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PACIFIC WEST REGIONAL OFFICE Memorandum

L7617 (PWRO-FM)

SEP 19 2017

Memorandum

To: Superintendent, John Muir National Historic Site

From: Regional Director, Pacific West Region

Subject: Completion of Environmental Compliance Process for Strenzel-Muir Gravesite Plan

The Finding of No Significant Impact (FONSI), received on September 12, 2017, is approved.

The Strenzel-Muir Gravesite Plan provides management strategies for the John Muir gravesite, a fundamental part of the National Historic Site. The plan will manage natural and cultural resources while providing visitor access in a manner that considers surrounding landowners.

To complete the environmental compliance effort, the FONSI and Errata for the environmental assessment should be made available to all individuals and organizations that received or commented on the draft and final environmental assessments.

Thank you for your submissions on the plan for the PWR Public Affairs Weekly Report, and for the good work during the planning process.

Laura E. Joss

Attachments:
Finding of No Significant Impact
Determination of No Impairment

SEP 4 1963

Finding of No Significant Impact Strentzel-Muir Gravesite

National Park Service, US Department of the Interior
John Muir National Historic Site

September 2017

INTRODUCTION

This Finding of No Significant Impact (FONSI) documents the decision of the National Park Service (NPS) to adopt the preferred alternative in the Strentzel-Muir Gravesite Environmental Assessment (EA) in accordance with the 1969 National Environmental Policy Act (NEPA), the NPS NEPA guidance in Director's Order 12 (2011) and the NPS NEPA Handbook (2015). This FONSI combined with the Strentzel-Muir Gravesite EA from June 2016, comprise the full and complete NEPA record of the analysis of environmental impacts and the NPS decision-making process on selecting an implementation strategy.

This document summarizes the alternatives considered in the EA and identifies the Selected Alternative. It includes the decision rationale for selecting Alternative 4 for implementation. The FONSI lists the specific actions the NPS will follow when implementing the plan and explains the reasoning behind the statement that the Selected Alternative will result in no significant impacts to the environment as defined by NEPA regulations (41 CFR pts. 1500-1508) and NPS NEPA guidance in Director's Order 12. The FONSI and the EA (along with Errata attachment) will guide future actions for the implementation of this plan.

BACKGROUND

John Muir National Historic Site is comprised of remnants of the 2,300-plus acre ranch where John Muir lived, raised a family, farmed, wrote, advocated for environmental conservation, and was buried. Established in 1964 and expanded through subsequent legislation, the park today consists of the 9-acre Strentzel-Muir house estate, the 330-acre open space lands of Mt. Wanda and the 1.27-acre Strentzel-Muir family gravesite where Muir is buried.

The park was created due in large part to the work of Henry and Faire Sax and the John Muir Memorial Association, who along with other stakeholders, were accustomed to paying tribute to Muir by visiting his gravesite. Through the work of these groups and the National Park Service, the Strentzel-Muir house was listed as a National Historic Landmark in 1962 and became a national park in 1964. The Strentzel-Muir gravesite parcel was added to the National Historic Site in 2000, and is located 1.5-miles south of the house site, adjacent to Alhambra Creek. The 1.27-acre parcel is a small fragment of the original Strentzel-Muir ranch, and is now surrounded by post World War II-era single-family residences to the north, west and south, and bounded by the creek to the southeast. The gravesite is the resting place of John Muir, his wife Louie, her parents Dr. John Strentzel and Louisiana Strentzel, and Muir's daughter and son-in law, Wanda and Tom Hanna. Additionally, there are grave markers for John and Louisiana Strentzel's children Johnnie and Lottie and John's brother Henry, but it is not known if they are actually buried at this site. The parcel also contains a remnant of original, historic pear orchards that

once extended throughout Alhambra Valley. Adding to the setting are other historic trees dating back to the Muir's time.

Purpose of the Plan: According to its founding legislation, John Muir National Historic Site was established as a public memorial honoring the memory and legacy of John Muir for his contributions to the nation in land conservation and for his crusading efforts in advancing the cause of national parks. The purpose of the Strentzel-Muir Gravesite Plan is to meet this legislative charge by identifying appropriate management strategies for the gravesite, John Muir's final resting place and a fundamental part of the National Historic Site. In addition to supporting the legislated mission of John Muir National Historic Site, the purpose of this plan is to fulfill the broader NPS mission of managing natural and cultural resources while providing visitor use in a manner that considers surrounding landowners who live in close proximity to the gravesite, as well as the desires of the Muir family and the public.

Need for the Plan: The original John Muir National Historic Site was established in 1964 and was comprised of the Muir House, the Martinez Adobe, and their surrounding grounds. In 1980, the National Park Service conducted a study to assess the feasibility of adding the gravesite to John Muir National Historic Site, finding that the addition will in fact be feasible. At that time the 1.27-acre parcel was owned by the Muir-Hanna Family Trust. In 1988, Congress passed legislation to add the Strentzel-Muir gravesite parcel to John Muir National Historic Site. Though the parcel remained in private ownership, in 1991 the National Park Service completed a General Management Plan for the entire National Historic Site that included a conceptual strategy for managing the gravesite parcel for when it will come into NPS ownership. In 1993, the American Land Conservancy purchased the property from the Muir-Hanna Family Trust with the intent of transferring it to the National Park Service when funds became available. The National Park Service purchased the gravesite property from the American Land Conservancy in 2000.

The NPS has been managing the gravesite without the guidance of a comprehensive plan since acquiring the parcel and uncertainty regarding appropriate levels of visitor use and appropriate resource management strategies. This planning effort will set park direction for management of resources and visitor use, removing the uncertainty.

SELECTED ALTERNATIVE

Based on analysis presented in the EA, the NPS will implement Alternative 4, described below.

Visitor Experience—Access

The Selected Alternative will encourage a sense of reverence for Muir's life and legacy as the primary desired visitor experience at the gravesite, which will be ensured through the preservation of the historic landscape and through limiting group sizes and duration of stay. The NPS will actively manage visitor use at the gravesite by providing information via the park website, at the visitor center, and by providing a set number of ranger-led shuttles to the site described in detail below. Rules regarding how to access the site, when the site is open, and details regarding the gravesite's constraints within a quiet single-family residential neighborhood will be readily available.

In the Selected Alternative, the entire 1.27-acre parcel will be fenced, greatly minimizing the ability for people to access the site when closed. Pedestrians and cyclists will have access through a pedestrian gate Monday through Friday from 10:30am-4:30pm, but through regulatory and interpretive signage, they too will be encouraged to respect the solemn, reverential character of the site. The Muir family will continue to have open access, and will also have the right to hold an annual, private, family commemoration at the gravesite—closed to the general public. Individuals, groups, universities, and non-profit organizations could request special use permits for tours and activities at the gravesite. These special requests will be managed on a case by case basis, as they currently are for the rest of John Muir National Historic Site, and will be accepted if determined appropriate to the site and protective of the resources and site character.

