impact of a deep + wide cut + fill in connection with reducing the road grade near the well + to the east. Please consider.

① See Agency Response C-2

Comment 020:

020

COMMENT

Cattle Point Road Realignment DEIS

NAME Judy Holm

ADDRESS [redacted]

Comment:

① It is my opinion that alternative B is the best solution for the Cattle Point Road erosion problem!

② I also feel that the estimate of time left for the existing road is more like 5 years or less judging from how much it has eroded in the 5 years we have been living at the South End. If there were to be an earthquake or severe storm, we could lose it this year. ③

Please make this project a priority. If that road goes, the many residents at the Cape and Cattle Point will be in a desperate situation.

Thank you for your help thus far!

Judy Holm

Agency Response:

① Comment noted

② See Agency Response A-1

③ See Agency Response A-3

Comment 021:

021

COMMENT

Cattle Point Road Realignment DEIS

NAME Denny Holm

ADDRESS [redacted]

Comment:

① I support alternative B as the best solution to the problem.

② Although your estimate of 10-15 years until the road needs to be replaced is based upon historical data, I sincerely hope that you do not base your planning for funding & construction using this time frame. Cattle Point Road could slide down the bank this winter or much sooner than expected given a severe storm, earthquake etc.

Thank you for your work thus far and hopefully the project will be given a much higher priority than in the past many years.

Sincerely,

Denny Holm

Agency Response:

① Comment noted

② Planning and funding for the project are not based on the estimated erosion rate in the environmental document. The interagency team recognizes that given the continual progression of coastal bluff erosion and proximity of the bluff scarp to the roadway, action needs to be taken as soon as possible to avoid potential disruption of travel for residents of the eastern Cattle Point peninsula.

Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Comment 022:

022

CAPE SAN JUAN HOMEOWNERS ASSOCIATION
8 Island Drive, Friday Harbor, WA 98250
360-378-6865 • capesanjuan@rockisland.com
www.capesanjuan.org

October 25, 2010

Diane Spencer
Environmental Project Manager
Western Federal Lands Highway Department
610 East Fifth Street
Vancouver, WA 98661

Subject: DEIS, August 2010, Cattle Point Road Realignment Project

Dear Ms. Spencer,

The Cape San Juan Homeowners Association supports the recommendation of the Draft Environmental Impact Statement, dated August 2010, which is that Alternative B is the best with regard to the Cattle Point Road Realignment Project. ①

We would like to see modifications to the DEIS. We would like the DEIS to correct the reported location of the Cape San Juan Water District well on Mount Finlayson and to identify mitigation efforts related to proximity to the well. ② We would like to see the DEIS incorporate what-we-feel would be a more realistic timeframe as it relates to the prediction made on when the bluff retreat rate would require close monitoring. ③

Thank you to each person who has been involved in the development of the DEIS. We know that there have been quite a few people involved and that there have been personnel changes over the years, and we appreciate the effort to bring the project to this point.

We hope the project will move ahead as swiftly as possible. We are very anxious. Road design and construction will take time. As the DEIS pointed out, "larger portions of the bluff have the potential to slide at once during a major storm event." (Reference page 71, section 3.2.2 Geology and Soils. We do not feel it is prudent to wait until the bluff retreat rate requires close monitoring. Finalizing the Environmental Impact Statement as soon as possible will facilitate the important next steps.

Sincerely,

Jim Hooper

James K. Hooper, president
Cape San Juan Homeowners Association
jkhooper@rockisland.com

cc: Earlene Rothauge, Peter Dederich, Lovel Pratt, Rick Larsen

Agency Response:

① Comment noted

② See Agency Response C-3

③ See Agency Response A-1

Comment 023:

023

COMMENT

Cattle Point Road Realignment DEIS

NAME Alan Roochvarg

ADDRESS [redacted]

Comment:

This project is critical as it regards the only access for over 150 home sites to the rest of San Juan Island.

① The combination of elements from multiple previous options is an excellent selection.

The plan protects the woods, animals & walking paths of the Mt Finlayson region of the park, a key visitor & local recreational use.

② The wide shoulders are good for safety of bikers & walkers.

③ Please consider slight realignment of east end to shorten the 10° slope.

④ A 45 MPH limit for the western 80% of proposed would match the remainder of the park & seems appropriate.

Thank you for all your work to get this project on the priority funding list.

Alan Roochvarg

Agency Response:

① Comment noted

② Comment noted

③ See Agency Response G-2

④ The design speed for the preferred alternative is 35 mph (FEIS section 2.4.5), which is consistant with National Park Service road design standards as well as American Association of State Transportation Officials (AASHTO) standards.

