
**APPENDIX J
COMMENTS RECEIVED ON
NEW MELONES LAKE AREA DRAFT RMP/EIS**

This page intentionally left blank.

J.1 Public Input on the Draft RMP/EIS

The Draft New Melones Lake Area RMP/EIS was released on October 30, 2009, and was made available for public review and comment until January 4, 2010. On December 2, 2009, Reclamation held two open houses to obtain public feedback on the alternatives and on the potential impacts that the alternatives would have on New Melones Lake area resources. In addition, individuals and representatives of organizations and agencies were invited to submit written comments. All comments, as well as Reclamation's responses, are included in this appendix.

By the end of the review period, 202 comments had been submitted, and 17 additional comments were received after the January 4, 2010 deadline. All 219 comments received have been incorporated into this comment appendix.

Changes to the text of the Draft RMP/EIS were made, where applicable, in response to comments received. An overview of revisions to the Draft RMP/EIS is included in Section J.2.

In compliance with NEPA regulations, this appendix also includes a list of agencies, organizations, and individuals that commented on the Draft RMP/EIS, copies of their comments, and the responses to these comments. Verbal comments received during the open houses are presented in Table J-1, and written comments follow.

Reclamation appreciates the participation of all those who commented, and while not all comments required changes to the Draft RMP/EIS, all comments are included in this document, as part of the public record.

Twenty-six percent of the comments received focused on access, and 25 percent focused on water-based recreation. Eight percent of comments were general, and another eight percent were regarding general recreation and land management. A smaller number of comments related to the following:

- Air quality;
- Biological resources;
- Caves;
- Cultural resources;
- Cumulative effects;
- Facilities;
- Fire management;
- Geologic resources;
- Hydrology/water resources;
- Interpretive services;
- Invasive species;
- Noise;

- Public health and safety;
- Land-based recreation;
- Socioeconomics; and
- Utilities.

Most of these issues were identified during the scoping process for this RMP/EIS. These and other impacts were thoroughly analyzed within the Final RMP/EIS.

J.2 Overview of Revisions to the Draft RMP/EIS

Reclamation revised the Draft RMP/EIS to incorporate responses to public comments. In addition, a number of revisions were incorporated into the Draft RMP/EIS to create a more complete document for the Final RMP/EIS. These revisions are listed and described below. Throughout the document, typographical errors were changed to reflect correct wording and grammar. In addition, several sentences were clarified by adding more descriptive language.

Executive Summary

- **Table ES-1, Access to Westside and Bowie Flat.** Alternative D was revised to include “*Should vehicle access be needed for recreation use or other project purposes, transportation routes may be considered.*”

Chapter 2

- **Figure 2-1.** The colors on this map were revised to reflect the correct WROS designations.

Chapter 3

- **Action C2.** This action was revised to include “*Should funding become available, Reclamation may develop an updated cave management plan by coordinating with other agencies to strengthen and protect cave resources.*”
- **Action WR 19C.** This action was revised to include “*Should funding become available, a composting toilet facility could be installed at Natural Bridges in the Coyote Creek Management Area, to accompany an existing facility.*”
- **Action TA 4A.** This action was revised to state that “the following areas are closed to public vehicles, *unless the current Closure Notice is changed (see page E-9).*”
- **Actions TA 4B and 4D.** These actions were revised to state that “the same areas would be closed to public vehicles as under Alternative A, *unless the current Closure Notice is changed (see page E-9).*”

- **Action TA 14D.** This action was revised to include “*Should vehicle access be needed for recreation use or other project purposes, transportation routes may be considered.*”
- **Topic: Seaplane Operation.** This topic was changed to “*Aircraft Operation.*”
- **Action PHS 15.** The following statement was added “*Encourage CDFG to enforce laws and regulations related to gold dredging.*”
- **Figures 3-2, 3-3, 3-4, and 3-5.** These figures were revised to show the correct location of Texas Charlie Gulch.
- **Figures 3-4 and 3-5.** Zoning at Texas Charlie Gulch was revised from a “no motorized boat zone” to a “*no wake zone.*”
- **Figure 3-8.** The New Melones boundary was revised to reflect the correct boundary. In addition, text at the bottom of the figure was revised to state “No hunting 150 yds *inside* Reclamation boundary....”

Chapter 4

- **Changes parallel Chapter 3.** Since this chapter reflects the preferred alternatives (Alternative D) in Chapter 3, any changes to Alternative D in Chapter 3 were also made in Chapter 4.

Chapter 5

- **Figure 5-7.** Colors on this map were enhanced for clarity. In addition, all land within the New Melones Lake Area was changed to reflect Reclamation’s jurisdiction.
- **Figure 5-13.** The colors on this map were revised to reflect the correct WROS designations.
- **Section 5.2.20.** WROS designations were revised to reflect the correct WROS designations and to match Figure 5-13.

Chapter 6

- **Section 6.18, Cumulative projects.** The description of the West Side Road Project was revised to reflect updated information. Corresponding analysis in Sections 6.18.7 and 6.18.13 was revised.

Appendix C

- **Size limitations.** The following text was added to clarify how moored vessel size limits are determined: “*Size limitations are based on such factors as road and highway permit requirements, access routes, engineering design and construction of marina facilities and visitor use/capacity studies. Stated size limits are subject to revision as studies are updated and/or conditions change.*”

Appendix E

- **Signed memos.** Signed memos were incorporated into this appendix.

J.3 Comments Received

Verbal comments received during the open houses are presented in Table J-1; written comments are presented in the pages that follow.

Table J-1. Verbal comments received during the open houses

Comment	Response
Create more restricted areas (open to fishing on quiet waters) with better public education and “gentle reminders” to respect those areas.	Comment noted.
Expand existing mountain bike trails in Glory Hole to connect with potential trails that might be developed to the New Melones land boundary.	Comment noted. Actions LR 21 and 22 address this issue specifically.
Increase the availability of longer bike trails (20-30 miles ++).	Comment noted. Actions LR 21 and 22 address this issue specifically.
No spawning bed fishing – restrict during seasonal spawning periods.	Comment noted. This is included in Actions FW 22C and 23D.
Create a traffic pattern for boat and trailer parking at fish cleaning station. Need a better lane pattern and improve signage.	Comment noted.
Need better location of floating restrooms and more of them.	Comment noted. There is the potential for this to occur under Action LM 17.
Encourage multi-use trails, not specific activity trails.	It is Reclamation's goal to provide a range of recreation experiences for hikers, mountain bikers, and horseback riders. Action LR 18 addresses this specifically.
Improve boat access to/from ramp to reduce/avoid rock hazards at Tuttle town.	Comment noted. Access improvements are proposed in the RMP/EIS, particularly in Actions TA 1 through TA 11.
Improve the road to the lower boat ramp at Tuttle town.	Comment noted. Access improvements are proposed in the RMP/EIS, particularly in Actions TA 1 through TA 11.

Change houseboat size limitations to at least 16 feet width. Current Draft Moored Vessel Plan limits the size to 15 feet, which is less than the standard size for new houseboats.	The current size limitation of 15 feet by 65 feet is based on many factors, including entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.
Encourage grazing leases for increasing economic impact and fuel (fire) management.	Comment noted. This is included in Actions LM 9B, C, and D.
Encourage more economic development throughout the project area, especially through the use of recreation-based projects.	Comment noted.
Fulfill the original commitments from the 1976 Master Plan.	Certain facilities planned in the 1976 Master Plan are no longer feasible, as explained in Section 1.9 (pages 1-16 through 1-18) and on page 2-27 of the Draft RMP/EIS.
No more development or access (especially on the Westside).	Comment noted.
Increase access for disabled/handicapped parking along boat ramps.	Reclamation will comply with all ADA requirements, as stated under Actions R 50 through R 53.
Extend current boat ramps rather than building new ones.	Comment noted.
Keep barriers closer to the water at Mark Twain for easier access to the water.	Comment noted.
Develop a turnkey concession for access to Parrotts Ferry.	Reopening Parrotts Ferry is included in Actions TA 4B and TA 4D.
Make repairs to access Parrotts Ferry.	Repairs for access to Parrotts Ferry are included in Action TA 4.
Create an equestrian center on the Calaveras County side of the lake.	Comment noted. There is the potential for this to occur under Action R 32. The feasibility of this will be assessed in a commercial services plan.
Sell open land in Glory Hole back to the landowners or manage it for invasive plants (yellow star-thistle, especially).	Comment noted.

INDEX OF COMMENTERS

Document Code	Commentor	Page No.
Federal Agencies		
F-1	US Environmental Protection Agency	J-1
Local Agencies		
L-1	Tuolumne County Board of Supervisors	J-7
L-2	Tuolumne County Supervisor, Paolo Maffei	J-15
L-3	Tuolumne County Chamber of Commerce	J-17
L-4	Calaveras County Chamber of Commerce	J-18
L-5	Calaveras County Board of Supervisors	J-19
L-6	Tuolumne County Supervisor, Terri Murrison	J-28
L-7	City of Angels	J-29
L-8	Calaveras County Supervisor, Russell Thomas	J-31
L-9	Calaveras County Supervisor, Russell Thomas	J-39
L-10	Tuolumne County Economic Development Authority	J-41
L-11	Oakdale Irrigation District	J-42
Organizations		
O-1	Pantechnicon Aviation Ltd.	J-49
O-2	Aviation Consultants, Inc.	J-50
O-3	Hartwell Construction	J-51
O-4	Vintage Realty	J-52
O-5	Gold Star Plumbing	J-54
O-6	Castle and Cooke	J-55
O-7	Central Sierra Environmental Resource Center	J-56
O-8	Zephyr Whitewater Expeditions	J-71
O-9	The O.A.R.S. Family of Companies	J-72
O-10	Water Resorts, Inc.	J-74
O-11	Seaplane Pilots Association	J-75
O-12	Safe Seawind, LLC.	J-76
Individuals		
I-1	Paul Behee	J-77
I-2	Lance Kimball	J-79
I-3	Ken Ketchum	J-94
I-4	Dennis Bell	J-95
I-5	David and Dawn Sweitzer	J-96
I-6	Ann and Mel Wallace	J-98
I-7	Kelly Couch	J-99
I-8	Peter Hartmann	J-100
I-9	Rich Kotowski	J-101
I-10	Dylan Love	J-102
I-11	Teel Love	J-103
I-12	Tom Love	J-104
I-13	Susan Pastor	J-105
I-14	Robert Stoecker	J-106
I-15	Eugene Kopp	J-107

Document Code	Commentor	Page No.
I-16	Michael Matzek	J-108
I-17	Eugene Ladd	J-109
I-18	John Palmerlee	J-110
I-19	Thomas and Ingrid Ritz	J-111
I-20	David Olson	J-171
I-21	Janet Cuslidge	J-172
I-22	Firman Brown	J-173
I-23	James and Militza Jennings	J-174
I-24	Ken and Janet Johnson	J-175
I-25	Julie Eggert	J-176
I-26	Greg Wakefield	J-177
I-27	Scott Stevens	J-178
I-28	Jim Thomas	J-179
I-29	Walton Ferris	J-181

This page intentionally left blank.


FEDERAL AGENCY COMMENTS

This page intentionally left blank.

Letter F-1

Comments

Responses

 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX 75 Hawthorne Street San Francisco, CA 94105 OFFICE: (415)947-8704 FAX (415)047-8026 COMMUNITIES AND ECOSYSTEMS DIVISION FAX TRANSMISSION COVER SHEET	
FROM	
Number of Pages: 3	
NAME: Laura Fujii	DATE: January 8, 2010
TELEPHONE NO: 415-972-3852	FAX NO: (415) 947-8026
DEPARTMENT/OFFICER: Environmental Review Office, CED-2	
TO	
NAME: Ms. Melissa Vignau	
TELEPHONE NO: 916-989-7182	FAX NO: 916- 989-7109
SUBJECT: US EPA comments on DEIS New Melones Lake Area RMP.	
REMARKS: The signed letter is in the mail to you.	

Letter F-1, Continued

Comments

Responses



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105-3901

Melissa Vignau
 Natural Resources Specialist
 7794 Folsom Dam Road
 Folsom, CA. 95630

Subject: Draft Environmental Impact Statement for New Melones Lake Area
 Resource Management Plan (CEQ# 20090381)

Dear Ms. Vignau:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. Our comments are provided in accordance with our December 17, 2009 agreement that EPA provide our comments no later than January 8, 2010. We appreciate the additional time to conduct our review.

F-1-1

Our review has not identified potential environmental impacts requiring substantive changes to the proposal. We recommend the final EIS (FEIS) include a clear commitment to additional project-level environmental review for new roads, facilities, services, and activities once site-specific project design alternatives are determined. Detailed comments are enclosed requesting additional information which may be of use to decision makers and the public.

In light of the above comments, we have rated the draft EIS (DEIS) as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions"). We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one hard copy and one CD ROM to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Laura Fujii, the lead reviewer for this project. Laura can be reached at (415) 972-3852 or fujii.laura@epa.gov.

Sincerely,

Kathleen M. Goforth, Manager
 Environmental Review Office
 Communities and Ecosystems Division

Enclosure: Summary of Rating Definitions
 Detailed Comments

F-1-1: Comment noted. As stated on pages 1-5 and 6-2, subsequent documents tiered to the RMP for activity- and project-level plans would be subject to NEPA analysis and compliance, containing greater detail as necessary.

Letter F-1, Continued

Comments

Responses

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION***"LO" (Lack of Objections)***

The 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)

The 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 the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The 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)

The 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 potentially 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 or 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 analysed 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 analysed in the draft EIS, which should be analysed 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 NEPA 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.