Table 1. Selected Alternative, Anticipated number of visitors per week versus maximum allowable

	Monday – Friday	Weekend	Total Visitors / Week
<i>Anticipated Visitors on Tours</i>	2 tours/M-F <u>2-10 visitors/tour</u> = 4-20 visitors/M-F	2 tours/weekend <u>10-15 visitors/tour</u> = 20-30 visitors/weekend	4 tours/week 24-50 visitors/week
<i>Maximum Allowable Visitors on Tours</i>	1 tour/day <u>Average 25 visitors/tour</u> = 125 visitors/M-F	1 tour/day <u>Average 25 visitors/tour</u> = 50 visitors/weekend	7 tours/week 175 visitors/week
<i>Pedestrians & Cyclists</i>	To be monitored, see adaptive management strategy. 50 individuals are anticipated.	0	To be monitored, see adaptive management strategy. 50 individuals are anticipated.
<i>Visitors from private vehicles</i>	0	0	0
			ANTICIPATED = 74-100 MAXIMUM = 225

Anticipated Visitors on "Open Days": Up to 50 visitors per Open Day = Up to 600 visitors per year

No privately-owned vehicles will be allowed, with the exception of private vehicles for visitors who are unable to use the park shuttle—in this instance private vehicles will park in the shuttle turnaround area at the gravesite. Under the park’s current and foreseeable funding and staffing, John Muir National Historic Site will be able to accommodate up to two tours during the work week (Monday through Friday) and two tours on weekends using the existing accessible park shuttle fleet (fleet ranging in capacity from 4 visitors to 25 visitors). It is anticipated that this will result in tours being offered to 24-50 individuals per week, pending visitor demand (refer to Table 1). In the event that John Muir National Historic Site receives additional funding to increase staffing and, if warranted by visitor demand, tours could be increased to one per day, resulting in tours for a maximum of 175 individuals per week. **In addition to weekly tours, the NPS will accommodate up to twelve "Open Days" per year. On these days, the NPS shuttle will continuously run between the visitor center and the gravesite, allowing visitors to experience the gravesite without needing an advanced tour reservation. On these days, a ranger will staff the gravesite, ensuring the area is always supervised. A few additional NPS-hosted events will occur

at the gravesite each year: for the annual Birthday/Earth Day celebration in April, the NPS will provide continual shuttle service from the house site to the gravesite and back, throughout the day; the NPS may also host a commemoration event at the gravesite for the public in December, marking Muir's passing.

Preservation of Historic Resources and Addition of new Facilities

The gravesite's historic setting and features that contribute to the significance of John Muir National Historic Site, such as the grave markers, historic orchard, and specimen trees will be preserved.

A limited set of new amenities will be installed at the gravesite to ensure that visitor access is managed in a way that protects resources and neighbors' privacy and property while providing the desired visitor experience. All new additions will be designed and sited in a manner that is compatible with the historic landscape. Non-contributing, incompatible vegetation and other elements will be removed, ensuring that the existing historic character is retained. A short driveway and parking area, surfaced with compressed gravel, stabilized decomposed granite or like material will be installed. The accessible parking space will be surfaced in a material compatible with the cultural landscape, while meeting the "firm and stable" requirements defined in the Architectural Barriers Act Accessibility Standards, 2004 as amended (ABAAS). A bike rack will be installed near the parking area. A universally accessible footpath will lead from the parking area to the gravesite (designed to comply with the Accessibility Guidelines for Outdoor Developed Areas, 2013). This "there-back," 5-foot wide and 260-foot long footpath will have a stabilized natural surface, compatible with the historic setting.

Other amenities such as an entry-welcome sign and a regulatory sign with hours of operation and rules of behavior, will also be installed. Small informational signs that label historic vegetation could also be added. The Selected Alternative will include installation of boundary fencing along the western, southern, and eastern borders, in collaboration with the adjacent landowners. The fence will be no more than 8-foot tall and will be welded-wire mesh, designed to be as compatible with the historic landscape as possible, while greatly minimizing the ability to physically access the site while closed. The fence will be set-back (uphill) 4-5 feet from the creekbank to prevent impacts to the bank. The existing fence along the northern site boundary will remain as is. The Selected Alternative will include a locking entry gate prohibiting private vehicles from accessing the site. A pedestrian/cyclist gate will be installed next to the vehicle gate, which will be locked while the site is closed to the public. The perimeter fence and locking gates will minimize unauthorized visitation.

The contemporary wrought iron fence surrounding the grave markers will be maintained, and visitors (with the exception of the Muir family) will not have access to the interior of the wrought iron fence. A bench and a wayside exhibit will be installed near the grave markers. Boundary screening vegetation will be replaced and/or maintained along the northern boundary, in collaboration with adjacent homeowners, to ensure compatibility with the historic landscape. No restrooms, picnic tables, or other amenities that encourage long lengths of stay will be installed.

Natural Resources Management

Invasive exotic plant species such as English ivy and periwinkle will continue to be controlled and native vegetation will be restored along the creek bank (in the riparian zone). The Selected

Alternative will provide for continual, regular monitoring for potential changes to the stream profile and bank stability of Alhambra Creek along the gravesite.

Human Health and Safety

Historic trees will be pruned as needed and the footpath will be routed away from the fall zone of dangerous limbs. Visitors will likewise be routed away from the creek bank and native poison-oak; poison-oak could be identified in the field with a small sign to further ensure visitors do not come in contact with it. The gravesite open hours will be posted on a regulatory sign at the gravesite entrance. If people illegally access the site after hours, neighbors and/or the NPS shall contact the Martinez Police Department or Contra Costa County Sheriff's Department to handle the disturbance.

Land Use

The 1.27-acre gravesite parcel is located in Alhambra Valley just outside and southeast of the City of Martinez. Although the city has proposed annexing Alhambra Valley, at the time of publication this area remains in unincorporated Contra Costa County. Land uses in the Alhambra Valley consist of single-family residential homes. Lots range in size from one-half acre to several acres. Residential roads are generally narrow, country lanes without sidewalks. Contra Costa County adopted the Alhambra Valley Specific Plan (1992), which directs the development densities and type of development within the valley. As specified in the plan, Alhambra Valley should remain a rural residential area which supports a low-density housing pattern and encourages the retention of existing agricultural activities and scenic attributes. All action alternatives in the Strentzel-Muir Gravesite Plan are compatible with the county's specific plan (the No Action alternative is also compatible with the specific plan).

Rights of Way and Easements

To access the gravesite, the National Park Service obtained a legal easement along the adjacent neighbor's driveway (part of Strentzel Lane). The easement is defined as 40-foot wide and 170-foot long. Currently there are young olive trees and other vegetation within the 40-foot wide easement, narrowing the navigable area to approximately 14-foot wide. In addition to the legal easement for visitor and staff access to the site, there are utility easements that pass through the gravesite parcel. These include a Contra Costa County storm drain easement that drains into Alhambra Creek, a Contra Costa County sewer main easement that parallels the storm drain then passes under Alhambra Creek, and a Pacific Gas and Electric above-ground power line easement that parallels the sewer and storm drain along the northern boundary of the gravesite. Several neighboring homeowners also have access easements to their property along the same utility easement at the north edge of the property. All existing rights of way and easements will remain and they will continue to be governed according to their terms. The NPS will continue working with the property owners of the 40-foot wide, 170-foot long gravesite entrance right of way on Strentzel Lane to ensure that the width of the road is accessible and navigable to all park, fire, and utility vehicles.

Applying Adaptive Management

The Selected Alternative will apply an adaptive management strategy to manage and operate access to the Strentzel-Muir gravesite. Adaptive management promotes flexible decision-making that can be adjusted based on the outcomes of implementing a particular management action. Careful monitoring of outcomes will help the park adjust its operations as part of an iterative process. It is not a trial and error process, but rather emphasizes learning while doing.

This iterative feedback loop will be used throughout the life of the plan, so that each successive set of improved strategies will be refined based on lessons learned from earlier phases. The park will monitor key aspects of the implemented alternative and develop desired conditions against which these data are evaluated. The park will use a set of established indicators and standards to both evaluate the success of access and facility changes to the gravesite, and to make decisions as to when additional changes should be made.

Steps for Adaptive Management include: identifying desired conditions for resources and visitors, identifying indicators (aspects to monitor for determining whether the desired conditions are being met), identifying standards (condition limits) for the indicators, monitoring indicators, and taking appropriate management actions to ensure desired condition standards are met. The following table provides a description of the desired conditions, a list of indicators and standards that will be monitored at the gravesite, and offers potential management actions.