Comment 024:

024

COMMENT

Cattle Point Road Realignment DEIS

NAME Louisa Nishitani

ADDRESS [redacted]

Comment: ①

I support Alternative B, but strongly recommend that the highest point of the new road be lowered sufficiently to retain the value of the panoramic views from the broad semi-flat area near where the 3 main hiking trails up the mountain meet. Coming up out of those wild feeling areas into the open space and its grand views is a wonderful reward after huffing up the trails. The well-worn social trail (the "loop trail") around the brow of the hill is testimony to how valued that view has been for decades of hikers.

The placement of the road, as currently proposed, would cut into/destroy part of that loop trail. A replacement trail set farther back, out of the road right-of-way, could never replace the feeling and beauty of the current panoramic view. The sight of cars and trucks on the new road ② would spoil much of the view from the loop trail.

Thank you for considering a hiker's point of view and viewpoint.

Louisa Nishitani

Agency Response:

① See Agency Response B-2

② See Agency Response B-2

Comment 025:

025

COMMENT

Cattle Point Road Realignment DEIS

NAME Bob Schwartzberg

ADDRESS [redacted]

Comment:

① I'm worried that the road might cave in before funding is available. This end of the Island would become isolated and create emergency conditions. Emergency vehicles, EMT's would not be able to reach people in need.

In addition to the safety factors, many of us work and would not be able to reach work.

② All efforts to enact Alternative B must be expedited

Thank you

Agency Response:

① Comment noted. Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

② Comment noted

Comment 026:

026

COMMENT

Cattle Point Road Realignment DEIS

NAME THOMAS E. METKE

ADDRESS [redacted]

Comment: ① ALTERNATIVE "B" PROVIDES THE BEST BALANCE OF PROTECTING NATURAL RESOURCES OF THE NATIONAL PARK, WHILE ALSO PROTECTING ACCESS TO THE 200+ HOMES IN CAPE SAN JUAN & CATTLE POINT ESTATES.

DUE TO THE UNCERTAINTY OF EROSION RATES CONTINUING AS CURRENTLY SEEN, IT IS ② IMPORTANT TO ENSURE THAT PROGRESS IS STEADY, AND AS FAST AS THE PROCESS WILL ALLOW.

Agency Response:

① Comment noted

② The interagency team expects to complete the NEPA process for the project in 2012. The remaining NEPA steps include addressing public comments and preparating a Final EIS (FEIS), FHWA and NPS legal review of the FEIS, filing the FEIS in the Federal Register, and issuing a Record of Decision (ROD). The ROD is the final step in the NEPA process. The ROD identifies the selected alternative and presents the basis for the decision.

Comment 027:

027

COMMENT

Cattle Point Road Realignment DEIS

NAME Liz Illg

ADDRESS [redacted]

Comment: ①

I support Alternative B & look forward to Cattle Point Road being an even more scenic route.

Agency Response:

① Comment noted

Comment 028:

028

COMMENT

Cattle Point Road Realignment DEIS

NAME Frank Fagan

ADDRESS [redacted]

Comment:

① Support Alt B

② Get started ASAP with

- Final EIS
- Final Road Design
- Funding
- Contractor

③ Avoid the need for an emergency fix !!

Agency Response:

① Comment noted

② The interagency team consisting of the FHWA, NPS, San Juan County and DNR expects to complete the Cattle Point Road project NEPA process in 2012. The remaining NEPA steps include addressing public comments and preparating a Final EIS (FEIS), FHWA and NPS legal review of the FEIS, filing the FEIS in the Federal Register, and issuing a Record of Decision (ROD). The ROD is the final step in the NEPA process. The ROD identifies the selected alternative and presents the basis for the decision.

Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

③ Comment noted

Comment 029:

029

COMMENT

Cattle Point Road Realignment DEIS

NAME Jim Johnson

ADDRESS [redacted]

Comment:

① Alternative B looks great — with the exception of locating the social trail on Mt. Finlayson. Would appreciate the road being as south & low as possible.

② Any possibility of a switch back on that 10% grade for the older cyclists in the community? (and there are a lot of us)

Jim Johnson

Agency Response:

① See Agency Response B-3

② See Agency Response G-2

Comment 030:

Agency Response:

030

COMMENT

Cattle Point Road Realignment DEIS

NAME ARLIN ROTHAUGE

ADDRESS [redacted]

Comment: ①

PROPOSAL THAT "CONCERN" KICKS IN AT 10-15 YEARS IS NOT REALITY. WE NEED MORE URGENCY THAN THIS COMPROMISING STATEMENT - WE ARE IN SERIOUS DANGER IN 5 YEARS. CONSIDER TRUCKS ② RUNNING OVER A ROAD ON A SANDY BLUFF

③ PLUS CALCULATE FROM THE CLOSEST + WEAKEST POINT NOT A GENEROUS AVERAGE.

THANK YOU

① See Agency Response A-1

② See Agency Response A-3

③ See Agency Response A-1

Comment 031:

031

COMMENT

Cattle Point Road Realignment DEIS

NAME David Dehlendorf

ADDRESS [redacted]

Comment: ① Please consider moving the new road down the slope as much as possible near its eastern end (and highest point) so as to minimize its impact on the trail and lookout toward the SE.