Letter F-1, Continued

Comments

Responses

EPA DETAILED DEIS COMMENTS FOR THE NEW MELONES LAKE AREA RESOURCE MANAGEMENT PLAN, CALAVERAS AND TUOLUMNE COUNTIES, CA., JAN 07, 2010

Additional Information Request

In the interest of full disclosure, and to aid the public and decision makers in their evaluation of the proposed resource management plan, we recommend the final EIS (FEIS) include the following information:

- F-1-2 | 1. Describe management measures to minimize impervious surfaces and the reduction of water infiltration that may occur with implementation of Action WR 26. This action proposes to harden surfaces prone to erosion and subject to extensive visitor use through use of compacted aggregate, paving with asphalt or concrete, soil cement, or other hardening agent (p. 3-4).
- F-1-3 | 2. Provide information on potential particulate matter emissions from the detonation of explosives at the nearby Carson Hill Mine and Blue Mountain Minerals Mine in River Canyon (p. 5-3): Describe whether these emissions adversely affect the New Melones Lake Area, and, if there is an effect, the measures that will be taken to try to reduce this effect.
- F-1-4 | 3. Commit to working with Lower Stanislaus River stakeholders to address downstream water quality impairment. The Lower Stanislaus River below New Melones Lake is listed as impaired under the Clean Water Act, Section 303(d), for diazinon, group A pesticides and mercury. It will likely be included in the revised 303(d) list for the above pollutants, plus chlorpyrifos and water temperature. There are no established Total Maximum Daily Load requirements for this watershed (p. 5-20).
- F-1-5 | 4. Consider conducting a study to evaluate the risk of mine-based pollution to New Melones Lake. Other reservoirs have reported pollution from historic mining sites. In addition, New Melones Lake is located in the heart of the Mother Lode gold mining region, and is in proximity to active and abandoned mines, increasing the chances that mine-based pollution will find its way into the lake (p. 5-20).
- F-1-6 | 5. Identify in Table 3-1: List of Actions by Resource and Alternative, the implementation priority of the listed actions.
- F-1-7 | 6. Provide a description of potential funding sources and the efforts to obtain funding, given that a 50% cost-share partner is required for recreational projects (p. 1-7).

F-1-2: Hardening these surfaces will have the beneficial effect of reducing erosion and sedimentation and thus protecting water quality. Use of compacted aggregate or soil cement are mitigation measures for minimizing impervious surfaces and maintaining water infiltration. Paving with asphalt or concrete would be done only where indicated by best management practices, Reclamation standards, and/or statutory requirements.

F-1-3: Comment noted. Reclamation will coordinate with the Air Quality Control Board to ensure that measures are being taken to prevent a significant adverse effect on air quality within the New Melones Lake Area.

F-1-4: Comment noted. The RMP/EIS is a programmatic document outlining management goals and objectives for Reclamation lands above the Dam and New Melones Reservoir. This is a reactive plan to the "Operations Plan" and will allow for change in guidance based on the decisions made under the "Operations Plan". Any current or future reservoir operational decisions are beyond the scope of the New Melones RMP, which does not propose operational changes or otherwise affect releases from New Melones Reservoir, or flows in the Stanislaus River. The New Melones RMP addresses management of reservoir area resources only, which are reactive to reservoir water elevations as Reclamation makes reservoir water operation decisions through other processes.

The RMP is a planning tool for managing the resources of the New Melones Lake Area. The RMP/EIS is not expected to affect any long-term operations of the Central Valley Project (CVP) as it is considered to be a reactive plan to the operations of the CVP.

F-1-5: Comment noted.

F-1-6: Comment noted.

F-1-7: The RMP outlines additional facilities that could be

Responses
(Continued from Previous Page)

F-1-7: constructed within the New Melones Lake Area. Any proposal for additional facilities would undergo a separate NEPA analysis and Reclamation would look closely at how proposed projects would impact maintenance, budget, and existing users.

This page intentionally left blank.

LOCAL AGENCY COMMENTS

This page intentionally left blank.

Letter L-1

Comments

Responses

Tuolumne County
Administration Center
2 South Green Street
Sonora, California 95370

Phone (209) 533-5521
Fax (209) 533-6549



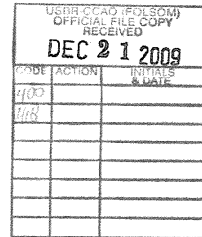
**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

Elizabeth Bass, *First District*
John L. Gray, *Fourth District*

Paolo Maffei, *Second District*

Teri A. Murrison, *Third District*
Richard H. Pland, *Fifth District*

December 15, 2009



Melissa Vignau
Natural Resources Specialist
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630

Dear Ms. Vignau:

As one of two Counties bordering New Melones Reservoir, Tuolumne County is interested in assuring continued and expanded use of this important resource. For this reason, the County is grateful to participate in this process and wishes to comment on the New Melones Lake Area Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS).

On February 13, 2007, the Tuolumne County Board of Supervisors adopted a letter which provided scoping comments on the yet to be developed RMP/EIS. The items below evaluate how the RMP/EIS addresses the Board of Supervisors comments.

1. Peoria Wildlife Management Area: This comment reinforced the importance of providing recreational access to this area over existing roads such as Rawhide and Shell Roads. Fire Department access to Peoria Flat was also a concern.

RMP/EIS Response: The plan is silent on re-opening access to Old Peoria Flat/Shell Road which is an historic road declared by the Tuolumne County Board of Supervisors as early as the 1860's. The lack of road maintenance in this area has severely limited access to fisherman, hikers and other groups that historically, have had full access to this area. None of the alternatives proposed in this Environmental Impact Statement acknowledge that the County preserves its rights under R.S. 2477 to the historical Old Peoria Flat/Shell Road. The increased access to the other areas of New Melones would be provided through the existing roads.

Classification

L-1-1: The preferred alternative adopts the Peoria Wildlife Area Interim Mgt. Plan Environmental Assessment FONSI dated June 2007. The other alternatives contain actions related to alternatives considered in that environmental assessment. Under the preferred alternative, this plan calls for Reclamation's management area to remain closed to public vehicles, but open to nonmotorized public access for dispersed recreation. A utility and emergency access road is to be maintained for vehicles of authorized personnel, where it passes through the Peoria Wildlife Management Area. Reclamation has worked with CAL-FIRE to make significant improvements to the utility road on Reclamation property. Portions of Shell and Old Peoria Flat Road outside of Reclamation's project boundary, which includes the access routes to Table Mountain Trailhead and Peoria Ridge, are on private property and cannot be maintained with federal appropriated funds. Emergency vehicles are authorized to access Reclamation lands and means of access have been provided by Reclamation.

L-1-1

Letter L-1, Continued

Comments

Responses

Melissa Vignau
 Natural Resources Specialist
 December 15, 2009
 Page 2

2. Roads: Commenting on overall road changes.

L-1-2

RMP/EIS Response: Alternatives B and D allow for greater road access to New Melones with Alternative B providing the most access. The RMP/EIS does not include a Traffic Study so there is no way to determine the potential traffic impacts of the various alternatives. It is likely that depending on which alternative is chosen, there will be a shift in the way local traffic and visitor traffic will access the lake. This shift in traffic could potentially have both a fiscal impact to Tuolumne County and a potentially significant increase or decrease in traffic on O'Bynres Ferry Road and/or Rawhide Road. Without a traffic study for each alternative it is impossible to determine the magnitude of the potential impacts.

3. Recreational Enhancements: Increase recreational opportunities such as trails, campgrounds, and other enhancements, particularly in Tuolumne County.

L-1-3

RMP/EIS Response: Alternatives B, C and D allow for expanding recreation services. However, Alternative B provides far more future recreational opportunities than any other option with D as the second most. After this RMP/EIS process is complete, a commercial services plan will be written which will determine which recreational services will be feasible and implemented. Tuolumne County formally requests to be integrally involved in development of the commercial services plan.

L-1-4

Tuolumne County would like to see the siting of a marina on its side of the lake as was contained in the 1976 New Melones Master Plan. The current draft RMP/EIS moves the new marina to the west side of the lake in Calaveras County. When New Melones Dam was constructed, the Federal government promised that in exchange for the enormous loss of private land, they committed to a major expansion of recreation opportunities. Much of the recreational promises made in that 1976 plan remain unfulfilled. It is imperative that these improvements be balanced throughout the lake area providing equal access and economic opportunities in both Tuolumne and Calaveras Counties.

4. Fire: Vegetation and fuels management-access for fire fighting.

L-1-5

RMP/EIS Response: Each of the four alternatives address fire prevention and fire fighting, including the use of fire breaks. Alternative D is the only one which speaks to improving Shell Road for fire access. All alternatives should include all reasonable fire prevention methods as well as maximized access for fire fighting equipment and personnel. Consider the use of grazing to effect fuels reduction.

L-1-6

5. Law Enforcement: Funding of one resident sheriff deputy and establishment of a regional sheriff substation which includes boat storage.

RMP/EIS Response: Both alternatives B and D include the same language about law enforcement. Contained in Action PHS 16B on page 3-15 of the RMP/EIS, it reads, "As

L-1-2: The RMP/EIS is intended to provide a programmatic level of analysis. The alternatives in the RMP identify various locations where new routes could be considered. Any new access routes would be subject to further project level NEPA review, including a traffic study if warranted.

L-1-3: Comment noted. Local agencies will be able to participate through the public involvement process for the commercial services plan.

L-1-4: The feasibility of potential future commercial services will be assessed during the commercial services planning process. However, certain facilities planned in the 1976 Master Plan are no longer feasible, as explained in Section 1.9 (page 1-16 through 1-18) and on page 2-27 of the Draft RMP/EIS.

L-1-5: Comment noted. Improving Shell Road through the Peoria Wildlife Management Area as a utility access (not for public vehicles) for fire and emergencies is included in Reclamation's preferred alternative.

L-1-6: Comment noted. This is included in Actions LM 9B, 9C, and 9D.

Letter L-1, Continued

Comments

Responses

Melissa Vignau
 Natural Resources Specialist
 December 15, 2009
 Page 3

- L-1-7 | part of the working relationship with Tuolumne and Calaveras Counties, explore the feasibility of siting a sheriff's substation with lake access to each county, which would decrease the response time for sheriff to respond to disturbances in the New Melones Lake Area." The plan should also address funding for siting and staffing the sheriff substations. The document does not address the need for the purchase of patrol boats and increased staffing.
- L-1-8 | 6. Tuolumne Public Power Agency (TPPA): Take into account Tuolumne County's First Preference Power allocation to ensure there would be no negative impacts on same.
 RMP/EIS Response: The plan is silent on this topic. It is imperative that the plan address this specifically and guarantee no negative impacts.
- L-1-9 | 7. Water: Consider existing and future water rights to New Melones.
 RMP/EIS Response: The plan is silent on this topic and should not impact the County's existing or future water rights. The plan should specifically state that it is not impacting access to or operation of the existing pumping station owned by the Tuolumne Utilities District.
- L-1-10 | The County also notes a section discussing aircraft. The alternatives range from monitoring to restricting enforcement of no fly zones. It is important to maintain historic, reasonable access to Columbia Airport. The County recommends you strive for a balance between New Melones visitors, nearby residences, and airport needs. All need to work in harmony for the overall enjoyment, productive use, and economic benefit of the area. Please see the attached memorandum dated November 11, 2009 regarding noise sensitive areas.
- L-1-11 | Filming is an important industry within Tuolumne County and the RMP/EIS currently does not address it. Consider supporting the film industry in and around the lake with expeditious review and approvals of filming permits.
- L-1-12 | The plan does not speak to fees to help fund the proposed improvements. To the extent that user fees might be mentioned in the RMP/EIS, the County proposes that they be developed in a manner that is consistent with a prior Tuolumne County Board of Supervisors letter dated May 13, 2008 with ample opportunity for public review and comment.
- L-1-13 | Based on the initial review of available alternatives and the information contained in the draft RMP/EIS, the Tuolumne County Board of Supervisors recommends adoption of an amended Alternative B which emphasizes active management for access, economic development, and recreation. The expansion of developed and motorized recreational opportunities within Tuolumne County would increase the number of County jobs, allow for improved facilities, and increase the County's tax base.

- L-1-7: The RMP is intended to provide a programmatic level of analysis. Issues such as funding and staffing would be addressed during subsequent review by Reclamation prior to implementation of such a facility.
- L-1-8: Water and power operations are out of the scope of the RMP/EIS.
- L-1-9: Water and power operations are out of the scope of the RMP/EIS.
- L-1-10: Through the preferred alternative, Reclamation would strive to balance competing needs and uses of the New Melones Lake Area. Management actions within the RMP must be consistent with Reclamation's goals and objectives, and Reclamation must consider resource use, resource protection, and public safety in managing the New Melones Lake Area.
- L-1-11: Comment noted. The RMP is separate from the filming permit process. The specific permitting process is identified under 43 CFR 429.
- L-1-12: The RMP does not address fees associated with the recreation fee program. Fees are currently collected under the Federal Lands Recreation Enhancement Act, which includes opportunities for public involvement in the establishment or revision of recreation fees.
- L-1-13: Comment noted.

Letter L-1, Continued

Comments

Responses

Melissa Vignau
Natural Resources Specialist
December 15, 2009
Page 4

Promises were made as part of the 1976 New Melones Master Plan that have never been fulfilled. This is the opportunity for the Bureau of Reclamation to fulfill those promises made in the past.

The County of Tuolumne requests an additional 60 days to provide comments on the draft RMP/EIS. A number of factors result in this request. In addition to the report being lengthy and complex, the County recently took a week of furloughs and is facing two more weeks during the holidays. Additional time would allow the County to have the plan thoroughly reviewed by the appropriate County agencies.

Tuolumne County looks forward to working with you to see that the recommendations contained in this letter are addressed in the final draft of the RMP/EIS.

Sincerely,



Teri A. Murrison, Chair
Board of Supervisors

Enclosure

Letter L-1, Continued

Comments

Responses

Attachment to Letter L-1. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.



County Administrator's Office

Craig L. Pedro
County Administrator

Tuolumne County Administration Center
2 South Green Street
Sonora, CA 95370
Phone (209) 533-5511
Fax (209) 533-5510
www.tuolumnecounty.ca.gov

November 13, 2009

TO: Aircraft Owners, FBO's and PML Airpark Residents
FROM: Craig L. Pedro, County Administrator
SUBJECT: Noise Sensitive Areas

I would like to start by thanking each of you for your contributions to the health, safety and economic vitality of the Columbia and PML Airports. Both airports are important assets to our community and it takes all of us working together to ensure their continuation as the recreational, commercial and public safety hubs they are today.