Table 2. Desired Conditions, Indicators, Standards, and Potential Management Actions

VISITOR AND NEIGHBOR EXPERIENCE	
Desired Conditions: <i>Visitors would be able to visit the gravesite at a time convenient to them, and enjoy a serene, contemplative setting representative of the gravesite's historic landscape. Neighbors and their property would be safe. Neighbors would be able to park and navigate their vehicles on the Strentzel and Sheridan cul de sacs, and they would not be disturbed by vandals or late night trespassers to the gravesite.</i>	
Traffic and Circulation	
<p>Indicator: Parked cars on Sheridan and Strentzel Lanes.</p> <p>Standard: No more than 75% of public parking spaces on Sheridan and Strentzel Lanes (9 of 12 total) will be occupied by park visitors at any given time.</p> <p>Monitoring: Monitor once per week for a year (52 days total) stratified across time of day, day of week, and seasons.</p>	<p>Potential Management Action: If there are no incidents of park visitors occupying 75% or more parking spaces on Sheridan/Strentzel Lanes after the gravesite is opened to visitation, then the NPS could consider opening the pedestrian gate more often.</p> <p>If there is one incident per week of park visitors occupying 75% or more parking spaces on Sheridan and Strentzel lanes then the NPS will keep the pedestrian gate locked a greater portion of the time to achieve standard. Additionally, the NPS will take action to increase awareness of tour, walking, and biking options.</p>
Visitor access, mode and amount	
<p>Indicator: Documented number of visitors who couldn't visit when they wanted.</p> <p>Standard: The majority of visitors are able to visit within the timeframe they want.</p> <p>Monitoring: The Interpretation Division, for a period of one year, will log when notified that visitors are unable to visit when they want. Additionally, a counter will be installed at the pedestrian gate.</p>	<p>Potential Management Action: Increase education explaining why the site is often closed (through website, visitor center, signs).</p> <p>If other indicators warrant it, and if the visitor demand is high, the site's pedestrian gate could be opened more often and more tours could be planned, as long as all desired conditions and standards are being met.</p>
Neighborhood Safety and Privacy	
<p>Indicator: Frequency of off-hours visitation, unauthorized gatherings, vandalism at the gravesite.</p> <p>Standard: No more than two documented instances of illegal disturbances at the gravesite per year.</p> <p>Monitoring: Police and sheriff reports regarding illegal gravesite activities, NPS observation of vandalism.</p>	<p>Potential Management Action: NPS will ask law enforcement to patrol site (Sherriff and Martinez police); Increase NPS patrol of site.</p> <p>NPS will consider altering the perimeter fence design to physically prevent or minimize off hours visitation.</p> <p>Adjust messaging through signs and education.</p>

RESOURCES

Desired Conditions: *Preservation treatment recommendations from the Cultural Landscape Report would be undertaken within an appropriate timeframe resulting in net improvement in cultural resource condition and integrity over time. The desired conditions for natural resources would be a healthy, native riparian vegetation with virtually no invasive exotics. Additionally, the creek geomorphology adjacent to the site would change in an appropriate manner due to natural processes, and it would remain relatively stable over time—not posing an imminent threat to important cultural and natural resources at the gravesite.*

Natural Resources

<p>Indicator: Riparian Vegetation Condition. Standard: The species composition along the creek bank is predominantly native and no social trails damage the vegetation. Monitoring: Regular monitoring by NPS staff using standard vegetation monitoring methodologies.</p>	<p>Potential Management Action: Physically block access to riparian vegetation with fencing. Adapt messaging through signs and other educational methods.</p>
<p>Indicator: Creek Bank Stability, erosion. Standard: Natural creek processes will be allowed to prevail to the greatest extent possible and the grave markers will remain safe from creek bank erosion. Monitoring: Regular monitoring of stream profile using existing data collection points and photography.</p>	<p>Potential Management Action: Physically block access to creek bank with fencing. If the grave plot becomes in danger of eroding, then appropriate creek bank stabilization will occur with further environmental compliance and permitting as required.</p>

Cultural Resources

<p>Indicator: Historic resources condition. Standard: No adverse effects to cultural resources due to visitor access to gravesite. Monitoring: Regular monitoring and condition assessments of historic resources in the course of operating the site.</p>	<p>Management Actions: The NPS will consider prohibiting access through the pedestrian gate a greater portion of the time to ensure protection of the site's historic resources. Additionally, the NPS will increase education on importance of cultural resources; identify cultural resources in the field (through tours and potentially small signs) and ask for visitors' help in protecting cultural resources.</p>
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FACILITIES

Desired Conditions: *Facilities, through thoughtful design, will be as visually unobtrusive as possible in order to ensure the historic setting retains its character and the historic landscape is not adversely affected. Facilities would play a supporting role at the gravesite, providing necessary aid for visitors to access and experience the site, while still letting the historic scene stand out.*

<p>Indicator: Cost effectiveness of facility materials. Standard: Replacement and repair of materials will occur on a typical life cycle regimen, and will very seldom need to occur more frequently due to excessive wear and tear or vandalism. Monitoring: Facilities staff and interpretive staff will monitor facilities each time they go to the site, totaling several times per week depending on alternative</p>	<p>Potential Management Action: Materials used for fencing, trail and driveway surfaces, and site furnishings will be replaced with different materials that have longer life-cycles and require less maintenance. All replacement materials will be required to meet compatibility requirements for the cultural landscape.</p>
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OTHER ALTERNATIVES CONSIDERED

Alternative 1: No Action Alternative

Under this alternative, the gravesite parcel would not be altered except through the continued preservation of historic resources such as the grave markers, the historic orchard, and other historic vegetation. Periodic mowing, litter and/or graffiti removal would also occur as needed. The Alhambra Creek stream profile would be regularly monitored and if changes to the creek profile indicated a threat to the gravesite, appropriate action to protect the gravesite would be undertaken (following required environmental analysis, permitting, and review).

In terms of visitor use of the gravesite, the NPS would not disclose the location of the gravesite in any form (website, printed media, or verbally). Nor would the NPS attempt to control other groups or websites who reveal the gravesite location. Although university, local groups and organizations, and Muir-Hanna family field trips would likely occur, they would not be managed by the NPS in any way, nor would public NPS tours to the gravesite occur with the rare exception of site visits with dignitaries led by park management. Because no information would be provided by the NPS, there would be a lack of clarity regarding whether visitors are allowed on site and a lack of clarity regarding how to get to the site and where to park. Also due to lack of management, the gravesite would appear to the average visitor to be open all the time, 24-hours a day, 7 days a week.

It is anticipated that the location of the gravesite would become better known through unaffiliated websites, through release of this EA, and by word-of-mouth; all of which could contribute to increased visitation over time. Under the No Action Alternative, the NPS would not control, monitor, or limit neighbors or the general public from visiting the site except during times of official park closure (after sunset-before sunrise). In regards to law enforcement, the NPS has proprietary jurisdiction, which extends jurisdiction of the City of Martinez Police Department and the Contra Costa County Sheriff's Department onto John Muir National Historic Site property. If there is a law enforcement issue during daylight hours, or prohibited use of the gravesite during nighttime hours, city or county law enforcement would be called by neighbors or the NPS to respond. Currently visitors drive and park along Sheridan Lane, Wanda Way, and Strentzel Lane searching for the gravesite and asking the gravesite's neighbors for directions. It is anticipated that this practice would increase over time as the general location of the gravesite becomes better known.

All existing rights of way and utility easements would remain in the No Action Alternative. The NPS would continue working with the property owners of the 40-foot wide gravesite entrance right of way on Strentzel Lane, to ensure that the width of the road remains accessible and navigable to all park, fire, and utility vehicles. The gravesite property would remain fenced and delineated on the north boundary only, and the NPS would continue working with the neighbors to the north on appropriate screening vegetation. There would be no boundary delineation along the creek, or between the gravesite parcel and the property to the south and west. This results in pedestrian access from Strentzel Lane, across Alhambra Creek, to Wanda Way. It would also allow unconstrained physical access from neighboring properties onto the gravesite property.