Agency Response:

① See Agency Response B-2

Comment 032:

032

COMMENT

Cattle Point Road Realignment DEIS

NAME Carol Hooper

ADDRESS [redacted]

Comment:

I agree with proposal.

① How do we get this project to be a priority for funding? Now! 10-15 years is too long. A rough winter or 2 or an earthquake & we will be in trouble.

Would a lawsuit speed it up?

Carol Hooper

Agency Response:

① Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Planning and funding for the project are not based on the estimated erosion rate in the environmental document. The interagency team recognizes that given the continual progression of coastal bluff erosion and proximity of the bluff scarp to the roadway, action needs to be taken as soon as possible to avoid potential disruption of travel for residents of the eastern Cattle Point peninsula.

Comment 033:

033

COMMENT

Cattle Point Road Realignment DEIS

NAME Louise Dustrude

ADDRESS [redacted]

Comment: ①

I do prefer Alternative B and I hope it won't be any higher on Mt. Finlayson than necessary.

Obviously the road will have to be moved, but I don't like to see it encroaching on either the existing trail itself or the view from it.

② I also understand it won't have as high a grade if it isn't built so high on the mountain -

Agency Response:

① See Agency Response B-2

② See Agency Response G-2

Comment 034:

034

COMMENT

Cattle Point Road Realignment DEIS

NAME David L. Zaretzko

ADDRESS [redacted]

Comment: (1)

Option B is a good compromise and solution for this road re-alignment. I encourage the final design to include a [redacted] roadway that rises as little as possible so as to stay as far as possible below the hilltop at the east end. (2) This would also tend to decrease the projected 10.2% grade coming down the hill.

(3) I do not understand why the far east end of the road re-alignment does not include a switch back to decrease the grade for the benefit of cars, trucks, and bicyclists. Any trail re-alignment can accommodate such a switchback to maintain a comfortable and safer experience than the current steep, eroding pathway that currently exists.

Thank you. David L. Zaretzko

Agency Response:

① Comment noted

② See Agency Response G-2

③ See Agency Response G-2

Comment 035:

035

COMMENT

Cattle Point Road Realignment DEIS

NAME LOANNE TERRY

ADDRESS [redacted]

Comment: ①

IN CASE OF EARTHQUAKE OR MAJOR STORM, THIS BLUFF WILL GO, THIS MUST BE BEGUN IN THE NEXT 5 YEARS. 16 YEARS IS OUT OF THE QUESTION.

PLEASE EXPIDITE THIS IMMEDIATELY

THANK YOU

Agency Response:

① See Agency Response A-3

Planning and funding for the project are not based on the estimated erosion rate in the environmental document. The interagency team recognizes that given the continual progression of coastal bluff erosion and proximity of the bluff scarp to the roadway, action needs to be taken as soon as possible to avoid potential disruption of travel for residents of the eastern Cattle Point peninsula.

Comment 036:

036

COMMENT

Cattle Point Road Realignment DEIS

NAME Robert Neuman

ADDRESS [redacted]

Comment:

After examining all options, It is my belief that option B. is the logical way to correct the problem ①
If any walking trail is involved it Could be re located at much less expense than altering the Plan for the road.

R V Neuman

Agency Response:

① Comment noted

Comment 037:

037

COMMENT

Cattle Point Road Realignment DEIS

NAME CINDA PIERCE

ADDRESS [redacted]

Comment: ①

I support THE PREFERRED ALTERNATIVE Route w/ possible GRADE degree MODIFICATIONS IF Possible to Lower steepness.

② I support ADDING public TRAILS WHEN PLAN Get FURTHER ALONG. SUGGEST NPS work w/ the LOCAL TRAILS Committee for INPUT + support + design.

Agency Response:

① See Agency Response G-2

② A trail will be constructed adjacent to the east end of the new road alignment to replace the portion of the formal Mt. Finlayson Trail that will be directly impacted by the new road alignment. Addition of trails other than the one directly impacted by the Cattle Point Road project is not within the scope of this EIS.

Comment 038:

038

COMMENT

Cattle Point Road Realignment DEIS

NAME Dennis Busse

ADDRESS [redacted]

Comment: ① I'm a resident at Cattle Point Estates.
I like the preferred plan.
Thanks for all the hard work
on this project.

Agency Response:

① Comment noted

Comment 039:

039

COMMENT

Cattle Point Road Realignment DEIS

NAME David T. Hoopes & Patricia L. Lundin

ADDRESS [redacted]

Comment: ① We support Alternative B. This alternative has the least environmental impact and lowest cost of the three construction alternatives.

② Please act urgently to secure funding. Road is most likely to erode well before the 15-16 year estimate!

Agency Response:

① Comment noted

② Funding for project construction has been actively pursued by San Juan County and will continue through a variety of channels.