The purpose of this memorandum is to remind you of the importance of being good neighbors to the communities surrounding the airports. One of the biggest issues that can lead to conflict between airports and the communities that surround them is that of excessive noise caused by aircraft. This issue has proven significant enough throughout the country that the FAA has issued Advisory Circulars on this topic. Please see the most recent of such circulars, AC No. 91-36D and the voluntary flight practices aimed at reducing noise related concerns near airports and other noise sensitive areas. Why should pilots care and follow such practices? I believe the following sentence found in the attached circular sums this up well:

"Adherence to these practices is a practical indication of pilot concern for the environment, which will build support for aviation and alleviate the need for any additional statutory or regulatory actions."

Consistent with this circular, the County of Tuolumne has established noise sensitive areas in the vicinity of both of the Columbia and PML Airports. Please see the attached noise sensitive area maps for both airports. It is the County's request that you familiarize yourself with these noise sensitive areas and attempt to avoid them altogether as well as exercise good noise mitigation flight practices in general.

Thanks again for your contributions to our airports and your cooperation in being good neighbors to the communities surrounding them. By doing so, you will be helping to *build support for aviation* in our County.

Questions and/or clarifications with respect to the County's noise sensitive areas and noise mitigation best practices should be directed to Airport Manager Jim Thomas at 533-5685.

...serving the Board of Supervisors, departments, and the community as good stewards of the County's fiscal and human resources through collaborative, professional and ethical leadership.

Letter L-1, Continued

Comments

Responses



U.S. Department
of Transportation

Federal Aviation
Administration

ADVISORY CIRCULAR

Subject: **VISUAL FLIGHT RULES (VFR) FLIGHT NEAR NOISE-SENSITIVE AREAS** Date: **September 17, 2004** AC No: **91-36D**

Initiated by: **ATO-R**

1. PURPOSE. This Advisory Circular (AC) encourages pilots making VFR flights near noise-sensitive areas to fly at altitudes higher than the minimum permitted by regulation and on flight paths that will reduce aircraft noise in such areas.

2. EFFECTIVE DATE. This advisory circular is effective on September 17, 2004.

3. CANCELLATION. Advisory Circular 91-36C, Visual Flight Rules (VFR) Flight Near Noise Sensitive Areas, dated October 19, 1984, is cancelled.

4. AUTHORITY. The FAA has authority to formulate policy regarding use of the navigable airspace (Title 49 United States Code, Section 40103).

5. EXPLANATION OF CHANGES. This AC has been updated to include a definition of "noise-sensitive" area and add references to Public Law 100-91; the FAA Noise Policy for Management of Airspace Over Federally Managed Lands, dated November 1996; and the National Parks Air Tour Management Act of 2000, with other minor wording changes.

6. BACKGROUND.

a. Excessive aircraft noise can result in annoyance, inconvenience, or interference with the uses and enjoyment of property, and can adversely affect wildlife. It is particularly undesirable in areas where it interferes with normal activities associated with the area's use, including residential, educational, health, and religious structures and sites, and parks, recreational areas (including areas with wilderness characteristics), wildlife refuges, and cultural and historical sites where a quiet setting is a generally recognized feature or attribute. Moreover, the FAA recognizes that there are locations in National Parks and other federally managed areas that have unique noise-sensitive values. The Noise Policy for Management of Airspace Over Federally Managed Areas, issued November 8, 1996, states that it is the policy of the FAA in its management of the navigable airspace over these locations to exercise leadership in achieving an appropriate balance between efficiency, technological practicability, and environmental concerns, while maintaining the highest level of safety.

b. The Federal Aviation Administration (FAA) receives complaints concerning low flying aircraft over noise sensitive areas such as National Parks, National Wildlife Refuges, Waterfowl Production Areas and Wilderness Areas. Congress addressed aircraft flights over Grand Canyon National Park in Public Law 100-91 and commercial air tour operations over other units of the National Park System (and tribal lands within or abutting such units) in the National Parks Air Tour Management Act of 2000.

c. Increased emphasis on improving the quality of the environment requires a continuing effort to provide relief and protection from low flying aircraft noise.

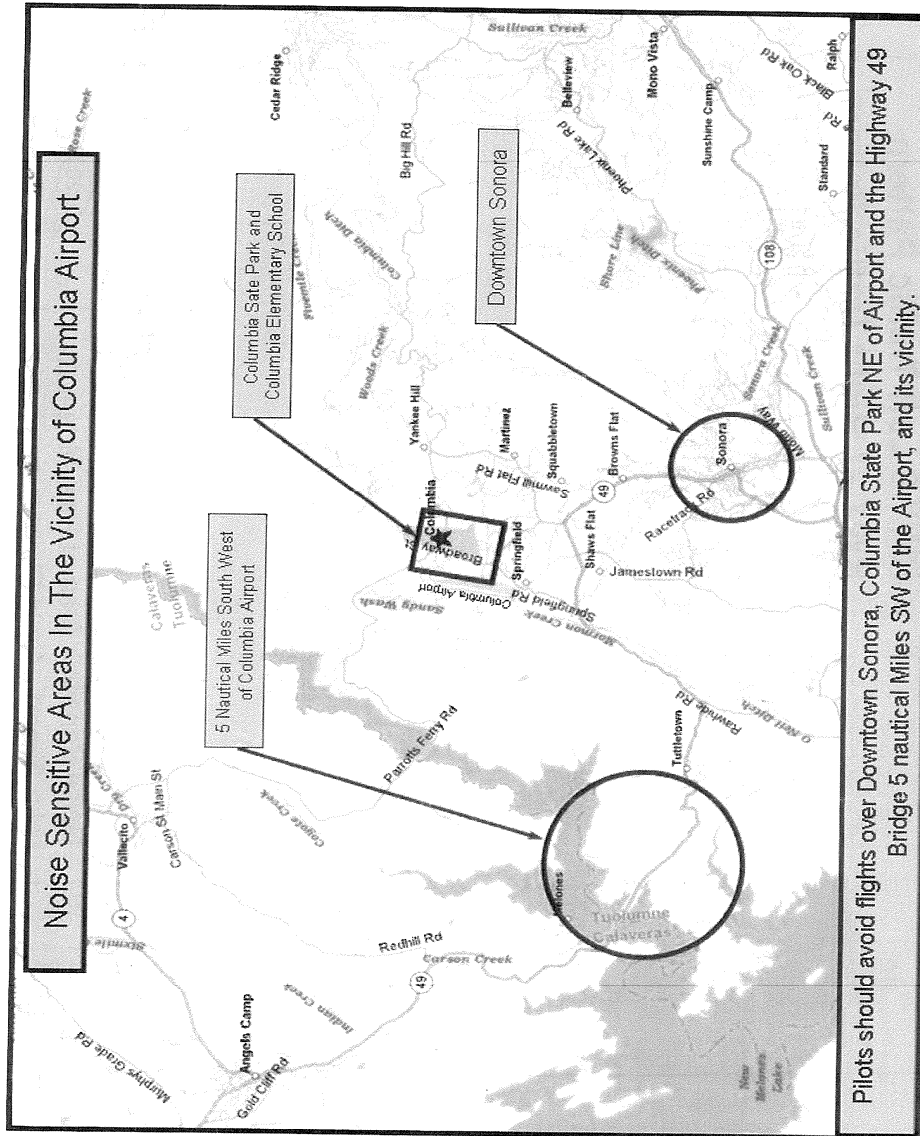
d. Potential noise impacts to noise-sensitive areas from low altitude aircraft flights can also be addressed

Attachment to Letter L-1. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.

Letter L-1, Continued

Comments

Responses

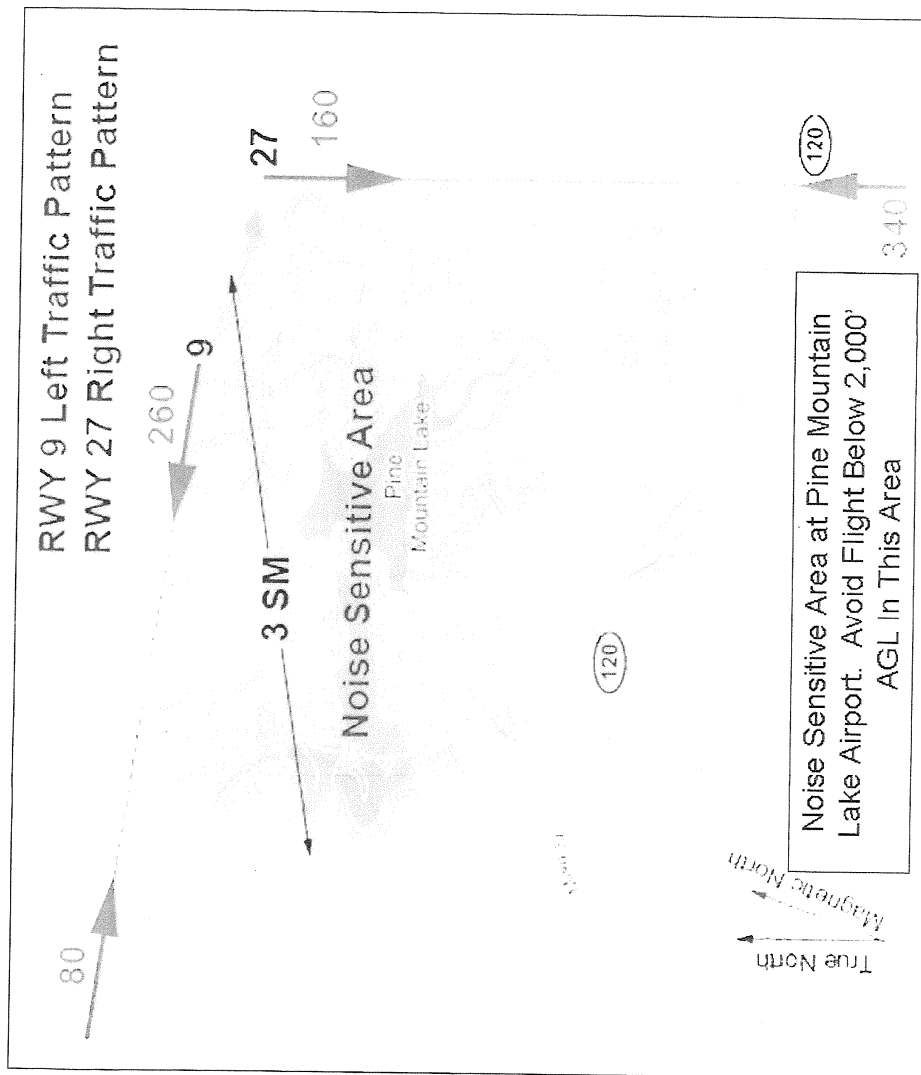


Attachment to Letter L-1. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.

Letter L-1, Continued

Comments

Responses



Attachment to Letter L-1. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.

Letter L-2

Comments

Responses



PAOLO MAFFEI
 DISTRICT 2 SUPERVISOR
 County of Tuolumne

2 South Green Street
 Sonora, CA 95370
 (209) 533-5521
pmaffei@co.tuolumne.ca.us

December 16, 2009

USBR-CCAG (FOLSOM) OFFICIAL FILE COPY RECEIVED DEC 21 2009		
CODE	ACTION	INITIALS & DATE

Melissa Vignau, Natural Resource Specialist
 Central California Area Office
 U.S. Bureau of Reclamation
 7794 Fulsom Dam Road
 Fulsom, CA 95630

RE: Management Plan

Dear Ms. Vignau,

This is to add my own comments to the Board letter, which I did support.

With respect to Shell Road, the Board letter states that the County does not wish to relinquish any rights. However, the Tuolumne County Transportation Commission, a JPA of the City of Sonora and the County and the recognized authority with the State, took the formal position that there is no need to push a major connector through from Rawhide to Peoria Flat.

L-2-1

There is an understandable traffic safety concern of a potential 108 blockage and the need for an alternate route. But rather than impacting a sensitive wildlife area and degrading a natural recreational opportunity, this should in my view be addressed by making Hwy 108 a fully dual highway. However, in any case, this is a very long-term issue.

The argument can be made that some improvement should be made for emergency vehicle access, especially in the event of wildfire. I would not have a problem with this myself, if the road were maintained and improved only to the level really needed, perhaps a gravel road with gates at each end. Shell Road to the second gate is barely passable, with multiple muddy diversions. However, you are fully aware of the resource damage, garbage dumping and even safety concerns of neighboring ranchers when the entire road was open to vehicles.

Classification
Project
Control No.

I was involved some years ago in the building of the Table Mountain trail, a project for which current TUD Director Dr. Ralph Retherford took the lead. This trail is the only public access in the County to any Table Mountain environment that I am aware of and it is used extensively, especially in winter and during the spectacular spring wildflower season. CalTrans is in the process of acquiring mitigation property, presumably to be added to the Bureau area. (I am also on the Tuolumne County Land Trust). Eventually one may hope that the otherwise unusable Bank of America parcel could also be added. With a better defined trail on the top of Table Mountain, so as to avoid entry into the corner of the Rosasco ranch parcel, the opportunities for enjoyable, minimum impact visitor experience can be further improved. But hikers, horseback riders and climbers are not clamoring for a major road. Better parking and turnarounds, especially for horse trailers, would be welcome.

L-2-2

L-2-1: Comment noted. Improving Shell Road through the Peoria Wildlife Management Area as a utility access (not for public vehicles) for fire and emergencies is included in Reclamation's preferred alternative.

L-2-2: Comment noted.

Letter L-2, Continued

Comments

Responses

Melissa Vignau
 December 16, 2009
 Page 2

L-2-3: Comment noted.

L-2-4: Comment noted. Reclamation would consider enforcement needs and abilities prior to re-opening closed facilities or developing new facilities.

L-2-3 | I brought up the issue of grazing with respect to fire safety. Perhaps because revenue from grazing allotments goes into the Federal general fund rather than to New Melones, there seems to have been little interest in grazing as an integral component of a management plan. This would seem to be a win-win opportunity with the ranchers and horse stable owners. At the same time, you could address the unauthorized barbed wire fencing on Bureau property.

L-2-4 | If recreational facilities such as marinas need to be improved and made accessible, there needs to be enforcement. We need functioning facilities in Tuolumne County. In this regard, it was disturbing to see even the limited facilities at Angel Creek closed some years ago due to vandalism. I fully support all efforts in regards to improved law enforcement.

