

I. Monitoring

Control of the work, including measures to avoid environmental harm and implementation of permit requirements and measures to minimize harm, is the responsibility of the FHWA's Contracting Officer or the Contracting Officer's Representative. To the extent practicable, the FHWA will incorporate identified measures into the project contract and construction plans.

The FHWA, in coordination with the FS, will monitor revegetation success. Remedial measures will be taken for areas that do not revegetate. Revegetation establishment will need to meet NPDES permit requirements. Ground cover will need to be at least 70 percent of surrounding area ground cover before an NPDES Notice of Termination can be issued.

The FHWA, or its designated representative, will monitor wetland mitigation sites annually until they meet designated success criteria. The success criteria will be included in the approved wetland mitigation plan. Remedial measures will be taken as needed.

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II. Clarifications on the FEIS

The following are clarification or additions to information provided in the FEIS.

A. SELECTION OF THE ALTERNATIVE SURFACE TYPE

The surface types have been selected as part of the ROD. Based on public comments received on the 100-meter test strips constructed on Guanella Pass Road during the summer of 2001, research performed on maintenance effort for the alternative surface types, input from the land management and road maintaining agencies, and concerns regarding the need to preserve the rustic look of the road, asphalt pavement with a chip seal was selected for the asphalt portions of Alternative 6, and a combination of macadam and gravel with magnesium chloride for the gravel/dirt portions of the road. The asphalt pavement with a chip seal, which will be used for 56 percent of the roadway, provides a more rustic appearance than plain asphalt pavement. The macadam will be used on portions of the road that are currently gravel/dirt that are either adjacent to streams or are in steep areas that quickly lose unstabilized gravel. Macadam, though a hardened surface that uses liquid asphalt, appears more rustic because the 20 mm (3/4 inch) aggregate approximates the look and feel of a gravel surface. Macadam requires less maintenance effort than any of the other alternative surface types for gravel/dirt and produces little sedimentation. Macadam is proposed for 30 percent of the project. For the remaining 14 percent of the road, which is relatively flat or distant from streams, gravel with magnesium chloride will be used.

B. INFORMATION REGARDING THE PARKING AREAS

There have been two changes to the proposed parking areas since the issuance of the FEIS.

The proposed modifications to the Guanella Pass parking area have changed in order to improve the operational characteristics of the parking areas. The new description is as follows:

Guanella Pass (Stations 21+750 to 21+950) –The existing southern summit parking area will be reclaimed and the northern parking area (both on the east side of the road) will be expanded and formalized. All informal parking along the road will be eliminated. A new parking area on the west side of the road will hold approximately 60 vehicles and will be closed by the FS in the winter. The expanded east parking area will hold approximately 50 vehicles.

The Clear Creek Winter Closure Site (Station 24+600) is no longer being proposed. Rather than create a new parking area at the Winter Closure Site, an existing parking will be expanded at the intersection with Naylor Lake Road. The description is as follows:

Naylor Lake Road Site (Station 25+000) – This existing parking area currently holds 7 vehicles. The improved parking area will hold approximately 20 vehicles.

C. LENGTH OF THE ROAD WITHIN THE TOWN OF GEORGETOWN

In the FEIS, the length of the road that is within the Town of Georgetown was incorrectly given as 0.7 kilometers (0.4 miles). The correct length is 1.1 kilometers (0.7 miles). This does not change the total length of the road, which is 38.2 kilometers (23.7 miles).

D. RESULTS OF THREATENED AND ENDANGERED SPECIES CONSULTATION WITH THE USFWS

The USFWS issued a Biological Opinion (BO) on November 26, 2002 for the proposed Guanella Pass improvement project based on implementation of Alternative 6 (see letter in **Appendix B**). The USFWS concurred with the FHWA's determination that the proposed project will have no effect on the southwestern willow flycatcher, bald eagle, greenback cutthroat trout, or Penland alpine fen mustard. The USFWS further concurred with the FHWA's determination that the project is likely to adversely affect the threatened Canada lynx. The BO presents the USFWS's opinion on the effects of reconstruction of the road on the Canada lynx.

The BO concluded that the proposed action is not likely to jeopardize the continued existence of the Canada lynx. The USFWS anticipates that one Canada lynx may be taken (non-lethal) as a result of loss or deterioration of essential habitat elements through modification of habitat or by human use of the area. Besides meaning to kill, the definition of "take" also includes "to harass, harm, pursue, hunt, shoot, wound, trap, capture or collect, or attempt to engage in any such conduct." The USFWS does not anticipate that the proposed action will result in the mortality of an individual lynx. The "Reasonable and Prudent Measures" contained in the BO are included in **Section VI.G: Plants and Animals**.

E. ANIMAL PASSAGE

In the FEIS there are several references to improving stream crossing for fish passage. In addition to improving fish passage, the crossings will allow amphibian, reptile, and small mammal passage in select locations. Nine specific locations have been identified to date and the remainder, if any, will be identified and incorporated during final design.

F. CULTURAL RESOURCES – MEMORANDUM OF AGREEMENT

The FHWA, the SHPO, and the Town of Georgetown have signed a Memorandum of Agreement (MOA) (see **Appendix D**). The MOA includes measures to minimize harm for impacts to the visual quality of the cultural landscape on Leavenworth Mountain and are the same measures listed in the **Section VI.E: Visual**. In addition, the FHWA will continue to consult with the SHPO and the Town of Georgetown on the design of the 7th Street Bridge to ensure that it is compatible with the historic character of the District.

G. FEIS FIGURE III-4

Figure III-4 of the FEIS contains inaccuracies in boundary locations and property sizes. This figure was intended to give general information regarding private property in the

area, and should not be used to exactly locate the property boundaries. The FHWA will verify the exact locations of the property boundaries during the right of way process. It should be noted that Duck Lake is surrounded by private property.