Planning and funding for the project are not based on the estimated erosion rate in the environmental document. The interagency team recognizes that given the continual progression of coastal bluff erosion and proximity of the bluff scarp to the roadway, action needs to be taken as soon as possible to avoid potential disruption of travel for residents of the eastern Cattle Point peninsula.

Comment 040:

Agency Response:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

November 1, 2010

Peter Dederich
Superintendent, San Juan Island
National Historical Park
P.O. Box 429
Friday Harbor, Washington 98250

Diane Spencer
Environmental Project Manager
Western Federal Lands Highway Division
610 East Fifth Street
Vancouver, Washington 98661

Re: U.S. Environmental Protection Agency (EPA) comments for the San Juan Island National Historical Park (Park) Cattle Point Road Realignment Project Draft Environmental Impact Statement (DEIS). EPA Project Number: 01-064-DOI

Dear Mr. Dederich and Ms. Spencer:

This review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Under our policies and procedures, we evaluate the environmental impact of the proposed action and the adequacy of the impact statement. We have assigned a LO (Lack of Objections) rating to the DEIS. A copy of the EPA rating system is enclosed. ①

While our review has not identified any potential environmental impacts requiring substantive changes to the proposal, we believe the application of additional air quality mitigation measures – consistent with the Park's General Management Plan (GMP) - could be accomplished with no more than minor changes. The DEIS's Air Quality mitigation measures (AQ-1 through AQ-4, p. 161) do not appear to fully incorporate the Air Quality mitigation measures listed on page 71 in the Park's Final GMP/EIS. We especially support incorporating the full suite of GMP measures identified for dust abatement and equipment emissions. For additional information on construction mitigation measures, case studies, and examples of institutional arrangements for implementation, see the Clean Construction USA website at http://www.epa.gov/otaq/diesel/construction/. ②

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① Comment noted

② See Agency Response E-1

Comment 040:

Agency Response:

If you have any questions or concerns please contact Erik Peterson at (206) 553-6382 or by electronic mail at peterson.erik@epa.gov .

Sincerely,

Christine B. Reichgott

Christine B.Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosures
EPA Rating System for Draft Environmental Impact Statements

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Comment 040:

Agency Response:

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action*

Environmental Impact of the Action

① **LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987

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① Comment noted

Comment 041:

Agency Response:

From: Rich Linton
To: CattlePointRoad
Cc: David N
Subject: Cattle Point Road
Date: Thursday, December 08, 2011 1:32:47 PM

Ms. Diane Spencer
Environmental Project Manager
Federal Highway Administration
610 East Fifth Street
Vancouver, Washington 98661

Ms. Spencer,

I am contacting you regarding the WA PLD SAJH 10(1) CATTLE POINT ROAD PROJECT as posted for public review on August 30, 2010. GeoCHEM, Incorporated is the authorized Presto GeoSystems Distributor for the State of Washington and wishes to offer our Presto GeoSystems Products and Services to both your department, and the forthcoming Awarded Contractor for this project. If you or your Federal Highway Administration engineering team wishes to review our various Presto GeoSystems Products On-Line, please do so at www.geocheminc.com. Also, please forward me any Bid Schedule information regarding this project, or other projects that you wish to have any pre-construction product recommendations or services applied for any Soil Conservation or LEED Product verification products that you may see a need to review. ①

Thank you for your consideration of our Presto GeoSystems Products Diane; please keep the following Contact Information on file for any State of Washington projects that I may be able to support you and your Federal Highway Department Management team with.

Richard E. Linton
GeoCHEM Inc
Seattle-Metro Sales
[redacted]

① Comment noted

Comment 042:

Agency Response:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office
510 Desmond Dr. SE, Suite 102
Lacey, Washington 98503

In Reply Please Refer To:
01EWFW00-2012-CPA-0054

FEB - 1 2012

Diane Spencer
Environmental Project Manager
Federal Highway Administration
Western Federal Lands Division
610 East Fifth Street
Vancouver, Washington 98661

Steve Gibbons
Acting Superintendent
National Park Service
San Juan Island National Historical Park
P.O. Box 429
Friday Harbor, Washington 98250

Dear Ms. Spencer and Mr. Gibbons:

On August 16, 2010, the Federal Highway Administration – Western Federal Lands Division (FHWA) and National Park Service – San Juan Island National Historical Park (NPS) published a Draft Environmental Impact Statement (EIS) addressing proposed alternatives for the Cattle Point Road Realignment Project in San Juan County, Washington (Cattle Point Project). The 60-day public review and comment period opened on September 3, 2010, and closed on November 2, 2010. During December 2011, a year after the closure of the public review and comment period, the FHWA notified the U.S. Fish and Wildlife Service (Service) of their intent to publish a Final EIS during 2012, and requested any comments based on our review of the Draft EIS.