I did feel the need to clarify my position in support of the Board letter. I also hope you will also be able to listen to the Board deliberations on the enclosed tape.

Sincerely,



Paolo Maffei
 District 2 Supervisor

- c: Board of Supervisors
- Craig Pedro, County Administrator
- Gregory Oliver, County Counsel
- Peter Rei, Director of Public Works
- Duke York, Deputy Director of Public Works
- Marilyn Fitzsimmons, Deputy Surveyor
- Peggi Brooks, USBR Resource Manager

Letter L-3

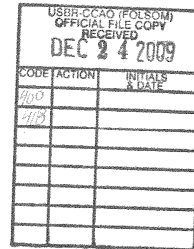
Comments

Responses



**TUOLUMNE COUNTY
CHAMBER OF COMMERCE**

222 South Shepherd Street, Sonora, CA 95370 · (209) 632-4212 · Fax (209) 632-8068
 Web page: <http://www.tcochamber.com> · email: info@tcochamber.com



December 23, 2009

Mrs. Melissa Vignau
 c/o Central California Area Office
 U.S. Department of the Interior
 Bureau of Reclamation
 7794 Folsom Dam Road
 Folsom, CA 95630-6610

**Subject: Comment on New Melones Resource Management Plan and
 Environmental Impact Statement**

- L-3-1 | The Tuolumne County Chamber of Commerce supports the actions taken by the Tuolumne County Board of Supervisors regarding comments on the New Melones Resource Management Plan EIS.
- L-3-2 | Representing businesses employing over 5,000 workers in Tuolumne County, the Chamber believes Alternative B, the Increased Use Alternative, best serves Tuolumne County and the general public. This Alternative encourages economic development around the Lake while protecting natural and cultural resources. Alternative B would improve visitor opportunities, which is the backbone of the local economy.
- L-3-3 | The Chamber would also like to emphasize the need to change the minimum size currently in place for houseboats on New Melones. The 15' X 56' restriction is curtailing the use of the Lake by most new houseboats that have a size of 16' X 70' long. With the 5th largest water storage area in California it seems inconsistent with other lakes that permit the larger and more comfortable boat size while New Melones does not.

Thank you for your time and consideration.


 George Segarini
 President & CEO

L-3-1: Comment noted.

L-3-2: Comment noted.

L-3-3: The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.

Letter L-4

Comments

Responses



Calaveras County Chamber of Commerce

December 29, 2009

Mrs. Melissa Vignau
c/o Central California Area Office
U.S. Department of the Interior
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630-6610

Dear Mrs. Vignau:

The Calaveras County Chamber of Commerce would like to express its concern over the size restrictions on Houseboats on Lake New Melones that have been placed by the Bureau of Reclamation.

L-4-1

Houseboats are an important part of the lake usage but it is being penalized by the boat size restriction of 15' x 56' long. New houseboats being built are at least 16' wide by 70' long. The Lake is 2.4 million acre feet and can accommodate large houseboats very easily.

We believe that the Lake has the potential for greater economic impact to our County than we are currently experiencing. We would like to lessen the restrictions and encourage more visitors to experience the lake. We believe that you can enhance the opportunity for Calaveras and Tuolumne Counties to improve the recreation on the lake and we respect that you take this opportunity to do so.

Sincerely,


Diane Gray
Executive Director

Cc: John Kautz

L-4-1: The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.

Letter L-5

Comments

Responses

CALAVERAS COUNTY
BOARD OF SUPERVISORS
891 Mountain Ranch Road
Government Center
San Andreas, Ca 95249
(209) 754-6370
(209) 754-6733 FAX

FAX TRANSMITTAL SHEET

FROM: Madaline R. Krska
Deputy Clerk
Calaveras County Board of Supervisors

DATE December 30, 2009

TO: Melissa Vignau
Z Central California Area Office
U. S. Department of the Interior
Bureau of Reclamation
916-989-7109

NO. COPIES 9 (Including Transmittal Sheet)

SUBJECT: Comments on the development of the New Melones Resource Management Plan
and Environmental Impact Statement.

COMMENTS:

***If text does not transmit properly please call (209) 754-6370.

Letter L-5, Continued

Comments

Responses

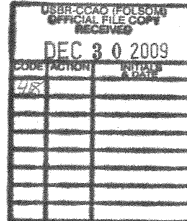


CALAVERAS COUNTY
BOARD OF SUPERVISORS

891 Mountain Ranch Road San Andreas, California 95249 (209) 754-6370 FAX (209) 754-6733

December 30, 2009

Mrs. Melissa Vignau
c/o Central California Area Office
U.S. Department of the Interior
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630-6610



Dear Mrs. Vignau:

Enclosed is a Resolution adopted by the Calaveras County Board of Supervisors providing comment on the Bureau of Reclamation's DRAFT Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for Reclamation managed lands located at the New Melones Lake Area.

In 2007, the County of Calaveras accepted the Bureau's invitation to be a Cooperating Agency for the New Melones RMP/EIS (see attached copy of letter dated 9/12/07). Since that time, the County has disbanded its Community Development Agency and the employee that had been designated as the official contact is no longer employed by Calaveras County. Until further notice and for the immediate future, please send notices to: George White, Director, Calaveras County Planning Department, 891 Mountain Ranch Road, San Andreas, CA 95249. He may be reached by phone at (209) 754-6394 or email: gwhite@co.calaveras.ca.us.

Calaveras County appreciates the opportunity to provide comment on the Bureau's Draft RMP and EIS. Thank you.

Sincerely,

Russ Thomas
Chair

Enc.
cc: Board of Supervisors
Jeanne M. Boyce
George White

Gary Tofanelli
District 1
772-0547

Steve Wilensky
District 2
293-7907

Merita Callaway
District 3
728-3800

Thomas Tryon
District 4
736-4845

Russell L. Thomas
District 5
785-2020

Letter L-5, Continued

Comments

Responses

**BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
STATE OF CALIFORNIA**

December 15, 2009

RESOLUTION **Resolution requesting the Bureau of Reclamation to adhere to its 1976**
09- 227 **New Melones Lake Area Master Plan which was the foundation for planning future expansion of recreational and economic development opportunities in exchange for Calaveras County's support for the 1976 New Melones Lake Area and Reservoir project.**

WHEREAS, in 1976, the U.S. Department of Interior, Bureau of Reclamation (Bureau) approved the New Melones Lake Area Master Plan (Master Plan) which provided a set of land use allocations and development recommendations, including potential future recreational and business opportunities, as part of the Bureau's commitment to the County in exchange for support of the New Melones Lake area and reservoir project; and

WHEREAS, in 1976, Calaveras County residents and businesses were skeptical about the Bureau's New Melones Lake project as they foresaw a potential negative impact upon the local economy, including a potential loss of tourism and recreational business opportunities; and

WHEREAS, the Bureau assured the County that the Master Plan provided a strong foundation and framework to support future public access, development, recreational activities and expanded business opportunities; and

WHEREAS, despite the Bureau's Master Plan projections of three million visitors annually, the lake has not exceeded 800,000 visitors per year and the anticipated expansion of increased public access, recreational activities and business opportunities has not be realized to date; and

Letter L-5, Continued**Comments****Responses**

WHEREAS, for example, houseboats are an important part of the lake usage yet New Melones' houseboat size restrictions of 15' x 56' long, as opposed to other federally managed reservoirs which allow houseboats at least 16' wide by 70' long, discourage visitors who wish to use or rent newer houseboats, thus negatively impacting annual visitor patronage; and

WHEREAS, the Bureau has prepared a New Melones Lake Area Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) that includes a range of alternatives, which appear to ignore or eliminate historical provisions in the 1976 Master Plan; and

WHEREAS, one of the Bureau's alternatives (Alternative B) indicates that there would be a focus on increasing access (roads and trails) and expansion of facilities with future economic benefits for Calaveras and Tuolumne counties, which would be derived from increased public access to New Melones' recreational facilities - a point upon which the Board is in complete agreement; and

WHEREAS, the Bureau's preferred alternative (Alternative D) would constrain certain recreational activities and limits updating and modernizing roads, access areas and facilities which the Board believes is shortsighted and not in adherence with commitments made by the Bureau in the 1976 Master Plan, which supported a diversity of uses and increased visitor patronage; and

WHEREAS, the Board is aware that opportunities have been presented to the Bureau including but not limited to a connecting route to O'Byrne's Ferry Road, across private property, that could provide an additional public access point to encourage increased visitor patronage as anticipated in the 1976 Master Plan that would benefit the local economy.

Letter L-5, Continued	Comments	Responses
L-5-1	<p>NOW THEREFORE BE IT RESOLVED that the Calaveras County Board of Supervisors requests the Bureau of Reclamation to keep its commitment to the citizens of Calaveras County as expressed in the 1976 Master Plan by supporting an alternative in the 2009 New Melones Lake Area Draft Resource Management Plan and Environmental Impact Statement that provides future increased public access and expanded recreational and business opportunities on the lake, shoreline and surrounding area; and</p> <p>BE IT FURTHER RESOLVED that in accordance with the 1976 Master Plan, the Board continues to support increased tourism and annual visitor patronage, new business opportunities, and the expansion of diverse recreational activities including but not limited to, boating, hiking, pedestrian trails, bicycling, equestrian access and trail systems, among others; and</p>	<p>L-5-1: Comment noted. It is Reclamation's goal to provide a range of recreation opportunities on the lake. Reclamation must consider resource use, resource protection, and public safety in managing the New Melones Lake Area. These considerations may constrain the extent, location, or type of recreational development in certain areas. Reclamation's preferred alternative would, in general, increase access, recreation, and business opportunities at New Melones Lake.</p>
L-5-2	<p>FURTHERMORE BE IT RESOLVED, that the Board requests the Bureau to acknowledge that houseboats are an important part of the lake usage and yet restrictions on the size of houseboats unfairly disadvantage the economic opportunities at New Melones in comparison to other federally managed lakes and reservoirs; and</p>	<p>L-5-2: The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.</p>
L-5-3	<p>FURTHERMORE BE IT RESOLVED that the Board requests the Bureau to set aside an area for increased public access within the project boundary that could be connected to a proposed route to O'Byrne's Ferry Road indicating its commitment and support for public access that will encourage an increase in visitors, originally projected to reach three million people annually; and</p> <p>FUTHERMORE BE IT RESOLVED, the Board recommends that the Bureau revise its preferred alternative in the 2009 New Melones Lake Area Draft Resource Management Plan and Environmental Impact Statement to include the opportunities as described above.</p>	<p>L-5-3: The RMP/EIS will allow for the possibility of a road to access the management areas on the west side of New Melones Lake, such as the Westside, Bowie Flat, and Greenhorn Creek Management Areas. Implementation-level projects will undergo a separate NEPA analysis.</p>

Letter L-5, Continued

Comments

Responses

ON A MOTION BY Supervisor Tryon _____, seconded by
Supervisor Wilensky _____, the foregoing Resolution was duly passed and
adopted this 15th day of December _____, 2009, by the following vote:

AYES: Supervisors Tofanelli, Wilensky, Callaway, Tryon and Thomas

NOES: None

ABSENT: None

ABSTAINED: None



Russ Thomas, Chair

ATTEST:

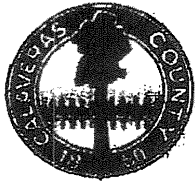


County Clerk and Ex-Officio Clerk to the Board
of Supervisors, County of Calaveras, State of California

Letter L-5, Continued

Comments

Responses



Board of Supervisors
 Steve Wilensky
 District 2, Chair
 Russ Thomas
 District 5, Vice-Chair
 Merita Callaway
 District 3
 Bill Claudino
 District 1
 Tom Tryon
 District 4
 Assessor
 Grant W. Metzger Jr.
 Auditor/Controller
 Linda S. Churches
 Clerk-Recorder
 Karen Varni
 Coroner
 Kevin Raggio
 District Attorney
 Jeffrey E. Tuttle
 Sheriff
 Dennis Downum
 Treasurer-Tax Collector
 Lynette Norfolk
 County Administrator
 Robert C. Lawton
 County Counsel
 James C. Jones
 Calaveras Works/
 Human Services
 Mary Sawicki
 Community Development
 John E. Taylor (Interim)
 Environmental Management
 Brian S. Moss
 Health Services Agency
 Jeanne Boyce
 Human Resources
 Francine Osborn
 Farm Advisor
 Ken Churches
 Library
 Maurie Hoekstra
 Probation
 Michael Kriedsch
 Public Works
 Mike H. Miller (Interim)
 Technology Services
 Howard Stohman Jr.

County of Calaveras
 Board of Supervisors
 Steve Wilensky, Chair
 Russ Thomas, Vice Chair
 891 Mountain Ranch Rd
 San Andreas, CA 95249
 (209) 754-6370 / (209) 754-6733 (FAX)
 www.co.calaveras.ca.us

VIA EMAIL, ORIGINAL BY MAIL

September 17, 2008

Ms. Melissa Brockman
 US Department of Interior
 Bureau of Reclamation
 Central California Area Office
 7794 Folsom Dam Road
 Folsom, CA 95630

Re: New Melones Resource Management Plan/Environmental Impact Statement

Dear Ms. Brockman:

Calaveras County submits the following comments on the "New Melones Lake Area Resource Management Plan (RMP) and Environmental Impact Statement" (EIS), dated August 2008.

- The purpose of the RMP is to establish a conceptual plan detailing the management framework for the conservation, preservation, enhancement, development and use of New Melones resources. The County strongly believes that expanding the recreational offerings on the western shore of the reservoir would enhance the public's ability to use the reservoir. The County and the Bureau of Reclamation should work together to create access to the western portion of the lands and waters of New Melones.
- A new access road to this area would provide current and future residents of Calaveras County and the Central Valley enhanced opportunities to use this valuable recreational amenity.
- A new public access road beginning at the existing roadway from O'Byrnes Ferry Road leading to a point near the California Asbestos Monofill / Waste Management facility and then following the best northerly route to an acceptable access point on the shoreline at Texas Charlie gulch should be considered as a method of increasing public use of the facility.
- The construction of a boat launch, marina, parking and day use recreational facility at the new access point would provide enhanced recreational opportunities to the public.

Attachment to Letter L-5. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.