Alternative 2

Under Alternative 2, visitors would be able to access the site by walking and cycling seven days per week from 10:30am-4:30pm, or by accessible park shuttle during designated times (see below). This proposed schedule is subject to change pending results of the monitoring program outlined in the *Application of Adaptive Management Strategies* within the *Features Common to All Action Alternatives* within the body of the EA. No privately-owned vehicles would be allowed, with the exception of private vehicles for visitors who are unable to safely use the park shuttle—in this instance private vehicles would park in the shuttle turnaround area. Under the park's current and foreseeable funding and staffing, John Muir National Historic Site would be able to accommodate up to two tours during the work week (Monday through Friday) and two tours on weekends using the existing accessible park shuttle fleet (fleet ranging in capacity from 4 visitors to 25 visitors). It is anticipated that this would result in tours being offered to 24-50 visitors per week, pending visitor demand. In the event that John Muir National Historic Site receives additional funding to bolster staffing and, if warranted by visitor demand, tours could be increased to one per day, resulting in tours being taken by a maximum of 175 visitors per week. The anticipated NPS tour visitation per week in Alternative 2 is 24-50 individuals.

In terms of visitor facilities, a short driveway and parking area would be added, surfaced in compressed gravel, stabilized decomposed granite or like material—compatible with the historic setting. This alternative would have an entry gate with locking mechanism that would prohibit private vehicles from accessing the site, with an adjacent pedestrian gate that would allow pedestrians and cyclists to pass through during open hours only (it would be locked when site is closed). This alternative would also include one informational kiosk at the beginning of the accessible footpath. The footpath in Alternative 2 would be a “there-back”, stabilized, natural-surfaced trail measuring 5-feet wide and approximately 260-feet long. The fence to be installed along the southwest border would be a low-profile style compatible with the historic landscape to minimize contemporary additions to the landscape while still providing clear delineation between John Muir National Historic Site land and private land. Unlike Alternative 4, this fence would not be tall enough to physically block people from entering the site.

Alternative 2 would apply an adaptive management strategy as described above in the Selected Alternative narrative. This strategy could result in the NPS changing the amounts and types of facilities and visitor access if such action is warranted according to established indicators and standards.

Alternative 3

The primary difference between Alternative 2 and Alternative 3 is in visitation to the gravesite, including modes of access, numbers of tours, and variation in facilities provided at the gravesite. Under Alternative 3, visitors would be able to access the site by walking and cycling, by private vehicle and by an accessible park shuttle. Two private vehicle parking spaces would be installed, one of which would be van accessible. It is anticipated that on average, five vehicles containing three people would visit the gravesite each day, totaling approximately 105 visitors per week. Additionally, under the park's current and foreseeable funding and staffing, John Muir National Historic Site would choose to accommodate up to two tours on weekends using the existing accessible park shuttle fleet (fleet ranging in capacity from 4 visitors to 25 visitors). It is anticipated that this would result in tours being offered to 20-30 visitors per week, pending visitor demand. In the event that John Muir National Historic Site receives additional funding to increase staffing and, if warranted by visitor demand, tours could be increased to one per day,

resulting in tours being taken by a maximum of 175 visitors per week. The anticipated combined private vehicle and NPS tour visitation per week is 125-135 individuals.

In terms of visitor facilities, a short driveway and parking area would be added, surfaced in compressed gravel, stabilized decomposed granite or like material—compatible with the historic setting. This alternative includes the addition of two interpretive wayside exhibits, two benches, and a raccoon-proof trash can. The footpath in Alternative 3 would be a loop, natural-surfaced trail measuring 5-foot wide and approximately 550-foot long. A mid-height, wooden fence would be installed along the southwest border to provide visual and physical boundaries between the National Historic Site property and private land. In addition, a low-profile style fence, compatible with the historic landscape, would be installed to further inhibit visitors from accessing the creek and impacting riparian vegetation. Unlike the Selected Alternative, this fence would not be tall enough to physically block people from entering the site.

Alternative 3 would apply an adaptive management strategy as described above in the Selected Alternative narrative. This strategy could result in the NPS changing the amounts and types of facilities and visitor access if such action is warranted according to established indicators and standards.

RATIONALE FOR DECISION

The preferred alternative was selected for implementation because it better meets the purpose and need of the project while preserving park resources than the No Action Alternative, Alternative 2, or Alternative 3. The rationale for the selected alternative is noted below in the discussion of how it meets the criteria in the Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) regulations.

These guidelines require that the “agency in reaching its decision [specify] the alternative or alternatives which were considered to be environmentally preferable” (CEQ Regulations, section 1505.2). The environmentally preferable alternative is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. The Responsible Official identifies the environmentally preferable alternative by considering and weighing the long-term environmental impacts against short-term impacts in evaluating what is the best protection of these resources (40 CFR 1505.2(b)).

In accordance with the criteria outlined in NEPA and Director’s Order 12, an environmentally preferable alternative meets the following criteria: (1) fulfills the responsibilities of each generation as trustee of the environment for succeeding generations; (2) ensures for all Americans, safe, healthful, productive, and aesthetically and culturally pleasing surroundings; (3) attains the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences; (4) preserves important historic, cultural, and natural aspects of national heritage and maintains, wherever possible, an environment that supports diversity and variety of individual choice; (5) achieves a balance between population and resource use that will permit high standards of living and wide sharing of life’s amenities; and (6) enhances the quality of renewable resources and approaches the maximum attainable recycling of resources.

The selected alternative meets all applicable criteria above with limited, short term impacts on the natural environment and overall beneficial impacts on the cultural environment. The selected alternative preserves the historic setting while providing a small number of new, historically compatible amenities to improve visitor access and to provide for the security of surrounding private homeowners. The selected alternative calls for increased restrictions on visitor access which will result in greater protection of cultural and natural resources than the No Action Alternative, Alternative 2, or Alternative 3. The No Action Alternative does not address any of the above criteria. While Alternative 2 and Alternative 3 meet these criteria, they do so to a lesser degree than the selected alternative because they do not provide for neighborhood security or protection of natural and cultural resources to the extent of the selected alternative.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE QUALITY OF THE HUMAN ENVIRONMENT

Determining the significance of potential impacts is based upon consideration of the characteristics of context and intensity: (a) Context includes geography, baseline conditions, the affected interests, agency mandate and duration and timing. (b) Intensity refers to the severity of impact. The following ten criteria in the CEQ NEPA regulations (40 CFR 1508.27) apply in determining significance:

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

All potential impacts were identified in the EA and none rise to the level of significance. The Selected Alternative has a large number of benefits to visitor access, experience, safety, cultural and natural resources. The negative effects to neighborhood traffic and parking will be adaptively managed to ensure that these impacts remain below the level of significance.