We appreciate the opportunity to review and offer comments for the Cattle Point Road Realignment Draft EIS. Lands within and adjacent to the American Camp Unit of the San Juan Island National Historical Park (American Camp) support native prairie, regionally endemic prairie plant and invertebrate species, and other sensitive species and trust resources. The surrounding Cattle Point peninsula also provides cultural and historical resources, and park and recreational opportunities which are valued by the San Juan Island community and wider public.

Staff in our office reviewed the Draft EIS in its entirety, but with a focus on the environmentally preferred alternative and its potential environmental consequences (Alternative B – Hybrid Mid-Slope Realignment). The Service offers the attached comments pursuant to our authorities under the National Environmental Policy Act, Fish and Wildlife Coordination Act, Endangered Species Act (ESA), and Bald and Golden Eagle Protection Act (BGEPA).

Comment 042:

Agency Response:

On November 16, 2006, the Service and NPS entered into a *Conservation Agreement for the Island Marble Butterfly (Euchloe ausonides insulanus)*. This agreement lays out general guidelines for a broad spectrum of activities at American Camp, including management and restoration of the grassland ecosystem as a natural component of the cultural and historic landscape. The pending Cattle Point Project, and ongoing maintenance of existing roads, are both specifically identified as management actions this agreement is meant to address. Therefore, the Service also offers comments pursuant to our shared responsibilities under this conservation agreement.

General Comments

(Purpose and Need, p. 21) Re: Road Maintenance. "Cattle Point Road is managed by San Juan County and the NPS, depending on land ownership. The portion of the road north of the park boundary is owned and maintained by the county. From the park entrance eastward, the road is maintained by the county on lands owned by the park and DNR. The county retains a right-of-way on park land from Pickett's Lane east to the DNR boundary. Within the park, county maintenance is performed through an informal agreement between the county and NPS." COMMENT – Portions of the American Camp prairie, and the regionally endemic prairie plant and invertebrate species it supports, are present within the existing Cattle Point Road right-of-way. Furthermore, regardless of which alternative is selected by the FHWA and NPS, these sensitive resources will remain within and in close proximity to the managed road right-of-way. ① Accordingly, we encourage the NPS to plan, coordinate, and schedule road maintenance activities in close cooperation with staff and managers from the San Juan County Department of Public Works (or Roads Department). We hope and expect that the NPS and San Juan County Roads Department will work cooperatively to achieve long term vegetation management objectives.

(Key Issues and Decisions, pp. 26-28) American Camp and the surrounding Cattle Point peninsula provide cultural and historical resources, and park and recreational opportunities which are valued by the San Juan Island community and wider public. Cattle Point Road is also an essential transportation corridor which provides the only access by car for residents of the Cattle Point peninsula. COMMENT – The Service acknowledges that cultural and historical resources, ② visitor access, use, and enjoyment, and visual quality are all legitimate and important values worth preserving and enhancing. We also acknowledge the necessity for a safe and reliable road corridor serving the Cattle Point peninsula residents.

(Alternative Development and Description of the Alternatives, pp. 31-38) COMMENTS – The ③ Service offers support for the environmentally preferred alternative (Alternative B – Hybrid Mid-Slope Realignment). This alternative would provide an improved transportation corridor at reasonable cost, and with appropriate deference and attention to the potential consequences and trade-offs amongst environmental resources and values. We are satisfied that the preliminary mid-slope alignment would largely avoid those areas within American Camp that support intact, remnant native prairie and prairie plant associations, as described by Bivin (2009). Furthermore, we agree that the environmentally preferred alternative would provide the opportunity and impetus for actively restoring and enhancing native prairie communities, and for improving the connectivity of native prairie and prairie plant associations throughout a larger portion of American Camp (Draft EIS, Appendix A – Preliminary Revegetation Plan, p. 2). We note,

① In the future the NPS will work with the county to formalize agreements to perform routine and standard maintenance/repair of the Cattle Point Road through the proposed project area. The NPS is extremely sensitive to the flora and fauna that exists in the American Camp Prairie. The NPS will continue to work with state, federal, tribal, and county partners to protect these resources.

② Comment noted

③ Comment noted

Comment 042:

Agency Response:

importantly, that the FHWA and NPS have refined the preliminary alignment so as to minimize earthwork, the size of required cut and fill slopes, and the areal extent of temporary disturbance. With careful planning and implementation, and in conjunction with a long term plan for monitoring and adaptive management, we believe that the environmentally preferred alternative would have acceptable short and long term impacts to native prairie, regionally endemic prairie plant and invertebrate species, and other sensitive species and trust resources. ④

(Alternative B – Hybrid Mid-Slope Realignment, pp. 40-42, 53) COMMENT – We support proposed safety improvements for bicyclists and pedestrians (e.g., widened, paved shoulders, and a 35 mile per hour design speed). ⑤

(Alternative C – Minor Realignment with Long Tunnel, pp. 44-48) "This alternative was proposed to minimize impacts to prairie habitat and other resources on the ground surface." COMMENT – Even though temporary disturbance is quantified at 10 acres, which is less than is quantified for preferred Alternative B (17 acres), we doubt that this alternative would provide significant advantages where avoidance of native prairie is concerned. This alternative would produce large quantities of excess fill, presenting logistical challenges related to staging, stockpiling, and ultimate disposal.