Letter L-5, Continued

Comments

Responses

Ms. Brockman
September 17, 2008
Page 2

- Additional hiking, biking, and equestrian trail systems in the western portion of New Melones Lake area, limited to those locations where the Resource Management Plan allows for those types of recreational uses, would provide enhanced recreational opportunities to the public.
- Operation of the enhanced recreational opportunities, including a future marina, would be operated by a duly selected concessionaire.
- The County would study all available sources of funding to help fund the acquisition and construction of a new access road.

As the EIS notes in Section 3.2.11 Access and Transportation, use of the New Melones Lake area is expected to increase 20 percent over the Bureau's planning period and will result in increased demand on the existing access roads. The County is supportive of new access to the facility to accommodate the anticipated increased demand and to provide additional recreational opportunities to the public. The County requests that the Bureau include new access as a concept in the RMP as feasible mitigation to address increased demand for use of the facility in the future.

We respectfully request your timely consideration and response.


Steve Wilensky
Chair

Attachment to Letter L-5. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.

Letter L-5, Continued

Comments

Responses



12-23-09A03:41 RCVD

**CALAVERAS COUNTY
BOARD OF SUPERVISORS**

891 Mountain Ranch Road San Andreas, California 95249 (209) 754-6370 FAX (209) 754-6733

September 12, 2007

VIA FACSIMILE

Michael R. Finnegan, Acting Area Manager
Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630-1799

RE: CC-419/ENV-60

Dear Mr. Finnegan:

The County of Calaveras hereby accepts the Bureau's Invitation to be a Cooperating Agency for the New Melones Lake RMP/EIS. By accepting this offer, Calaveras County agrees it:

- is accepting the bulleted responsibilities outlined in your letter dated August 1, 2007;
- will not be reimbursed for our staff costs associated with review of documents and attendance at meetings;
- will not be asked to share in the Bureau's cost of the preparation of the NEPA document;
- may be able to provide additional data to support our request for an access point on the western portion of the lake.

The following employee has been designated as the official county contact for this process:

Lynn O'Connor, General Plan Coordinator
Calaveras County Community Development Agency
891 Mountain Ranch Road
San Andreas, CA 95249
209-754-2848
loconnor@co.calaveras.ca.us

Per your request, staff is available between October 10 - 12, 2007, to attend a meeting to further discuss the county's participation in the project. Please feel free to let us know if you need to consider alternative dates.

Sincerely,

Supervisor Bill Claudino, Chair

cc: Stephanie Moreno, Director of Community Development
Lynn O'Connor, General Plan Coordinator
Shirley Ryan, Principal Administrative Analyst, County Administrative Office

COPY

Bill Claudino
District 1
754-3754

Steve Wilensky
District 2
293-7907

Marta Callaway
District 3
728-3800

Thomas Tryon
District 4
736-4845

Russell L. Thomas
District 5
785-2020

Attachment to Letter L-5. Not a comment letter on the New Melones Lake Area Draft RMP/EIS.

Letter L-6

Comments

Responses

**Teri
Murrison**

Tuolumne County Supervisor, District 3

December 30, 2009

Mrs. Melissa Vignau
c/o Central California Area Office
US Dept. of Interior
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630-6610

Re: Comment on Draft Resource Management Plan and EIS

Dear Mrs. Vignau:

I am writing to express my concern that the permitted size of houseboats on New Melones Reservoir is restricted to 15'x56'. You may be aware that the standard size for new houseboats is a minimum of 16'x70'. This restriction unduly penalizes visitors to New Melones and consequently, our local economy.

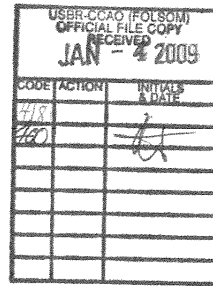
The RMP should allow for these larger houseboats since visitors have shown a preference for the larger houseboats. If they are not available on New Melones, visitors will rent houseboats, recreate, and spend their recreation dollars elsewhere in the state.

Thank you for this opportunity to comment.

Sincerely,



TERI MURRISON



L-6-1: The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.

L-6-1

Home:

PO 802
Tuolumne, CA 95379
209.928.1965

Work:

2 South Green Street
Sonora, CA 95370
20.533.5525

Letter L-7

Comments

Responses

CITY of ANGELS



Community Development Department
 Post Office Box 667 • 571 Stanislaus St J
 ANGELS CAMP, CALIFORNIA 95222
 Phone (209) 736-1346 • Fax (209) 736-9048
 www.angelscamp.gov

January 4, 2010

U.S. Dept. of Interior--Bureau of Reclamation
 Central Californian Area Office
 C/ Melissa Brockman-Vignau
 7794 Folsom Dam Road
 Folsom, CA 95630

RE: New Melones Lake Area Resource Management Plan/Environmental Impact Statement (EIS) – Comments

Dear Mrs. Brockman-Vignau:

In reviewing the EIS, the City has the following comments:

- L-7-1 | 1. The Bureau of Reclamation (BOR) should select Alternative D as the preferred alternative.
- L-7-2 | 2. The BOR should continue to support no motorized vehicles in the Westside and Bowie Flat areas.
- L-7-3 | 3. The BOR should continue to support the expansion of the Glory Hole Marina through the Commercial Services Plan (CSP).
- L-7-4 | 4. The BOR should continue to work with the City of Angels in coordinating trail heads in the Greenhorn Creek and Glory Hole areas.
- L-7-5 | 5. The BOR should work with the local agencies in developing the CSP for the New Melones Lake Area.

L-7-1: Comment noted.

L-7-2: Comment noted.

L-7-3: Comment noted. This option will be explored through the commercial services planning process.

L-7-4: Comment noted. Reclamation will continue to coordinate with the City of Angels, and other entities, on regional planning efforts, as applicable.

L-7-5: Comment noted. Local agencies will be able to participate through the public involvement process for the Commercial Services Plan.

Letter L-7, Continued

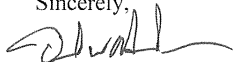
Comments

Responses

Page 2,
Response to New Melones
Resource Management Plan
& Environmental Impact Statement
January 4, 2010

If you have any questions or need clarification, please contact me at (209) 736-1346, or by email at davidhanham@angelscamp.gov.

Sincerely,



David Hanham
Planning Director

Letter L-8	Comments	Responses
<p>Date: January 4, 2009</p> <p>To: Melissa Brockman Vignau Project Manager, New Melones Lake Area Draft RMP/EIS</p> <p>From: Russell L. Thomas District 5 Supervisor Calaveras County</p> <p>Dear Melissa,</p> <p>Our Board of Supervisors has previously submitted its own Resolution to you. In addition to having that document on file, I wanted to also personally communicate how disappointed I've become, learning that the Bureau's Preferred Alternative "D" seems to have eliminated the increased economic benefits that would come to Calaveras County (and other citizens of the state) by opening up some additional recreational opportunities at New Melones.</p> <p>Sections of the document seem to try to explain the rationale of seeking "a balance" between all options, but I'm convinced that the Bureau's conclusions have been based on some significant errors in analysis.</p> <p>In the following paragraphs, I've attempted to point-out where the Bureau's analysis contains a significant amount of miss-information and/or flaws. I'm very hopeful that you and others will take the time to read and evaluate my corrections and comments. My purpose will be to try to convince the Bureau that your environmental and cost concerns are overstated, while the economic benefits are grossly understated.</p> <p>As you can see, I've copied and pasted excerpts from the Draft RMP/EIS, then I've highlighted my associated comments in Red.</p> <p>I've also attached a map that corrects the alignment of the road, and it also gives a clearer picture of the extent to which Bureau lands would be impacted. If Reclamation's final version of Alternative D would allow access to the Westside, our road would be built without Bureau funds, and we feel confident that state funds could be obtained to construct the required parking lots and launch ramp facilities.</p> <p>Further, I know that the Bureau is concerned about future management responsibilities, so I've had conversations with your current marina concessionaire, learning that their company would be anxious to bid for the contract for managing these additional facilities. In fact, Mr. Dave Smith, with houseboats.com, has expressed the opinion that an additional marina is sorely needed on New Melones, stressing how vulnerable the existing location is to storm conditions.</p> <p>Thank you for your time in considering my comments.</p> <p>Respectfully,</p> <p>Russ Thomas, Supervisor District – 5 Calaveras County</p>		

Letter L-8, Continued

Comments

Responses

Page 2. Russ Thomas Comments

Management Alternatives.....Page ES-5

Alternative B (Increased Use)

15 Alternative B emphasizes active management for access and recreation. Protecting other
 16 resources would be secondary to accommodating recreational interests, although all
 17 resources would be managed, at minimum, to the levels required by law. This alternative
 18 also emphasizes opportunities for developed and motorized recreation. Alternative B
 19 would focus on increasing access (roads and trails) and expanding facilities (such as
 20 concessions and fish cleaning stations). The key components of this alternative are
 21 evaluating the addition of recreation facilities at Glory Hole, Tuttle town, *Bowie Flat*,
 22 Westside, French Flat, Bear Creek, Parrotts Ferry, Mark Twain, and Greenhorn Green
 23 Management Areas; *allowing increased levels of houseboat, water vessel, and equestrian*
 24 *use*; and relocating the equestrian staging area.

L-8-1

Any reference to developing a road through Bowie Flat should be immediately dropped.
 Our only proposed route would be built on the approximate alignment shown on the
 Pastizzo map. This road would be built without any financial obligation from the Bureau.
 Yes, we'd expect that a Public/Private Partnership would be established to manage the
 launching ramp, marina, and additional houseboat mooring facilities. In order to illustrate
 the concept, we've indicated parking lots that we've "borrowed" from the Tuttle town
 Recreation Area, recognizing that the size would have to be adjusted to fit the terrain at
 Texas Charlie Gulch. The launch ramp is shown as being extended to a point that would
 accommodate launching even in extremely low water level conditions. The configuration of
 the facilities are based upon my personal on-site observations.

6.10.6.3 Effects from Lands, Transportation, and Access Management.. Page 6-91

Maintenance of right-of-way utility crossings would be coordinated with Reclamation
 34 before any land alterations. Also, Reclamation would avoid or minimize future easements
 35 and rights-of-way over Reclamation lands. As a condition of approval, new easements
 36 (e.g., roadways, electrical transmission lines, pipelines, structures, and facilities) must
 37 adhere to applicable guidelines to avoid potential operational and resource impacts.
 If you look closely at our conceptual map, you'll see that our proposed new easement would
 be limited to approximately 1/2 mile inside the Bureau's existing gate. The path would
 follow the alignment of the historic road from Copperopolis to Sonora. Comments have
 been made that this alignment would be too steep, however, the 8% to 9% gradient down
 toward the water's edge would accommodate all proposed traffic. As mentioned above, the
 configuration of the parking and launch-ramp facilities are "borrowed" from the
 Tuttle town Recreation Area.

L-8-1: Analysis in Draft RMP/EIS was based on the most recent information that had been provided to Reclamation at the time. The description of the proposed Westside Road project in Section 6.18, Cumulative Effects, has been revised accordingly.

Letter L-8, Continued**Comments****Responses**Page 3. Russ Thomas Comments

This action would continue to ensure the use of Reclamation lands complies with 39 Reclamation's mission. Also, the condition of approval would hold new easement 40 developers responsible for keeping Reclamation land in a condition appropriate for 41 Reclamation's mission. **If (as is claimed) reclamation's mission is to support the objectives in the 1976 Master Plan, then the proposed new access road and proposed improvements in Texas Charlie Gulch would, indeed, be appropriate.**

West Side Road Project...Page 6-179

23 A developer in Copperopolis would like to create access to the Westside Management 24 Area on the western shores of New Melones Lake.

This is not a developer-driven concept. This phrase must be dropped because the idea of the road from Copperopolis was formulated by members of the Copperopolis Community Plan Advisory Committee during our deliberations, which began in 1999. (Please note that I relinquished the chairmanship of this committee when I was elected to the office of County Supervisor.)

The draft Copperopolis Community 25 Plan has been submitted to the Calaveras County Board of Supervisors. Within that 26 document the land use map has two routes for the proposed road. The first route is 27 accessed via O'Byrnes Ferry Road near Tulloch Reservoir and crosses through Bowie 28 Flat and the Westside Management Areas to Texas Charlie gulch. The second route 29 follows a portion of Loliando Road from O'Byrnes Ferry Road through the Morrissey 30 Ranch to the Westside Management Area and Texas Charlie gulch (Pastizzo 2009). **This is a huge misunderstanding. Several years ago, we thought that the only possible route for an access road was through Bowie Flat, but when the Morrisseys offered a route through their ranch, we immediately recognized the wisdom of dropping the Bowie Flat alignment. The only reason that the Community Plan map shows two routes, is that we were told that the environmental review would require a preferred route and an alternative. Therefore, please immediately eliminate all references to the problems associated with a route through Bowie Flat! We absolutely agree that the Bowie Flat route would be very disruptive to the lands of a number of Government Agencies – not to mention that the road would be impossible to build.**

6.18.7 Fish and Wildlife.....Page 6-189

A developer in Copperopolis is proposing to construct a road that would provide access 43 to the western shores of New Melones Lake.

Again, please drop this reference to a non-existent developer.

L-8-2: Comment noted. References in text has been corrected.

L-8-2

Letter L-8, Continued

Comments

Responses

Page 4. Russ Thomas Comments

Construction of this road would likely increase access to the reservoir and result in habitat loss and fragmentation where the road is built, disturbance to wildlife along the road, including the possibility of mortality from vehicle strikes, and increased disturbance to wildlife at the reservoir from more visitation due to improved access.

L-8-3 **Yes, we would certainly expect that construction of this road would increase access to the reservoir. That’s exactly the point that we’ve been trying to make for several years, now. We do not believe, however, that a ½ mile of road and approximately 15 acres of parking area would constitute a measurable “disturbance” to wildlife at the reservoir.**

Cultural Resources..... Page 6-194

A project proposed by the Copperopolis Community Plan developer proposes roads that 13 would traverse portions of the Westside and Bowie Flat Management Areas. **Again, please eliminate the reference to the Copperopolis developer.**

The roads would likely affect five known cultural resources within the Westside Management Area, five cultural resources within the Bowie Flat Management Area, and an unknown number 16 of cultural resources outside of the New Melones Lake Area. Additionally, the Westside 17 Management Area is considered to have a high potential for unrecorded sites (Pacific 18 Legacy 2008). Therefore, the road project would likely have an even greater effect on 19 cultural resources in this area. The Bowie Flat Management Area has a low potential for 20 unrecorded cultural resources as the entire area has been inventoried (Pacific Legacy 21 2008).