2. *The degree to which the proposed action affects public health or safety.*

The Selected Alternative will improve the safety of visitors. The installation of fencing around the site, guided tours, and an accessible pathway will decrease exposure to poison-oak, access to the steep creek bank, and exposure to the risks associated with falling limbs from historic trees.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The gravesite is a significant historic resource, part of the John Muir National Historic Site. The Selected Alternative includes provisions for treating the cultural landscape as outlined in the 2005 John Muir NHS Cultural Landscape Report. New facilities such as the accessible trail, improved driveway, signs and fence will be compatible with the cultural landscape, and will be sited to minimize direct visitor contact with historic resources. Overall, the Selected Alternative will have a beneficial impact on cultural resources. The California State Historic

Preservation Office concurred with the park's findings that the Selected Alternative will have *No Adverse Effect* on the historic site.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

There is considerable public opposition to the project among the neighbors immediately surrounding the gravesite property along Sheridan Lane, Strentzel Lane, and Wanda Way in particular. Comment letters submitted during both public scoping and the EA review periods expressed concern for increased traffic, loss of privacy, increased vandalism, crime, and noise. In response to public concern, the NPS developed a new alternative that better addressed the privacy of the surrounding landowners. This new alternative was analyzed in the second EA (released June 2016), and is the Selected Alternative. The Selected Alternative will minimize impacts to neighbors from visitation, by regulating the opening and closing of the pedestrian gate and implementing adaptive management strategies on the timing and quantity of tours to ensure that parking within the neighborhood and off-hours visitation are minimized or avoided. Despite the addition of a perimeter fence and adaptive management, many of the neighbors are still concerned that there will be unacceptable problems associated with opening the gravesite to visitation as outlined in the Selected Alternative. The visitation will be regulated through the use of guided tours, locking of perimeter fence when the site is closed, monitoring of neighborhood parking and other neighborhood disturbances and adjusting visitation to ensure that visitation and its effects stay within established standards as outlined in the selected alternative.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

There will be no uncertain effects or unique or unknown risks in implementing the Selected Alternative.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The Selected Alternative neither establishes a precedent for future actions with significant effects, nor represents a decision in principle about a future consideration.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

The impacts of the selected alternative on each impact topic were identified in the EA. Cumulative impacts to each resource were also identified and none will have cumulatively significant effects.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The California State Historic Preservation Office concurred with the park's findings that the Selected Alternative will have *No Adverse Effect* on the historic site.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

There are no federally listed species and no habitat that has been determined to be critical under the ESA within the planning area.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Selected Alternative does not violate any federal state or local law, or requirements for protection of the environment.

PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

The park conducted both internal and external scoping with appropriate NPS staff, agencies, and the public to determine the range of issues to be analyzed in the EA. This scoping process was used to define the project purpose and need, identify issues and impact topics, outline reasonable and feasible alternative actions, and to describe and evaluate the relationship of the preferred alternative to other planning efforts in the park.

Scoping:

Internal scoping included analysis from NPS subject matter experts including cultural resources specialists, horticulturists, hydrologists, biologists, education specialists, and maintenance staff from John Muir National Historic Site, and the Pacific West Regional Office. One alternatives development workshop was held with park staff.

Members of the public were invited to submit scoping comments during the public scoping period from March 6 to June 30, 2013. Comments were submitted by email, U.S. mail, fax and in-person. The NPS provided information about the plan and the public scoping period through the following means:

1. A press release announcing the beginning of public scoping was published by the Contra Costa Times on May 2, 2013. The scoping period was announced via the park's website. A press release announcing the end of public scoping was published in the Martinez Gazette on June 16, 2013.
2. The scoping announcement was sent to the John Muir NHS email list serve, reaching approximately 124 subscribers.

3. The scoping period was announced via the park's website.
4. The NPS hosted a meeting with adjacent landowners and key stakeholders at the John Muir NHS visitor center on March 6, 2013.
5. Information regarding the project was disseminated at a public open house held at New Leaf Collaborative School in Martinez on April 9, 2013.
6. Additionally, the NPS hosted a public alternatives development workshop on February 22, 2014 which was attended by 28 individuals comprised of neighbors, Muir family members, university professors, park partners, and other stakeholders. The press release announcing the public workshop was published in the Martinez Gazette on January 30, 2014.

Twenty-one scoping letters were received from the Muir family, gravesite neighbors, park partners, local non-profit organizations, university professors, and individual members of the public. Comment letters submitted during public scoping periods expressed concern for increased traffic, loss of privacy, increased vandalism, crime, and noise. Other letters expressed support for allowing public access and opportunities for the public to experience the unique historic setting of Muir's family gravesite—characterized as “memorable and moving” experience. For a summary of public scoping comments and how they were incorporated into the plan, refer to Chapter 1 of the Environmental Assessment: Issues and Impact Topics. Based on scoping comments received, and federal laws, regulations, and executive orders, the NPS determined that an Environmental Assessment was the appropriate level of compliance for this project.

2015 Public Review of Environmental Assessment:

Members of the public were invited to submit comments during the public review period for the first iteration of the environmental assessment from April 20 to June 1, 2015. Comments were submitted by using the Planning, Environment and Public Comment (PEPC) database, email, U.S. mail, fax and in-person. The NPS provided information about the plan and the public review period through the following means:

1. The announcement was sent to the John Muir National Historic Site email list serve, reaching approximately 124 subscribers.
2. The public review period was announced via the park's website.
3. Information regarding the environmental assessment and its action alternatives was disseminated at a public open house on April 29, 2015 at John Swett Elementary School in Martinez. The open house was attended by 34 individuals comprised of neighbors, Muir family members, university professors, park partners, and other stakeholders.

Thirty-two letters were received from the Muir family, gravesite neighbors, park partners, local non-profit organizations, university professors, and individual members of the public. Many of these comments, particularly from the surrounding neighbors, expressed concern similar to the

public scoping letters. These concerns stated that neither of the two action alternatives included sufficient measures to ensure neighbors' privacy and safety. Some of these letters provided an alternative that included a tall perimeter-fence that was not analyzed in the 2015 Environmental Assessment. Other letters included support of the preferred alternative and expressed a desire for maximizing access. Based on the majority of comments received, the NPS developed a new alternative that better addressed the privacy and security of the surrounding landowners. This new alternative warranted analysis in a new environmental assessment, released in June 2016. The 2016 Environmental Assessment supersedes the 2015 Environmental Assessment that was rescinded in June 2015.

2016 Environmental Assessment Review:

Members of the public were invited to submit comments during the public review period for second and final iteration of the environmental assessment from June 10 to July 11, 2016. Comments were submitted by using the Planning, Environment and Public Comment (PEPC) database, email, U.S. mail, and in-person. The NPS provided information about the plan and the public review period via announcement to John Muir National Historic Site email list serve, reaching approximately 124 subscribers. Additionally the public review period was announced via the park's website.

Forty-five letters were received from the Muir family, gravesite neighbors, park partners, local non-profit organizations, university professors, and individual members of the public. The surrounding neighbors, although in agreement with the preferred alternative's tall perimeter fence, again expressed concern that the alternative was not sufficient to ensure their safety and privacy. Many of the letters expressed the desire to not allow walk-in visitation through the pedestrian gate ever, stating that the park should only offer chaperoned site visits; and the gates should be locked, prohibiting unchaperoned visitation at all times. Other letters expressed concern that the preferred alternative did not provide enough opportunity or flexibility for visitation, and suggested that the pedestrian gate should be unlocked and open to visitors seven days a week for a longer duration each day. Refer to the Comment and Response Report, Attachment 1.

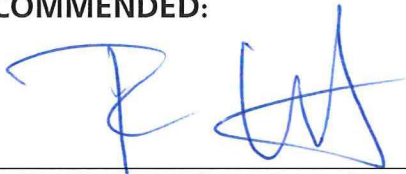
National Historic Preservation Act Section 106 Review:

The Strentzel-Muir Gravesite has been found eligible for listing in the National Register of Historic Places as a contributing element to John Muir National Historic Site, a National Historic Landmark property. As a result, the National Park Service, because it is a federal agency carrying out a federal undertaking that may affect this historic property, is required to fulfill the provisions of Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800. Accordingly, the NPS entered into consultation with the California State Historic Preservation Officer (SHPO) for the purpose of determining the level of effect that the proposed undertaking would have upon the historic property, and to consider ways to avoid, minimize or mitigate any adverse effects that may be found. Involvement of the public in this review process was carried out through the NEPA review process. Consultation was initiated by the NPS by letter dated May 30, 2013 and was completed by the SHPO by letter on September 15, 2016 which states, "The SHPO has no objection to the proposed finding of No Adverse Effect for the undertaking [selected alternative] as described."