(Alternative D – Mid-Slope Alignment with Short Tunnel, pp. 49-52) COMMENT – Like Alternative C, this alternative would produce large quantities of excess fill, presenting logistical challenges related to staging, stockpiling, and ultimate disposal. Temporary disturbance is quantified at 20 acres, more than is quantified for preferred Alternative B.

(Activities Common to All Action Alternatives, pp. 52-55) "The County would be responsible for maintaining the new road section and its features." COMMENT – See earlier comment regarding suggested coordination with the San Juan County Roads Department.

(Activities Common to All Action Alternatives, p. 54) Re: Construction. "The design and specifications for construction … would be crafted to allow flexibility and to limit restrictions on construction operations." COMMENT – We understand that flexibility during construction is important to obtaining competitive, low-cost bids. However, the design and contract specifications should include strict limits on allowable locations for sourcing and wasting of materials, staging, and stockpiling. We suggest that allowable on-site locations should be identified in advance of construction, and specified in the contract, to avoid unanticipated impacts to sensitive resources. ⑥

(Activities Common to All Action Alternatives, p. 55) Re: Construction, Non-Commercial Sites and Sources. COMMENT – All non-commercial sites and sources should be subject to the environmental review and approval of the managing contract officer or authority. To avoid unanticipated impacts to sensitive resources, including remnant prairie habitats present elsewhere on San Juan Island, all candidate sites for sourcing and wasting of materials should be subject to environmental review and approval. We suggest that "status" under the ESA is not a sufficient or appropriate standard for evaluating the suitability of non-commercial sites and sources. ⑦

④ Comment noted

⑤ Comment noted

⑥ See Agency Response G-6

⑦ See Agency Response G-7

Comment 042:

Diane Spencer and Steve Gibbons 4

(Other Actions and Alternatives, pp. 59-62) COMMENT – We do not support the slope stabilization, bridge, ridgeline or north side alignment alternatives, based on what we understand to be the feasibility and unavoidable impacts of these alternatives. ⑧

(Biological Environment, p. 76) "Much of the grassland has been altered from its pre-settlement condition and is now dominated by non-native vegetation … The park's vegetation management goals focus on restoring native vegetation." COMMENT – The NPS has not made sufficient progress to date where accomplishment of these goals is concerned. We hope and expect that the Cattle Point Project will provide opportunities, the impetus, and a source of available funding, to restore and enhance native prairie communities, and to improve the connectivity of native prairie and prairie plant associations throughout a larger portion of American Camp. We suggest that when seeking design and construction funding, the FHWA and NPS should fully account for the necessary planning, pre-construction, and post-construction activities, including monitoring and adaptive management of the restoration design for a minimum of ten years post-construction. ⑨

(Federally-Listed and Protected Species, pp. 78-83) Re: Bald Eagle (*Haliaeetus leucocephalus*) and the BGEPA. "Six historic nest sites … are located within 0.5 mile … [and] the proposed road realignment is located within the 800-ft buffer of one bald eagle nest." COMMENT – We believe that the environmentally preferred alternative (Alternative B – Hybrid Mid-Slope Realignment) would have acceptable short and long term impacts to bald eagles with territories on the Cattle Point peninsula. Please contact the Service's Washington Fish and Wildlife Office during the design and permitting phase of the project (Division of Conservation and Hydropower Planning; Attn: Mark Miller, Division Manager, 360-753-9347). Staff in Lacey, Washington, and in the Service's Pacific Region Migratory Birds and Habitat Program, can provide direct assistance related to compliance with the BGEPA and Migratory Bird Treaty Act. Information regarding permitting and compliance under these laws can be found at <http://www.fws.gov/wafwo//permits.html>. ⑩

(Federally-Listed and Protected Species, p. 82) Re: Golden paintbrush (*Castilleja levisecta*). COMMENT – Historic records document the golden paintbrush from habitats on the Cattle Point peninsula and at Davis Point on Lopez Island, and Long Island continues to support an extant population of the species. The project area supports native prairie and common associates (e.g., *Festuca rubra*, red fescue), and therefore provides suitable habitat for the golden paintbrush. Even in the absence of survey data to document continued presence in the project area, these facts are inconsistent with the "no effect" determinations which the FHWA and NPS have offered for species listed under the ESA (pp. 57, 133). Instead, these facts would suggest that a "may affect, not likely to adversely affect" determination may be more appropriate for the golden paintbrush. ⑪

(Trail System, pp. 105-106) "Area trails are both formal and informal." COMMENT – We suggest inclusion of a public education component in the plans for accommodating visitor access, use, and enjoyment of the park. Signs, pamphlets, and other materials should provide information regarding the park's unique and sensitive biological resources, and encourage standards of behavior consistent with long term management objectives. ⑫

Agency Response:

⑧ Comment noted. As stated in FEIS section 2.5.1, these alternatives have been eliminated from further consideration.