L-8-4 **Our proposed road alignment would be miles away from the Bowie Flat Management Area, so we’d have no impacts. We understand that a CEQA review would be required for the portion of the road outside the New Melones Lake Area. When entering the Westside Management Area, if recorded or unrecorded cultural resources are encountered along the ½ mile length of road, or within the footprint of the approximately 15 acres of our proposed improvements, then we’d expect that any impacts could be sufficiently mitigated by simply moving the footprint.**

6.11.5.3 Effects on Access and Transportation under Alternative B.....Page 6-97

Under Alternative B, Reclamation could develop an access road to the Westside 22 Management Area, which would provide motorized access to this area. 23 Optimizing the connectivity between the existing fire road and trail system in the Glory 24 Hole, Greenhorn Creek and Westside Management Areas, and developing new trailheads 25 to access Greenhorn Creek and the Westside areas would enhance access for visitors and 26 fire management personnel compared to Alternative A

We have never suggested that Reclamation would “develop” an access road. We just want Reclamation to allow us to build it. We agree that fire protection and emergency response times could be improved as a result of this Westside access.

L-8-3: Analysis in Draft RMP/EIS was based on the most recent information that had been provided to Reclamation at the time. The analysis and conclusions are appropriate from a programmatic viewpoint. Any consideration of implementing such a project would involve detailed project level analysis by Reclamation of potential impacts on fish and wildlife, based on the extent and types of facilities developed as well as the proposed areas of impact. A formal proposal has not yet been brought before Reclamation for consideration.

L-8-4: Analysis in Draft RMP/EIS was based on the most recent information that had been provided to Reclamation at the time. The analysis and conclusions are appropriate from a programmatic viewpoint. Any consideration of implementing such a project would involve detailed project level analysis by Reclamation of potential impacts on fish and wildlife, based on the extent and types of facilities developed as well as the proposed areas of impact. A formal proposal has not yet been brought before Reclamation for consideration.

Letter L-8, Continued**Comments****Responses**

Page 5. Russ Thomas Comments

6.11.7.3 Effects from Lands, Transportation, & Access Management.....Page 6-100

Under Alternative D, Reclamation would allow access to the Westside Management Area 12 via hiking, horseback, or boat; however, these may not be viable forms of access for all 13 visitors.

L-8-5 We firmly believe that Alternative D should include the proposed access road, so that hiking, bicycle riding, horseback riding, and boating could be made available to a greater number of visitors. We've visualizing trails that would allow visitors to walk or ride bicycles from Copperopolis to Angels Camp.

6.12.7.5 Effects from Recreation Management.....Page 6-112

24 Reclamation would implement additional lake zones to protect public safety and natural 25 resources. For example, Reclamation would designate additional swimming areas, and 26 areas appropriate for nonmotorized boating, houseboats, and seaplanes, and, designate 27 no-wake zones to prevent shore erosion. Zones may include, but would not be limited to, 28 designated areas of Greenhorn Creek, Westside, Glory Hole, Coyote Creek, Parrotts 29 Ferry, Tuttle town, French Flat, Mark Twain, Stanislaus River Canyon, and Camp Nine 30 Management Areas. This would increase public protection by assessing growing, 31 incompatible aquatic activities, and then establishing boundaries to keep the activities 32 apart.

L-8-6 We enthusiastically endorse Reclamation's proposal to designate the upper portion of Texas Charlie Gulch for non-motorized boating. We relish the prospects of hauling our kayaks or canoes from Copperopolis to our proposed Westside access point. However, we're having a hard time figuring out how Reclamation is proposing for visitors to get their non-motorized vessels safely across the 1.75 miles of open water that lies between the marina at Glory Hole and the proposed non-motorized area. If public safety is a primary concern, then with our proposal a large portion of Texas Charlie Gulch would be a no-wake zone, further assuring the safety of non-motorized vessels.

6.14.3 Effect on Cultural Resources Common to All Alternatives.....Page 6-121

2 Chapter 5 indicates the existing site density of each management area and the potential 3 for new sites to be identified in future surveys. With higher site density and new site 4 potential, the potential for effects on cultural resources increases. Additionally, effects on 5 sites included in the NRHP-eligible New Melones Lake Area Archaeological District 6 could be adverse effects under Section 106. The management areas are listed below, from 7 greatest to least potential for effects on cultural resources, identified and unknown, 8 should the management actions discussed in the following sections occur within the 9 management area boundaries:

1. Stanislaus River Canyon
2. Mark Twain
3. Parrotts Ferry
4. French Flat

L-8-5: Comment noted. Alternative D would allow Reclamation to consider outside proposals for an access road to management areas on the west side of New Melones Lake, such as the Westside, Bowie Flat, and Greenhorn Creek Management Areas.

L-8-6: The proposed designation of the upper portion of Texas Charlie Cove for non-motorized boating was an error on the map. There is no such designation proposed. The preferred alternative calls for "no-wake" boating restriction for this area, in order to protect sensitive natural and cultural resources. The map has been revised.

Letter L-8, Continued

Comments

Responses

Page 6. Russ Thomas Comments

- 5. Camp Nine
- 6. Carson
- 7. Coyote Creek
- 8. Tuttle town
- 9. Bear Creek
- 10. Peoria Wildlife Area
- 11. Glory Hole
- 12. Bowie Flat
- 13. Westside
- 14. Dam and Spillway
- 15. Greenhorn Creek

If the Westside area is listed 13th out of 15 for having the least potential for effects on cultural resources, identified and unknown, then why has the Westside been put to the top of the list of places where Reclamation wants to allow access?

6.17.7.5 1 Recreation.....Page 6-173

The effects on recreation of the provision and maintenance of facilities under Alternative 27 D would be the same as those described under Alternative B.

We were encouraged when we saw that Alternative B would provide for the construction of additional marina(s) and provide for additional marina amenities.

Alternative D would concentrate future facilities development in specific areas, including French Flat, Bear Creek, Parrotts Ferry, Natural Bridges, Westside, Bowie Flat, Mark Twain, Camp Nine, Greenhorn Creek, Tuttle town and the Glory Hole Recreation Area. These areas cover most of the land-based recreation areas within the New Melones Lake Area.

L-8-7

We were dismayed to see that any possibility for our proposed Westside access road, marina, and launch facilities were eliminated under the Alternative D development options. What a lost opportunity!

Land-Based Recreation.....Page 6-174

The effects from optimizing the connectivity between the existing fire road and trail system 22 for a variety of uses in Glory Hole, Greenhorn Creek, Westside, Tuttle town, Bear Creek, 23 French Flat, and Peoria management areas and from developing new trailheads to access 24 the Greenhorn Creek, Westside, Tuttle town, Bear Creek, French Flat, and Peoria areas 25 are the same under Alternative D as under Alternative B.

L-8-8

We submit that it is only by allowing a new access road to the Westside, that optimizing the connectivity of the existing fire road and trail system can be achieved. We believe that building a narrow trail from Texas Charlie Gulch to the Angels Creek area could provide an opportunity to connect to propose trails coming from Angels Camp. We sense that the thrust of Reclamation’s plan is to suppress anything that might be looked upon as being new and exciting, but we’re thinking that being able to safely ride a bike from Copperopolis to Angels Camp would be a very desirable outcome.

L-8-7: Alternative D does not eliminate the possibility for such facilities.

L-8-8: Comment noted.

Letter L-8, Continued**Comments****Responses**Page 7. Russ Thomas Comments**6.18.6 Vegetation.....Page 6-188**

Along with population increases, a road from the Westside Management Area to Copperopolis would facilitate a large increase in recreation use. This road would permanently remove vegetation in previously undisturbed areas, would disturb vegetative patterns, would allow weeds to be introduced and spread, and would allow unauthorized uses. Effects from population growth and increased recreation would be similar to those described in Effects Common to All Alternatives from Recreation Management. In addition, the proposed roadway location contains extremely steep terrain, and removing vegetation for road construction would increase erosion and would affect water quality in the Texas Charlie Gulch Area, a known fish spawning location.

Again, we sense that the thrust of Reclamation's plan is to suppress anything that might be looked upon as being new and exciting. Before concluding that huge quantities of vegetation will be lost, one should consider that a large portion of our proposed alignment is already being used as existing ranch roads. This particular route was the old stagecoach road, so we firmly believe that the slopes and terrain are quite manageable. Of course, all construction would be conducted using Best Management Practices, so water quality concerns within Texas Charlie Gulch would be minimized.

L-8-9

6.18.12 Fire.....Page 6-193

Proposed new roads in the Westside Management Area would provide additional access, which would improve access for fire suppression, and also increase the chance for human-cause wildland fire.

We are very proud of the firefighters in the Copperopolis Fire Protection District. We've heard reports that our engines have previously responded to fires within the New Melones Lake Area, and we're certain that they'd quickly respond to any future fire and/or medical emergencies that might be encountered.

6.18.16 Recreation.....Page 6-195

Construction of new roads within and near the New Melones Lake Area would result in greater access for recreationists. In particular, the proposed road from Copperopolis would provide additional access to the Westside Management Area. Increasing access would result in more recreational opportunities for the general public but could result in decreased experiences for those seeking a more primitive type of recreation including solitude.

Solitude? The citizens of Calaveras County and Tuolumne County had solitude back before the river canyon was flooded and before all the promises of enhanced recreational opportunities were made in the 1976 New Melones Lake Area Master Plan.

L-8-10

L-8-9: Analysis in Draft RMP/EIS was based on the most recent information that had been provided to Reclamation at the time. The analysis and conclusions are appropriate from a programmatic viewpoint. Any consideration of implementing such a project would involve detailed project level analysis by Reclamation of potential impacts, based on the extent and types of facilities developed as well as the proposed areas of impact. A formal proposal has not yet been brought before Reclamation for consideration.

L-8-10: Not all recreationists support more developed recreation opportunities and the analysis considers this as well as interests for more developed recreation. The impacts stated for noise are general to future development in the vicinity of the planning area and are not exclusive to the Westside area.

Letter L-8, Continued

Comments

Responses

Page 8. Russ Thomas Comments

Increased housing development in the area would result in more people living near the New Melones Lake Area and using it for recreation. Both the construction of new roads and new housing developments would result in increased noise levels. This would affect the recreational experience for all visitors, especially those seeking quiet and tranquility.

The beauty of our proposal is that there would be no increased housing development near New Melones. The Copperopolis Community Plan is based upon the expectation that our eventual population will approach 40,000, however, none of this future housing is expected to be built upon the Morrissey Ranch. Therefore, Reclamation's concerns about future increased in noise levels are unwarranted.

In conclusion, wouldn't you agree that we can be certain that the population of our state and region will continue to grow? I take that as a given, and as a community leader and elected official in Calaveras County, I feel that it is my duty to make every effort to help to plan for a reasonably proportional increase in future recreational opportunities. Therefore, if I can convince Reclamation to add the proposed road to Westside Management area to their Alternate D, then my job will have been accomplished.

I appreciate your willingness to digest my comments.

Sincerely,

Russell L. Thomas
 District 5 Supervisor
 Calaveras County

L-8-10: Not all recreationists support more developed recreation opportunities and the analysis considers this as well as interests for more developed recreation. The impacts stated for noise are general to future development in the vicinity of the planning area and are not exclusive to the Westside area.

L-8-10
 (Continued)

Letter L-9

Comments

Responses

From: Russ [mailto:rthos2020@caltel.com]
Sent: Wednesday, January 06, 2010 1:19 PM
To: Brockman, Melissa A
Subject: RE: Comments -- New Melones Lake Area Draft RMP/EIS

Melissa,

After getting your email this morning, I was reminded that there were several important points that I forgot to include in my comments:

- L-9-1 | • In regards to Reclamation's concerns about recovering their costs for managing new facilities in the Westside:
 If the "Copperopolis Gate" comes to fruition, we'd expect that gate to be at or near O'byrnes Ferry Road. Further, all entrants would pay an annual or a daily fee to the BOR. And, just like Glory Hole, we'd want to have time restrictions on entry through the gate.
- L-9-2 | • In regards to Reclamation's concerns about the potential for trespass, and the unintended consequences of opening up an access road across this previously inaccessible property:
 In our discussions with the private land-owner, we recognize their requirements that the new road would not disrupt their cattle ranching operation. Accordingly, our plan would be to fence both sides of the road (like the road going to Glory Hole); making it unlikely that citizens using of the new road would trespass upon their private property.
- L-9-3 | • In regards to Reclamation's potential concerns about the availability of electricity, water, and sewage disposal:
 Looking closely at our newest map, you'll see that Shetland Court, of the Bar XX subdivision, reaches a point that is about 1/2 mile from our proposed facilities at Texas Charlie Gulch. PG&E electricity and fiber/optics telephone cable (from Calaveras Telephone) can be obtained at or near the end of Shetland Court. As for water --homes in the area operate on domestic wells, so we're confident that a well and water distribution system could be easily developed. As for sewage disposal --we would not advocate for an onsite septic system. Therefore, there would be two remaining options. We understand that the effluent from the existing campground bathrooms and floating bathrooms is trucked (by Foothill Sanitary) to Reclamation's waste water treatment facilities. Option A would be to issue a contract to a company like Foothill Sanitary to provide a pumping-vessel for transporting effluent from our proposed new facilities, and combine this new waste stream with the waste stream that is currently being transported to Reclamation's waste water treatment facilities. Option B would be to issue a contract to Foothill Sanitary to pump and transport the new waste stream to CCWD's facilities in Copperopolis.

If you or others have additional concerns that you'd like to discuss, please know that I am available to answer any and all questions.

- L-9-1: Comment noted.
- L-9-2: Comment noted.
- L-9-3: Comment noted.