CONCLUSION

Based on the information contained in the Strentzel-Muir Gravesite Plan Environmental Assessment, the full consideration of scoping and EA review comments received from affected agencies and the public, and the incorporation of the adaptive management strategies to avoid or reduce potential direct, indirect, and cumulative impacts, it is the determination of the NPS that the Selected Alternative is not a major federal action that will significantly affect the quality of the human environment. Therefore, requirements of NEPA have been satisfied and preparation of an Environmental Impact Statement is not required. John Muir NHS will implement the Selected Alternative as soon as practical.

RECOMMENDED:

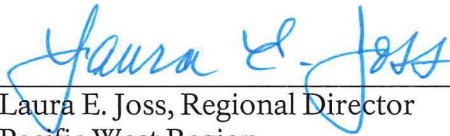


9/7/2017

Tom Leatherman, Superintendent
John Muir National Historic Site
National Park Service

Date

APPROVED:



9/19/2017

Laura E. Joss, Regional Director
Pacific West Region
National Park Service

Date

Attachment 1: Errata

- Errata Part 1, Technical Corrections to the June 2016 Environmental Assessment
- Errata Part 2, Public Comment and Response Report

ATTACHMENT 1: ERRATA

ERRATA PART 1: TEXT CORRECTIONS

This errata is a record of changes to the text of the environmental assessment (EA) as a result of public comment and agency consultation. The edits correct, clarify, or modify original text and correct other inaccuracies in the EA. These corrections do not change the project activities or increase the degree of impact described in the EA.

Note: All text changes are highlighted in gray. Text to be removed is in strikeout. Added text is underlined. Existing text to remain is in regular font.

Rights of Way and Easements, p.11

To access the gravesite, the National Park Service obtained a legal easement along the adjacent neighbor’s driveway (part of Strentzel Lane). The easement is defined as 40-foot wide and 170-foot long. Currently there are young olive trees and other vegetation within the 40-foot wide easement, narrowing the navigable area to approximately 14-foot wide. In addition to the legal easement for visitor and staff access to the site, there are utility easements that pass through the gravesite parcel. These include a Contra Costa County storm drain easement that drains into Alhambra Creek, a Contra Costa County sewer main easement that parallels the storm drain then passes under Alhambra Creek, and a Pacific Gas and Electric above-ground power line easement that parallels the sewer and storm drain along the northern boundary of the gravesite. Several neighboring homeowners also have access easements to their property along the same utility easement at the north edge of the property. All existing rights of way and easements would remain, and will be managed according to their terms, in the action alternatives as well as the no action. The NPS would continue working with the property owners of the 40-foot wide, 170-foot long gravesite entrance right of way on Strentzel Lane to ensure that the width of the road is accessible and navigable to all park, fire, and utility vehicles. All utility easements and access easements passing through the gravesite parcel would also remain.

Table 2, Desired conditions, Indicators, Standards, and Potential Management Actions, p.12

VISITOR AND NEIGHBOR EXPERIENCE	
Desired Conditions: <i>Visitors would be able to visit the gravesite at a time convenient to them, and enjoy a serene, contemplative setting representative of the gravesite’s historic landscape. Neighbors and their property would be safe. Neighbors would be able to park and navigate their vehicles on the Strentzel and Sheridan cul de sacs, and they would not be disturbed by vandals or late night trespassers to the gravesite.</i>	
Traffic and Circulation	
<p>Indicator: Parked cars on Sheridan and Strentzel Lanes.</p> <p>Standard: No more than 75% of public parking spaces on Sheridan and Strentzel Lanes (9 of 12 total) will be occupied by park visitors at any given time.</p> <p>Monitoring: Monitor once per week for a year (52 days total) stratified across time of day, day of week, and seasons.</p>	<p>Potential Management Action: If there are no incidents of park visitors occupying 75% or more parking spaces on Sheridan/Strentzel Lanes after the gravesite is opened to visitation, then the NPS could consider opening the pedestrian gate more often.</p> <p>If there is one incident per week of park visitors occupying 75% or more parking spaces on Sheridan and Strentzel lanes then the NPS would keep the pedestrian gate locked a greater portion of the time to achieve standard. Additionally, the NPS would take action to increase awareness of tour, walking, and biking options.</p>

Table 3. Alternative 2, Anticipated number of visitors per week versus maximum allowable, p.14

	Monday – Friday	Weekend	Total Visitors / Week
<i>Anticipated Visitors on Tours</i>	2 tours/M-F <u>2-10 visitors/tour</u> = 4-20 visitors/M-F	2 tours/weekend <u>10-15 visitors/tour</u> = 20-30 visitors/weekend	4 tours/week 24-50 visitors/week
<i>Maximum Allowable Visitors on Tours</i>	1 tour/day <u>Average 25 visitors/tour</u> = 125 visitors/M-F	1 tour/day <u>Average 25 visitors/tour</u> = 50 visitors/weekend	7 tours/week 175 visitors/week
<i>Pedestrians & Cyclists</i>	To be monitored, see adaptive management strategy. <u>50 individuals are anticipated.</u>	To be monitored, see adaptive management strategy. <u>50 individuals are anticipated.</u>	To be monitored, see adaptive management strategy. <u>100 individuals are anticipated.</u>
<i>Visitors from private vehicles</i>	0	0	0
			ANTICIPATED = 24-50 124-150 MAXIMUM = 225 275

Table 4. Alternative 3, Anticipated number of visitors per week versus maximum allowable, p.16

	Monday – Friday	Weekend	Total Visitors / Week
<i>Anticipated Visitors on Tours</i>	2 tours/M-F <u>2-10 visitors/tour</u> = 4-20 visitors/M-F	2 tours/weekend <u>10-15 visitors/tour</u> = 20-30 visitors/weekend	4 tours/week 24-50 visitors/week
<i>Maximum Allowable Visitors on Tours</i>	1 tour/day <u>Average 25 visitors/tour</u> = 125 visitors/M-F	1 tour/day <u>Average 25 visitors/tour</u> = 50 visitors/weekend	7 tours/week 175 visitors/week
<i>Pedestrians & Cyclists</i>	To be monitored, see adaptive management strategy. <u>50 individuals are anticipated.</u>	To be monitored, see adaptive management strategy. <u>50 individuals are anticipated.</u>	To be monitored, see adaptive management strategy. <u>100 individuals are anticipated.</u>
<i>Visitors from private vehicles</i>	0	0	0
			ANTICIPATED = 74-100 174-200 MAXIMUM = 225 325

Table 5. Alternative 4, Anticipated number of visitors per week versus maximum allowable, p.18

	Monday – Friday	Weekend	Total Visitors / Week
<i>Anticipated Visitors on Tours</i>	2 tours/M-F <u>2-10 visitors/tour</u> = 4-20 visitors/M-F	2 tours/weekend <u>10-15 visitors/tour</u> = 20-30 visitors/weekend	4 tours/week 24-50 visitors/week
<i>Maximum Allowable Visitors on Tours</i>	1 tour/day <u>Average 25 visitors/tour</u> = 125 visitors/M-F	1 tour/day <u>Average 25 visitors/tour</u> = 50 visitors/weekend	7 tours/week 175 visitors/week
<i>Pedestrians & Cyclists</i>	To be monitored, see adaptive management strategy. <u>50 individuals are anticipated.</u>	<u>To be monitored, see adaptive management strategy. 0</u>	To be monitored, see adaptive management strategy. <u>50 individuals are anticipated.</u>
<i>Visitors from private vehicles</i>	0	0	0
			ANTICIPATED = 24-50 74-100 MAXIMUM = 175 225

Biological Resources Environmental Consequences, Alternative 4, page 48

Alternative 4 calls for a similar level of restoration of riparian habitat as in Alternatives 2 and 3, which would enhance wildlife habitat and other ecological benefits. Additionally, Alternative 4 would allow greater, long-term protection to the riparian habitat with physical barriers, if determined to be necessary to maintain healthy riparian habitat. On the other hand, the permanent perimeter fence will prohibit large wildlife such as deer from freely passing through the gravesite, but this impact will be negligible given the small size of the gravesite and the nearby large, public, open spaces where wildlife can roam relatively uninhibited. Therefore, Alternative 4 would have local, long-term, moderate beneficial impact to biological resources.