⑨ As stated in the FEIS section 4.5.3, all sites disturbed by project activities will be revegetated using native plant species. Opportunities to restore native prairie, rare and endangered plants, host species of the island marble butterfly, and monitoring will be included in the final revegetation plan, which will be completed during final road design. Revegetation using a component of host plants of the island marble butterfly will follow measures outlined in the Conservation Agreement between the NPS, San Juan Island National Historical Park and the U.S. Fish and Wildlife Service. Implementation of the selected alternative's mitigation measures outlined in the FEIS are required as part of project implementation and will be part of the project budget for final design and construction.

⑩ Comment noted

⑪ See Agency Response I-1

⑫ The 2008 park GMP (page 17) states that "The park provides educational, research, and volunteer opportunities that support the preservation of park resources and values and contribute to public enjoyment and understanding". This significance statement is inherent to the mission of the NPS. The NPS currently utilizes a variety prairie-related interpretative material in its communications with the public.

Comment 042:

Diane Spencer and Steve Gibbons 5

(Off-Site Construction Impacts, pp. 130-131) COMMENT – See earlier comment regarding Activities Common to All Action Alternatives (Construction, Non-Commercial Sites and Sources). To avoid unanticipated impacts to sensitive resources, including remnant prairie habitats present elsewhere on San Juan Island, all candidate sites for sourcing and wasting of materials should be subject to the environmental review and approval of the managing contract officer or authority. (13)

(Impacts Common to All Action Alternatives, pp. 164-166) Re: Island marble butterfly. "Project activities would comply with the 2006 NPS/USFWS conservation agreement. Prior to construction, affected areas would be surveyed for host plants and larva. Steps would be taken to avoid impacts to these resources prior to and during construction, including removal or relocation of larval host plants, and planting of [native] host plants within the restored abandoned road segment." COMMENTS – When seeking design and construction funding, the FHWA and NPS should fully account for the necessary planning, pre-construction, and post-construction activities, including monitoring and adaptive management of the restoration design for a minimum of ten years post-construction. (14) With careful planning and implementation, and in conjunction with a long term plan for monitoring and adaptive management, we believe that the environmentally preferred alternative would have acceptable short and long term impacts to the island marble butterfly. (15) The species' non-native larval host plants, tall tumblemustard (*Sisymbrium altissimum*) and field mustard (*Brassica rapa*), should have good success recolonizing disturbed areas along the realignment. We would suggest, therefore, that pre-construction surveys for larvae, and relocation of host plants with larvae, would require a sizable and perhaps unjustified commitment of resources and unique expertise. As has been suggested previously (Lambert 2005), we recommend instead that the FHWA and NPS proactively survey for and remove non-native larval host plants from the areas that would be disturbed well in advance of construction. (16) To avoid attracting ovipositing females, we recommend surveys for and removal of non-native larval host plants from the area of temporary disturbance by mid-April of the planned construction season. In addition, the plans for restoration and revegetation along the new alignment's larger cut/fill slopes and the abandoned road segment should include establishment of the species' known native larval host plant (Menzies' pepperweed, *Lepidium virginicum* var. *menziesii*) and other potential native host plants (*Arabis hirsuta*, *Arabis glabra*)(Draft EIS, Appendix A – Preliminary Revegetation Plan, p. 3). We recommend that the FHWA and NPS focus native larval host plant re-establishment away from the immediate roadside. The restoration design should include quantifiable performance measures regarding establishment and maintenance of larval host plant resources. Long term plans for maintenance of the restored areas, and roadsides in general, should acknowledge a role for non-native larval host plants and allow for their persistence. (17) The NPS should coordinate with the San Juan County Roads Department, communicate vegetation management objectives, and cooperatively schedule road maintenance activities so as to enhance natural production of the island marble butterfly.

(Visitor Uses and Visual Quality, pp. 170, 171, 183, 184) Re: Scenic Turnouts. COMMENT – (18) We suggest inclusion of a public education component in the plans for accommodating visitor access, use, and enjoyment of the park. Signs, pamphlets, and other materials should provide information regarding the park's unique and sensitive biological resources, and encourage standards of behavior consistent with long term management objectives.

Agency Response:

(13) See Agency Response G-7

(14) See response to comment 9.

(15) Comment noted.

(16) See response to comment 9. The NPS and FHWA will plan for appropriate lead-time to complete island marble butterfly mitigation.