Letter L-9, Continued

Comments

Responses

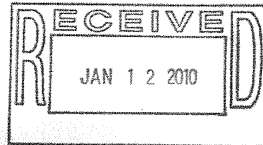
Thanks again,

Russ Thomas
Supervisor District 5
Calaveras County
Cell 209-480-8968
Phone 209-785-2020
Email rthos2020@caltel.com

Letter L-10

Comments

Responses



Melissa Vignau
 Natural Resources Specialist
 Bureau of Reclamation
 7794 Folsom Dam Road
 Folsom, CA 95630

January 8, 2010

Dear Ms. Vignau:

On behalf of the Board of Directors for the Tuolumne County Economic Development Authority (TCEDA), this Letter of Support reflects our input regarding the New Melones Lake Area Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS).

L-10-1

Based on the initial review of available alternatives and the information contained in the draft RMP/EIS, the TCEDA Board of Directors recommends adoption of Alternative B, which emphasizes active management for access, economic development, and recreation. The expansion of developed and motorized recreational opportunities within Tuolumne County would increase the number of County jobs, allow for improved facilities, and increase the County's tax base.

Promises were made as part of the 1976 New Melones Master Plan that have never been fulfilled. This is the opportunity for the Bureau of Reclamation to fulfill those promises made in the past.

Thank you for your considering our recommendation to approve Alternative B.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Hank Russell".

Hank Russell, Board Chairman
 Tuolumne County Economic Development Authority
 99 N. Washington Street,
 Sonora, CA 95370
 (209) 989-4058

99 North Washington Street, Sonora, California 95370
 P: 209.989.4058 – F: 866.285.2674
 www.tceda.net

L-10-1: Comment noted.

Letter L-11

Comments

Responses



November 19, 2009

Ms. Melissa Brockman-Vignau
 Bureau of Reclamation
 Mid-Pacific Region/Central California Area Office
 2800 Cottage Way
 Sacramento, CA 95825-1898

Subject: New Melones Lake Area
 Draft Resource Management Plan and Environmental Impact Statement ✓

Dear Ms. Brockman-Vignau:

Oakdale Irrigation District (OID) was recently notified of the availability and release of the Draft Resource Management Plan (DRMP) and Environmental Impact Statement (EIS) for New Melones Reservoir. In reading the draft it is apparent that one key element of assessment is missing in the DRMP and in the EIS. That is how the Bureau intends to address lake management issues under the recently released National Marine Fisheries Service's (NMFS) Biological Opinion for the OCAP?

The Bureau's decision to implement the flawed Reasonable and Prudent Alternatives (RPA) provided by NMFS without a full understanding of the impacts for such action is unfortunate. What will be equally unfortunate is if the Bureau releases a DRMP for the New Melones Reservoir area without doing a full assessment of those impacts in the EIS. Under the changed reservoir operations required to meet the RPAs, many of the goals, objectives and planning criteria in the RMP cannot be met. Without an assessment of these changed conditions, a huge waste of taxpayer money will have been spent without benefit.

While OID has provided the modeling runs to substantiate its claims to the Bureau's Commissioner, the Regional Director and Area Manager, we are unsure if that data has been made available to you for incorporation into your planning document. The model used to arrive at the dismal future for New Melones is the temperature model that was developed for

USBR/CCAO (FOLSOM) OFFICIAL FILE COPY RECEIVED	
NOV 24 2009	
CODE/FACTOR/INITIALS	INITIALS & DATE
150	
105	
4105	
418	MB 11/20/09

Classification	ENR-6.00
Project	214
Control No.	04079037
Folder I.D.	1105531

L-11-1

L-11-1: The RMP/EIS has no effect on the Biological Opinion released by the National Marine Fisheries Service nor will it create a change in the Operation of New Melones Dam. The operations of this dam are currently being re-evaluated. The RMP/EIS is a programmatic document outlining management goals and objectives for Reclamation lands above the Dam and New Melones Reservoir. This is a reactive plan to the Operations Plan and will allow for change in guidance based on the decisions made under the Operations Plan. Any current or future reservoir operational decisions are beyond the scope of the New Melones RMP, which does not propose operational changes or otherwise affect releases from New Melones Reservoir, or flows in the Stanislaus River. The New Melones RMP addresses management of reservoir area resources only, which are reactive to reservoir water elevations as Reclamation makes reservoir water operation decisions through other processes.

The RMP is a planning tool for managing the resources of the New Melones Lake Area. The RMP/EIS is not expected to affect any long-term operations of the Central Valley Project (CVP) as it is considered to be a reactive plan to the operations of the CVP. Furthermore no discussion about the Reasonable and Prudent Alternative actions identified in the Biological Opinion is included in the RMP/EIS.

IF YOU DETACH
 INSURE PLEASE INSERT
 NO.

1205 East F Street / Oakdale, CA 95361 / (209) 847-0341 / Fax (209) 847-3468
 www.oakdaleirrigation.com

Letter L-11, Continued**Comments****Responses**

Ms. Melissa Brockman-Vignau
November 19, 2009
Page -2-

the Stanislaus River. A model developed, adopted and paid for by the Bureau, OID and others. Please contact your management group to obtain copies of full submittals OID has provided, or if need be, OID can provide them again.

To summarize the impacts we are talking about; an 80 year trace history of New Melones on the Stanislaus River was run under the 1997 Interim Plan of Operations (IPO) and under the RPA criteria. Under the 1997 IPO New Melones would have been less than 500,000 acre feet of storage 3 times during that period but would never have gone dry. Under the recent RPA criteria adopted by the Bureau for future operations of the lake, during that same period, New Melones would fall below 500,000 acre feet of storage 35 times over that same 80 year period and have actually gone dry (zero storage) 13 times.

I would think it essential if the Bureau continues down this illogical path, that it at least have the forethought to develop a planning document to account for the 40% of time the lake will have no cold water pool to support cold water fisheries and a lakeshore management plan that addresses the benefits of recreating in a dry lake. I realize you won't assess the economic impact to the local businesses or community in your RMP, but as a business decision, you should evaluate the investment of taxpayer dollars in a lake that will be unusable 40% of the time for recreation.

I request this letter be included as a public comment to the draft EIS document for New Melones.

Sincerely,

OAKDALE IRRIGATION DISTRICT



Steve Knell, P.E.
General Manger

Enclosures

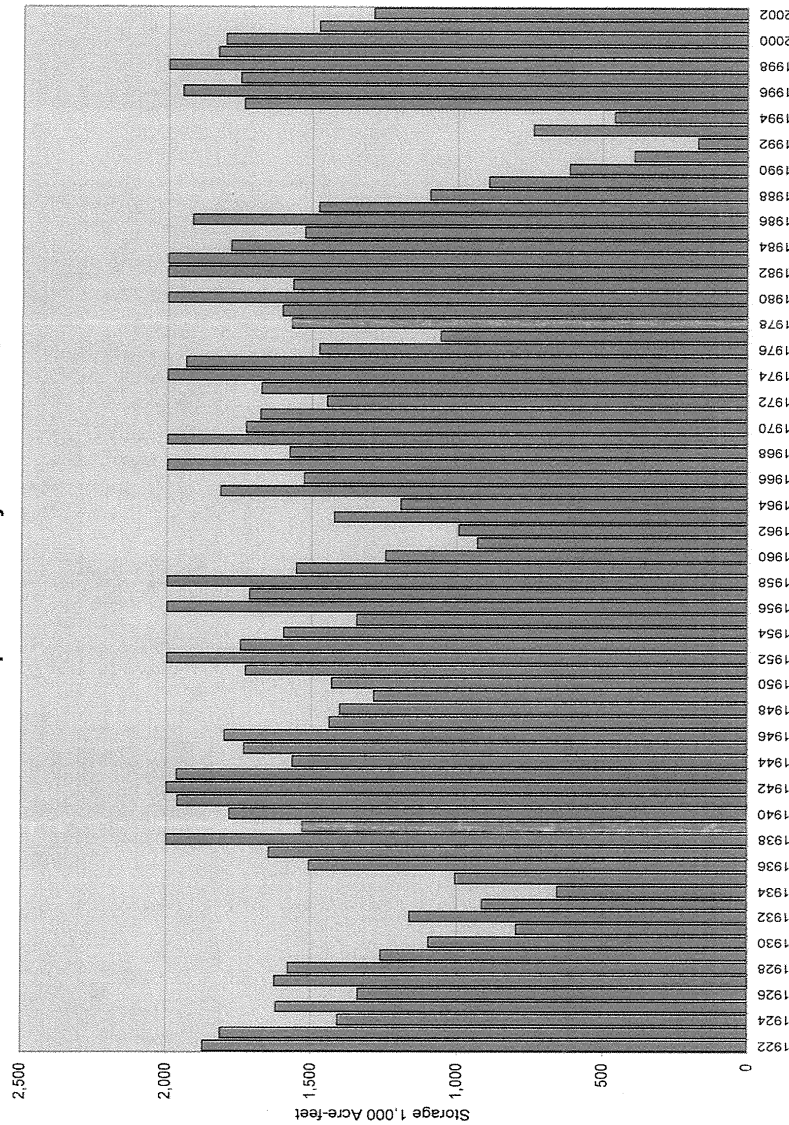
cc OID Board of Directors
 SSJID Board of Directors
 The Oakdale Leader
 The Union Democrat

Letter L-11, Continued

Comments

Responses

New Melones Storage
End of September Carryover - 1997 IPO

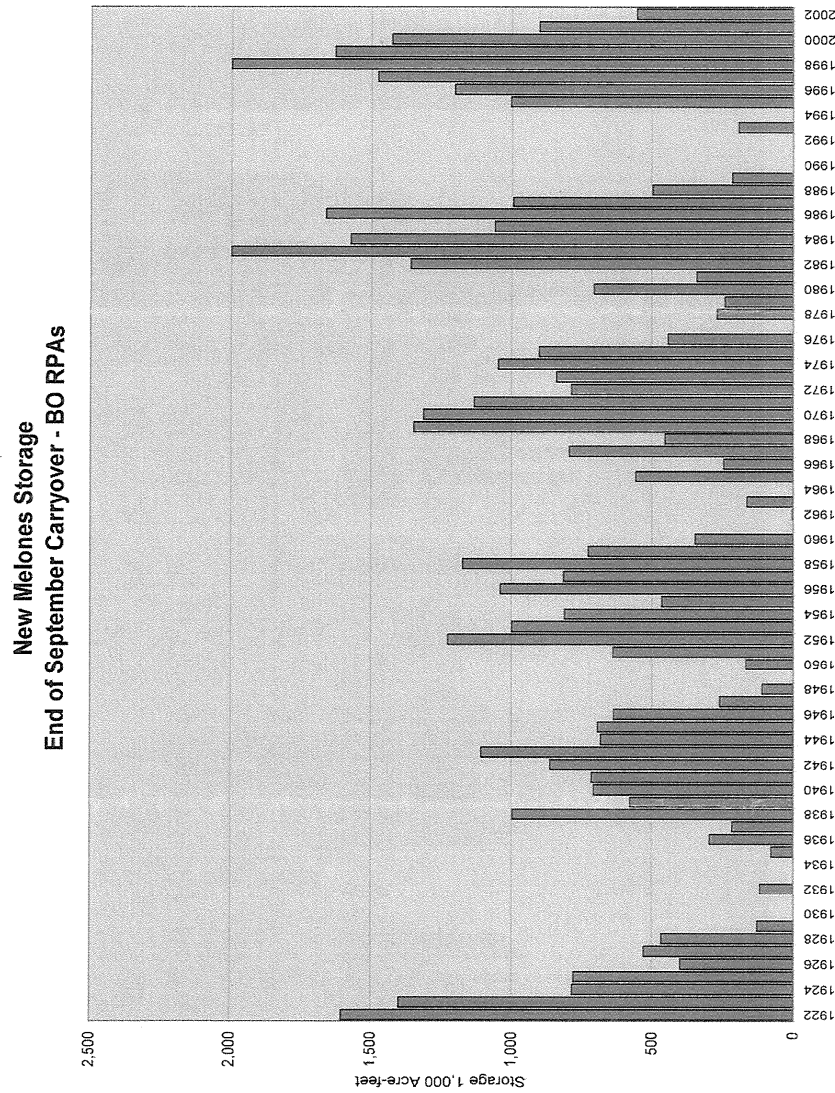


Attachment to Letter L-11. Not a comment letter on the New Melones Lake Area Draft RMP/EIS

Letter L-11, Continued

Comments

Responses



Attachment to Letter L-11. Not a comment letter on the New Melones Lake Area Draft RMP/EIS

Letter L-11, Continued

Comments

Responses



COPY

Attachment to Letter L-11. Not a comment letter on the New Melones Lake Area Draft RMP/EIS

November 19, 2009

Mr. Donald R. Glaser
Regional Director, Mid-Pacific Region
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825-1898

Re: OCAP-BO

Dear Mr. Glaser:

Thank you for your response of October 13, 2009 to our letter to you of August 27, 2009, regarding the OCAP-BO. On behalf of OID and SSJID, we are pleased to see the USBR will abide by the terms of the 1988 Agreement and Stipulation. As we expressed to Commissioner Michael Conner on our trip to Washington D.C., the Districts have had a very good working relationship with the USBR on the Stanislaus River. We look forward to continuing our relationship to address and resolve issues as they arise.

We are perplexed, however, by your statement you will "abide" by the 1988 Agreement and yet you will "use the IPO for guidance and the NOAA fisheries BO OCAP-BO operations." Shouldn't that statement be, "IPO for operations and BO for guidance"? Otherwise, we need you to explain this further as it does not answer our questions on how the USBR will operate New Melones. The OCAP-BO is not an operations plan. The Bureau as part of the project description for the BA set forth an operation plan. The OCAP-BO RPAs are predicated on the USBR operating New Melones as set forth in the BA--an operation plan you now say the USBR will not follow. The OCAP-BO RPA is not an "operation plan". It only says that if you have that BA operation plan then you need to do these additional actions. What is the Operation Plan for New Melones in 2010? Beyond 2012?