2013 Internal and Public Scoping, page 66

1. A press release announcing the beginning of public scoping was published by the Contra Costa Times on May 2, 2013. A press release announcing the end of public scoping was published in the Martinez Gazette on June 16, 2013.
2. The scoping announcement was sent to the John Muir National Historic Site email list serve, reaching approximately 124 subscribers.
3. The scoping period was announced via the park's website.
4. The NPS hosted a meeting with adjacent landowners and key stakeholders at the John Muir NHS visitor center on March 6, 2013.
5. Information regarding the project was disseminated at a public open house held at New Leaf Collaborative School in Martinez on April 9, 2013.
6. Additionally, the NPS hosted a public alternatives development workshop on February 22, 2014 which was attended by 28 individuals comprised of neighbors, Muir family members, university professors, park partners, and other stakeholders. The press release announcing the public workshop was published in the Martinez Gazette on January 30, 2014.

ERRATA PART 2: PUBLIC COMMENT AND RESPONSE REPORT

This report summarizes public comments submitted on the Strentzel-Muir Gravesite Plan Environmental Assessment. The EA was released for public review on June 6, 2016, and the National Park Service (NPS) accepted comments through July 11, 2016. Public comments were received by email, in-person, U.S. mail, and online through the Planning, Environment, and Public Comment (PEPC) website.

During the comment period, 45 public comment letters were received. This report provides a summary of public concerns expressed in those comment letters as well as responses to substantive comments.

PUBLIC COMMENT ANALYSIS METHODOLOGY

Public comment letters received during the comment period were reviewed and analyzed in a series of stages which required review and assessment by staff. Each letter was read to determine discrete points expressed by the author, each of which is considered to be a comment. Each discrete comment was “coded” within PEPC in order to associate that comment with a particular resource topic, or element of the plan (such as cultural resources or the plan’s relationship to other projects).

After all individual comments were coded and those of similar context were grouped together, a unique concern statement was developed to represent comments. The concern statements were framed to express public requests for action to be taken by the NPS. The concern statements were then screened to determine whether or not further clarification is needed, or whether modification of the proposed action is necessary. In the latter case, concerns were brought to park management for further deliberation.

Lastly, the planning team prepared responses to concern statements that are considered substantive. Substantive comments are those that:

- question, with reasonable basis, the accuracy of information in the EA;
- question, with reasonable basis, the accuracy of environmental analysis;
- develop and evaluate reasonable alternatives other than those presented in the EA;
- cause changes to the proposal or alternatives; and,
- suggest factual corrections.

All comments received during the public comment period were considered and are now part of the administrative record.

CONCERN STATEMENTS

NATURAL RESOURCES

1. **Concern Statement:** The proposed fence in the Preferred Alternative will cut off wildlife from access to food sources and open space; however impacts to wildlife were not analyzed in the environmental assessment.

“Why under the Natural Resources Impact Topics are only vegetative impacts studied, but not wildlife? In Alternative 4, deer will be cut off from access to a food source, open space, and a connection to other open lands.”

Response to Concern: Impacts to wildlife were considered and analyzed, particularly as they relate to the impacts to vegetation and habitat. Overall, Alternative 4 is expected to have a net positive impact to native vegetation and habitat, which will in turn have a positive impact on most wildlife. Indeed, large wildlife (e.g. deer) will be limited from accessing the gravesite and historic orchard due to the fence in this Alternative, but this impact will be negligible, given the small size of the gravesite and large open space in the near vicinity (e.g. Mount Wanda).

2. **Concern Statement:** If visitors have access to the creek, they may negatively impact creek bank stability, which could threaten gravesite resources.

“Kids love the creek, and they might very easily decide that it would be fun to damper [scamper?] up the bank on the west side and explore the Muir Gravesite! The very foundation of the gravesite could be threatened.”

Response to Concern: The creek bank along the gravesite is currently open to pedestrians. Long-term frequent trampling by people could promote erosion to the bank. The Selected Alternative, Alternative 4, will limit the access to the bank by installing a perimeter fence, which will reduce the potential for erosion.

PRESERVATION OF HISTORIC RESOURCES

3. **Concern Statement:** The park received many comments expressing concern about the 6 - 8' tall fence surrounding the Gravesite as proposed in Alternative 4, the Selected Alternative. Different aspects of the fence were of concern to reviewers: 1) The fence would be too high, a shorter fence would be more appropriate; 2) The fence, described as wire-mesh, akin to a deer fence, would be unattractive; and 3) The fence would be out of character with the rural feeling of the Gravesite.

“Similarly, neither the neighbors - or equally important - visitors who want to pay their respects at the gravesite - should have to be confronted with the construction of a tall unsightly fence, which is NOT preserving the site in its “undeveloped condition.” I disagree that an 8-foot tall, welded-wire mesh perimeter fence, with two gates and a lock, even “see-through” would be “compatible with the rural historic character of the landscape.”

“it is important to those visitors wanting to pay their respects at the gravesite to not be confronted with such a non-historic fencing upon their arrival,”

“A “low-profile style compatible with the historic landscape” is precisely what is needed. With proper signage, that will be enough to discourage most inappropriate visitation, allowing potential visitors enough of a view to decide whether they want to go back to the Visitor Center and sign up for a shuttle-bus tour.”

Response to Concern: 1) The park agrees that a shorter fence (4' or less), will be less visually intrusive on the Gravesite than a taller fence (6 - 8'). However, in determining fence height, the park has had to balance the visual intrusiveness of the fence with concerns about site security expressed by the Gravesite's immediate neighbors. In order to deter trespassing and loitering at the Gravesite after hours, the park determined that a fence surrounding the entire Gravesite is necessary, and that this fence has to be 6 – 8' feet in height to serve as a physical deterrent. In spite of its size, the park believes that the fence can be designed in a manner that does not unduly infringe upon the character of the site. 2) NPS will make every effort to design and construct a visually pleasing fence. The concept is to employ a light-gauge wire mesh together with bare, milled lumber. From a distance the intent will be for the fence to be minimally visible. Up close the fence will be of straightforward, utilitarian design. High-quality materials will be employed for a well-built, handsome look. 3) Fences are common features in landscapes of a variety of types, including rural landscapes. The presence of a fence at the Gravesite, therefore, cannot out of hand be determined to be out of character with the area. In this light the design of the fence is a critical factor. The point of designing a fence that is minimally visible from a distance and utilitarian in character is to introduce a feature into the area that is in harmony with the landscape. As described above, fences also serve other critical needs that make them necessary, such as site security. Another benefit of a fence is that it will demarcate clear boundaries between parklands and neighbor lands.

SAFETY, VANDALISM AND ILLEGAL ACTIVITY

4. **Concern Statement:** NPS should ensure that the proposed twelve open days per year do not cause traffic safety issues in the neighborhood.

“In regards to the 12 open days a year when NPS vehicles will run continuously to the site. I can't speak for the families with children that live on that side of the creek, but if I lived there I would have concerns about adding that additional traffic to my neighborhood. Sheridan families tend to allow their children to play throughout that neighborhood, without worry, because so few vehicles travel the roadway. Increased traffic would increase danger to these children.”

Response to Concern: Using shuttles helps keep the neighborhood as safe as possible, since it minimizes private vehicle visitation traffic. Shuttle drivers are trained and certified to convey people safely in Park Shuttles and are trained to specifically be cautious when driving through the Sheridan Lane neighborhood.

5. **Concern Statement:** NPS should ensure that the roads and access driveway to the gravesite continue to provide clearance sufficient for the passage of emergency vehicles.

“I am very concerned about the ability of fire and emergency vehicles to drive to residences, turn the corners etc. if numerous cars are parking on our narrow street.”