(17) The NPS agrees will incorporate language from the Island Marble Butterfly Conservation Agreement between the NPS and U.S. Fish and Wildlife Service into future planning documents with San Juan County Roads Department.

(18) See response to comment 12.

Comment 042:

Agency Response:

(Impacts of Alternative B, Vegetation, pp. 185-188) COMMENTS – When seeking design and construction funding, the FHWA and NPS should fully account for the necessary planning, pre-construction, and post-construction activities, including monitoring and adaptive management of the restoration design for a minimum of ten years post-construction. With careful planning and implementation, and in conjunction with a long term plan for monitoring and adaptive management, we believe that the environmentally preferred alternative would have acceptable short and long term impacts to native prairie and regionally endemic prairie plant and invertebrate species. (19)

(Impacts of Alternative B, Vegetation, pp. 185-188) Re: Road Design Mitigation Measure. "To the extent possible, road design features and final location would be planned to follow natural contours and to minimize the number and height of road cuts and fills … Cut slopes would be designed to insure slope stability and promote revegetation … Final road alignment and design would be adjusted to avoid or minimize impacts to rare native prairie sites and California buttercup [p. 193]. In addition, final road design would be adjusted to minimize impacts to the Mt. Finlayson Trail to the extent possible. Where unavoidable, the trail would be relocated adjacent [p. 195]." COMMENTS – This measure attempts to comprehensively mitigate unavoidable impacts to a variety of environmental resources and values. We expect there will be trade-offs amongst some of these environmental resources and values. We recommend that the FHWA and NPS avoid intact, remnant native prairie and prairie plant associations to the fullest extent practicable. (20) The FHWA and NPS should locate scenic turnouts, trailheads, associated parking, and other visitor amenities (e.g., bathroom facilities) within previously disturbed areas, and should avoid remnant native prairie to the fullest extent practicable. The FHWA and NPS should document these design decisions for the record.

(Impacts of Alternative B, Vegetation, pp. 185-188) Re: Weed Inspection and Weed Control Mitigation Measures. COMMENT – We support these mitigation measures as both appropriate and achievable. (21)

(Impacts of Alternative B, Vegetation, pp. 185-188) "Prior to construction, a detailed restoration and revegetation plan would be developed … methods and standards for revegetation of areas temporarily disturbed during construction as well as restoration of the abandoned road segment … Topsoil removed during construction would be conserved and reapplied to revegetation sites to insure optimum plant establishment." COMMENTS – Successful planning, implementation, monitoring, and adaptive management of the restoration design will require a commitment of considerable resources and expertise in advance of, during, and post-construction. The FHWA and NPS should consider carefully the related funding, staffing, and resource requirements. We would suggest that there may be a role(s) for "third-parties" (e.g., an environmental planning, design, and construction firm; a conservation organization with a native plant emphasis; an educational and/or research institution; etc.). However, in its present form, the Preliminary Revegetation Plan (Draft EIS, Appendix A) does not speak to these logistical considerations. We recommend, when revising the Revegetation Plan at the 70 percent design level, that the FHWA and NPS should more clearly identify roles, responsibilities, and a framework for management, decision-making, and communication. (22)

(19) Comment noted. See response to comment 9.

(20) As stated in FEIS section 4.5.3, final road alignment and design will avoid and minimize impacts to rare native prairie sites to the extent practicable.

(21) Comment noted.

(22) Comment noted.

Comment 042:

Agency Response:

We appreciate the opportunity to review and offer comments for the Draft EIS. Furthermore, we look forward to hearing more from the FHWA, NPS, and other participating agencies during the design and permitting phase of the project. We would welcome the opportunity to stay engaged and to provide additional, future technical assistance as deemed necessary by the Federal co-lead agencies and their partners. Please let us know if and when we can be of further assistance.

If you have any questions, if our comments require further explanation, or you would like to discuss the Cattle Point Project in person, please contact Ryan McReynolds at (360) 753-6047, or Carolyn Scafidi at (360) 753-4068, of this office.

Sincerely,

Carolyn Scafidi

for Ken S. Berg, Manager
Washington Fish and Wildlife Office

cc:
USFWS – WFWO, Lacey, WA (T. Thomas)
USFWS – WFWO, Lacey, WA (M. Jensen)
USFWS – R1 HQ, Portland, OR (R. Baker)

LITERATURE CITED

Bivin, M.M. 2009. Vascular plant inventory of San Juan Island National Historic Park. Natural Resource Technical Report NPS. Version 2.1, June 18, 2009 *In* Federal Highway Administration and National Park Service. 2010. Cattle Point Road Realignment Project Draft Environmental Impact Statement, Appendix A - Preliminary Revegetation Plan. January 2010. 24pp.

Lambert, A.M. 2005. Cattle point road relocation project and the conservation of the island marble butterfly. Draft Report to the San Juan Island National Historic Park, August 23, 2005. 7pp.