Response to Concern: City and County-maintained roads are required to be clear of obstructions that will impede emergency vehicle traffic, and shuttles will be directed to park only within designated parking stalls within the gravesite property.

6. **Concern Statement:** Opening the site to the public will invite vandalism and other illegal activity.

“As public visits increase, there is a concomitant increase in lawlessness”

“John Muir’s gravesite should never be opened to the public. It will just be vandalized and defaced.”

Response to Concern: Concerns about increased unmonitored access to the site are addressed by the installation of an up-to 8-foot tall security fence around the gravesite property and access gates that are locked during off hours. As part of our adaptive management strategy other tactics may be employed to address illegal activity at the gravesite if warranted.

7. **Concern Statement:** The NPS should not allow illegal access on the Strentzel Lane public easement.

“The access road gives the right of passage to pedestrians, utilities, and various vehicles. However, we are not sure that a commercial enterprise that includes unsupervised access by non-owners, such as this, is even legal.”

Response to Concern: None of the alternatives propose allowing illegal use of the public easement along Strentzel Lane, nor do any of the alternatives propose introducing commercial enterprises of any kind.

8. **Concern Statement:** The NPS should consider an on-call patrol service or alarm system to discourage illegal activity.

“Perhaps to alleviate concerns of after-hours scofflaws trespassing when visitation to the site is not authorized, an on-call patrol service could be put in place or offered.”

“With today’s technology it should not be hard to rig an electronic alarm system that could alert NPS or local police of unauthorized persons entering the site after hours.”

Response to Concern: The NPS will monitor visitation, trespassing, and illegal use of the site as identified in the environmental assessment. If management actions as specified in the plan are insufficient, additional technologies or strategies such as patrols or alarm systems could be considered.

IMPACTS ON NEIGHBORS AND NEIGHBORHOOD

9. **Concern Statement:** Including an unlocked pedestrian gate for walk-in visitation will negatively impact the neighborhood. There will be a loss of tranquility and an increase in people wandering around the neighborhood and through neighbors’ properties. It will also open the neighborhood up to increased likelihood of theft and burglary.

“Pedestrian Gate must be eliminated, there is no other way to protect the neighbors.”

“I am opposed to the provision in alternative 4 that allows for unsupervised unescorted pedestrian and cyclist access to the gravesite. This will result in a negative impact to the safety and well-being of the residents in this tranquil rural neighborhood.”

“Public access should only be allowed via NPS shuttle and visitors should be chaperoned by a NPS ranger.”

Response to Concern: The NPS struck a balance between public input requesting less restriction and public input requesting more restriction regarding access to the gravesite. We have included an adaptive management strategy encompassing monitoring to evaluate the impacts of the visitation methods and schedules identified in the preferred alternative. If this monitoring reveals that impacts to visitor and neighborhood experience are beyond the established standards outlined in the Adaptive Management strategy, the NPS may cut back on the days of the week the site is open to pedestrian access.

VISITOR ACCESS

10. Concern Statement: The gravesite should be open to pedestrian and bicyclist access for longer periods of the day and over the weekends.

“I am quite concerned about the lack of public access on weekends! It seems that most working people will not be able to access the site without taking off work. School children will really only be able to access in the summer. I know that there are special occasions that the park Service can access on weekends, but this is not the same as regular weekend access.”

“Public access to the gravesite should be allowed 7 days a week and people should be able to come and go as they do now.”

Response to Concern: The NPS struck a balance between public input requesting less restriction and public input requesting more restriction regarding access to the gravesite. We have included an adaptive management strategy encompassing monitoring to evaluate the impacts of the visitation methods and schedules in the identified in the preferred alternative. If this monitoring reveals that impacts to the site and the neighborhood are less than anticipated, we may change the days the site is open to public access without tours. If, on the other hand, monitoring reveals impacts are more than we’ve anticipated, we may cut back on the days of the week the site is open to pedestrian access.

The site will be open from 10:30-4:30 Monday through Friday, roughly the same open period for the house site. Opening and closing the site requires an employee, and our best estimate of employee availability dictates this period of time. If staffing increases, the access times could be adjusted pending monitoring through the adaptive management plan.

11. **Concern Statement:** The gravesite should be closed one day of every weekend, and holidays, to eliminate visitor access into the surrounding neighborhood on those days.

“7 days a week is too much.”

“The gravesite should be closed on Sundays and holidays. Residents should be allowed to enjoy these days without public access in the neighborhood.”

Response to Concern: The NPS struck a balance between the input for fewer days of access and more days of access to the gravesite. We have included an adaptive management strategy encompassing monitoring to evaluate the impacts of the visitation methods and schedules in the identified in the preferred alternative. If this monitoring reveals that impacts to the site and the neighborhood are less than anticipated, we may change the days the site is open to public access without tours. If, on the other hand, monitoring reveals impacts are more than we’ve anticipated, we may cut back on the days of the week the site is open to pedestrian access.

12. **Concern Statement:** The NPS should incorporate more stringent control over access modeled after the access agreement between the homeowners of Kuss Road and the Eugene O’Neill National Historic Site.

“The O’Neill house in Danville resolved this with visits a few days a week, not 7, by appointment only with visitors coming only by NPS vehicle meeting downtown for pick up.”

Response to Concern: The NPS struck a balance between adding additional security measures such as a tall security fence and a lockable gate and maintaining an appropriate level of access for visitors to experience their public lands. The Eugene O’Neill National Historic Site in Danville has different land use constraints than the gravesite, requiring (by settlement agreement) a more severe limitation on vehicular access. Pedestrian access at the O’Neill site is not limited.

13. **Concern Statement:** In regards to adaptively managing visitor access, the NPS should start with less restrictive pedestrian access than as described in the preferred alternative first, then move to more restrictive if warranted. The NPS should not start out with limits to public access.

Response to Concern: The NPS struck a balance between public input requesting less restriction and public input requesting more restriction regarding access to the gravesite. We have included an adaptive management strategy encompassing monitoring to evaluate the impacts of the visitation methods and schedules in the identified in the preferred alternative. If this monitoring reveals that impacts to the site and the neighborhood are less than anticipated, we may change the days the site is open to public access without tours. If, on the other hand, monitoring reveals impacts are more than we’ve anticipated, we may cut back on the days of the week the site is open to pedestrian access.

ACCESS FOR VISITORS WITH DISABILITIES

- 14. Concern Statement:** Who would be allowed to park in the park shuttle parking area as described in Alternative 4?

“It is stated that no privately owned vehicles would be allowed, with the exception of private vehicles for visitors who are unable to use the park shuttle- -in this instance private vehicles would park in the shuttle turnaround area at the gravesite. I’m not sure who this is designed to accommodate or what would be a valid reason for this exception.”

Response to Concern: Park-owned shuttles are designed to accommodate most visitors including those with disabilities; however some visitors may have special needs that our shuttles and drivers are unable and untrained to accommodate, causing potential safety concerns. In these cases, they will be granted temporary permission to drive their own vehicle to the site, parking within the designated turnaround area on the gravesite property. The NPS prioritizes providing all park visitors access to its resources and the full range of visitor experiences; we make necessary accommodations when needed.

PARK BUDGET AND MAINTENANCE

- 15. Concern Statement:** The National Park Service will not be able to maintain the gravesite if they implement the proposed alternative due to budget constraints and changing priorities.

“The NPS seems to be committing to take on a lot more maintenance of this site. What is the neighborhood to do when there are budget cuts again and the NPS is not around to take care of the land?”

Response to Concern: Maintenance of the gravesite has been a priority for the NPS since it was acquired. The addition of minor amenities and regular public use of the site is not expected to dramatically increase the amount of staff time or funds needed to keep the area in good condition. Any new gravesite amenities will also be added to our cyclic maintenance funding schedule once placed at the site