We are also greatly concerned if the USBR intends to use the modeling runs done for the OCAP-BO RPA as the guidelines or operation plan for the Bureau's operations at New Melones. The model assumes an average year reduction of 29,000 af to the Districts. The 1988 Agreement says 600,000, it doesn't say 571,000 af. The model should show the Districts taking 600,000. Secondly, the model takes additional water from the Districts in critical years. The Districts are

Letter L-11, Continued**Comments****Responses**

Mr. Donald R. Glaser
November 19, 2009
Page -2

limited to 400,000 af in critical years based on the BA operation plan. The 1988 Agreement has no such provision. In some years this would amount to a 200,000 af reduction to the Districts.

Given current carryover storage in New Melones and the unprecedented dry antecedent conditions within the system, the Bureau may be standing on the precipice of 1987-92 or 1928-34 droughts right now. So, how does the Bureau plan to get through such a drought and abide by the 1988 Stipulation Agreement and operate pursuant to the OCAP-BO?

The following are several other comments and inquires regarding your response letter and how the USBR will operate in 2010.

We conclude from the modeling done for the OCAP-BO RPA's that certain required operational criteria were conditioned in order to produce a viable reservoir operation through all drought periods. In certain runs NMFS turns off meeting the SWRCB D-1641 flow requirements at Vernalis, Dissolved Oxygen requirements at Ripon, and as stated above takes water from OID and SSJID. So, how will the USBR meet D-1641 and its permit conditions for New Melones and the OCAP-BO RPAs? How will the F&G Agreement integrate into the RPAs? What will be the allocation to CVP contractors? Will it be BA allocations, 1997 IPO, or something else? In the past the Stanislaus River Stakeholders have understood the protocols for the water allocations under the IPO. What are the protocols (triggers) for next year's allocations and operation?

We now know that the NMFS did not run its OCAP-BO RPA's through the Stanislaus River Temperature Model, even though CDF&G, USFWS and USBR recommended NMFS to do so. Some questions arise from our temperature analysis that we gave Commissioner Michael Conner when we were in Washington, D.C. We have attached additional copies in case you have not received them.

The temperature modeling shows that the temperature objective at Knights Ferry in the month of May cannot be met 90% of the time and in the month of April it cannot be met 80% of the time, no matter how much water is released. How will the Bureau know if it can, or cannot meet the temperature objective? Under what conditions will the Bureau offramp from attempting to meet the temperature objective? We also understand that the temperature objective for Orange Blossom Bridge in October can only be met 50% of the time. Under what conditions will the Bureau stop releasing water to try to meet a temperature objective that cannot be met in October 2010?

We understood the flow releases made this summer to meet the temperature objective in summer at Orange Blossom Bridge were done based on a "Daily Maximum". Page 620 of the OCAP-BO says "seven-day average daily maximum temperature". Is the USBR operating pursuant to a "Daily Maximum" or "seven-day average daily maximum temperature" for meeting temperature objectives?

Attachment to Letter L-11. Not a comment letter on the New Melones Lake Area Draft RMP/EIS

Letter L-11, Continued**Comments****Responses**

Mr. Donald R. Glaser
November 19, 2009
Page -3

Based on temperature modeling we have done, flows above 2,000± at Tulloch Dam actually increase the temperature of the water below Goodwin in April, May and October. Is the Bureau going to sacrifice meeting flow objectives (Appendix 2E) in the RPA for the sake of meeting temperature objectives? Or vice-versa, not meet the flow objectives because it would degrade temperatures. What has priority? Does the USBR no longer consider itself subject to the flow limitation in the lower Stanislaus that it has observed in the IPO and before that?

Please provide us with the Orange Blossom Bridge temperature data (daily maximums) for June 1st through October 31st. Did the USBR meet the OCAP-BO RPA's temperature objectives for Orange Blossom Bridge June 1st through October 1st? For October 1st through October 31st?

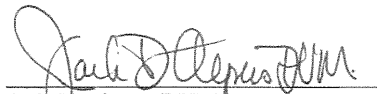
Are current operations at New Melones tied to a New Melones Index (NMI)? Will the New Melones operations for 2010 be done under a New Melones Index? If yes, can you please provide us with your assumptions for the index and a copy of the index? If the 2010 operation is based upon the NMI, what will be the allocation protocols for Appendix 2E and the Vernalis 60-day flows? If the allocations are based on the SJR Basin 60-20-20 index, what will be the allocation protocols for 2010? After the interim period?

Table 2e is predicated upon a 50% forecast of the New Melones Index. Are all allocations, CVP, Dissolved Oxygen, D-1641, etc. also now done under a 50% forecast on March 1st?

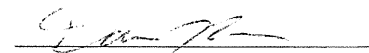
Thank you for your prompt response to our inquiries. We are assuming you had this information available to you when the Bureau "provisionally" accepted the OCAP-BO. We look forward to your earliest response as the 2010 water year is almost upon us. We thank you for allowing Mr. Paul Fujitani of your staff, to respond to our inquiries.

Sincerely,

OAKDALE IRRIGATION DISTRICT


Jack D. Alpers, DVM
Board/President

SOUTH SAN JOAQUIN IRRIGATION
DISTRICT


Dave Kamper
Board President

Attachment to Letter L-11. Not a comment letter on the New Melones Lake Area Draft RMP/EIS

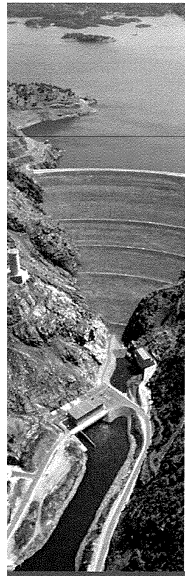
ORGANIZATION COMMENTS

This page intentionally left blank.

Letter O-1

Comments

Responses



RECLAMATION

Managing Water in the West

Comment Sheet for the New Melones Draft RMP/EIS

Written comments may be submitted at the Comment Table or are due to the Bureau of Reclamation by close of business Monday, January 4, 2010.

Comments may also be mailed to the address on the back, or faxed to 916-989-7109, or e-mailed to mbrockman@usbr.gov. Thank you.

(Please print clearly)

Name John Fuller
 Organization and Address Pantehnicon Aviation Ltd.
2207 Bellanca Street
Minden, NV 89423
 Phone () 775-720-5252 FAX () 775-618-9208 E-mail jmf Fuller@ix.netcom.com

Comment here: December 10, 2009
Date

I write regarding continued seaplane access to New Melones Reservoir, which we strongly support. I was fortunate in being able to use New Melones Reservoir during my seaplane training, and continue to periodically enjoy its use. I am always pleased to see the local boating community enjoying watching our activities, often with interested questions.

O-1-1 | I note that there are four alternatives offered in the Draft RMP/EIS. We are very much in favor of Alternative B, which would allow a seaplane school which, of course, would provide additional jobs in the area. Alternatives A and D are acceptable, but

O-1-2 | we are strongly opposed to Alternative C, which would close the lake to all seaplanes.

Seaplanes are less polluting than most power boats, and our local pilots go to great pains to be good neighbors. As with personal watercraft, there is a large number of small personal seaplanes that are specifically designed for recreational use on inland lakes such as New Melones Reservoir. We look forward to working with you to ensure continued access of these specialized "aerial watercraft" to New Melones as well as other BOR lakes.

Many thanks for considering our comments.

All comments become part of the public record.

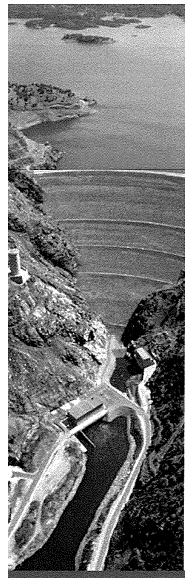
O-1-1: Comment noted. Commercial operation of seaplanes on Reclamation water bodies is not permitted under 43 CFR Part 423.41.

O-1-2: Comment noted.

Letter O-2

Comments

Responses



RECLAMATION

Managing Water in the West

Comment Sheet for the New Melones Draft RMP/EIS

Written comments may be submitted at the Comment Table or are due to the Bureau of Reclamation by close of business Monday, January 4, 2010.

Comments may also be mailed to the address on the back, or faxed to 916-989-7109, or e-mailed to mbrockman@usbr.gov. Thank you.

(Please print clearly)

Name William R. Borgsmiller

Organization and Address Aviation Consultants, Inc.
945 Airport Drive
San Luis Obispo, CA 93401

Phone () 805-782-9722 FAX () 805-545-9225 E-mail wborgsmiller@acijet.com

Comment here: December 11th, 2009
 Date

- O-2-1 As a seaplane owner and operator, I would like to express my strong support of Option B and my extreme opposition to Option C. Seaplanes have a long history of safe operation at the New Melones reservoir and many other BOR waterways. While not common in CA, seaplanes are safely and widely used in our neighboring states of OR and WA on some of the busiest waterways in the country. I cannot think of any possible reason or benefit to the public that would be great enough to justify restricting a citizen's rights to operate a seaplane onto our out of this reservoir. Under Federal Law, a seaplane is considered to be a vessel ("boat") when it is operating on the water. Provided that seaplanes continue to exhibit a safety record that is far better than that of recreational boats and personal watercraft, I would consider any laws restricting seaplane use to be discriminatory and a violation of the public trust doctrine. I strongly urge anyone deciding on this issue to look at the facts that surround seaplane use and operation. Generally speaking, seaplane pilots as a group are educated and responsible tax paying individuals that should be entitled to enjoy this country's natural resources in their own special way just like any other citizen. Considering their exemplary safety record and minimal environmental impact (no discharge, 2 stroke engines, or underwater propellers), I urge you to defend the rights of this small but valuable segment of the population.
- O-2-2
- O-2-3

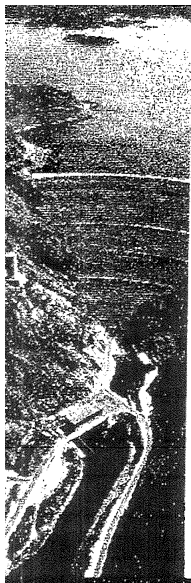
All comments become part of the public record.

- O-2-1: Comment noted.
- O-2-2: Management actions within the RMP must be consistent with Reclamation's goals and objectives. Reclamation must consider resource use, resource protection, and public safety in managing the New Melones Lake Area. Reclamation's preferred alternative would continue to implement the current policy for non-commercial seaplane use of New Melones Lake.
- O-2-3: Management actions within the RMP must be consistent with Reclamation's goals and objectives. Reclamation must consider resource use, resource protection, and public safety in managing the New Melones Lake Area. Reclamation's preferred alternative would continue to implement the current policy for non-commercial seaplane use of New Melones Lake.

Letter O-3

Comments

Responses



RECLAMATION

Managing Water in the West

Comment Sheet for the New Melones Draft RMP/EIS

Written comments may be submitted at the Comment Table or are due to the Bureau of Reclamation by close of business Monday, January 4, 2010.

Comments may also be mailed to the address on the back, or faxed to 916-989-7109, or e-mailed to mbrockman@usbr.gov. Thank you.

(Please print clearly)

Name Charles Hartwell

Organization and Address Hartwell construction
1001 Cliff Dr.
Newport Beach California

Phone () 949-246-6467 FAX () 949-722-7516 E-mail Chartwell@roadrunner.com

Comment here: December 12, 2009
 Date

Seaplanes and seaplane pilots are a symbol of American freedom. To ban seaplane use in New Melones Lake would be a catastrophe. I have landed and enjoyed New Melones Lake for the past 12 years

O-3-1

I say to people that have concerns about safety you really need to go up in a sea plane
 The perspective you have on the downwind and turned for an approach is 180°

Much more than you would have driving a car or driving in a boat

From the air there really is no conflict with boating "a sailboat is more dangerous"

O-3-1

(Continued)

The splendor of seaplane is such a wonderful and popular attraction
 that only benefit local tourism and businesses

You ban seaplanes now what's next? why don't we just ban everything?

No boating, no fishing, no sailing, no people, that'll work

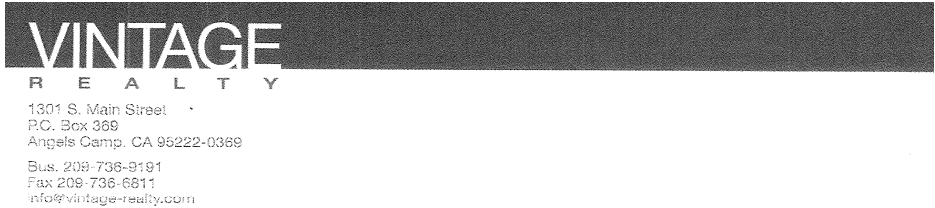
All comments become part of the public record.

O-3-1: Comment noted. Reclamation's preferred alternative would continue to implement the current policy for non-commercial seaplane use of New Melones Lake.

Letter O-4

Comments

Responses



Vintage Realty
 Nancy Whittle & Janet Cuslidge
 1301 S. Main Street
 P.O. Box 369
 Angels Camp, CA 95222

December 23, 2009

Mrs. Melissa Vignau
 c/o Central California Area Office
 U.S. Department of the Interior
 Bureau of Reclamation
 7794 Folsom Dam Road
 Folsom, CA 95630-6610

Dear Mrs. Vignau,

O-4-1

We have read that you are considering restricting the size of houseboats at New Melones Reservoir and believe this would be a big mistake. In Calaveras County, our local economy is reliant on tourism and as such we strive to offer the best recreational opportunities we can.

We use the houseboats on New Melones Reservoir for business gatherings and when choosing a rental, we always go with the largest available; the larger houseboats offer more luxury for the money and make our trips very memorable.

Our 2.4 million acre foot lake is so large that we've never had a problem with congestion or traffic and we are fully capable of driving the larger 16' wide by 70' long houseboats on New Melones Reservoir.

The freedom to rent larger houseboats for use on New Melones Reservoir benefits both local residents and visitors alike. We sincerely hope you won't penalize us and do

O-4-1: Comment noted. Houseboat size limits have been in effect since 1986. The preferred alternative would continue to implement the same size limitation. The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.

Letter O-4, Continued

Comments

Responses



1301 S. Main Street
P.O. Box 369
Angels Camp, CA 95222-0369
Bus. 209-736-9191
Fax 209-736-6811
info@vintage-realty.com

damage to our local economy by restricting houseboat size in Calaveras County.

Sincerely,

Two handwritten signatures in cursive script. The first signature is "Nancy Whittle" and the second is "Janet Cuslidge".

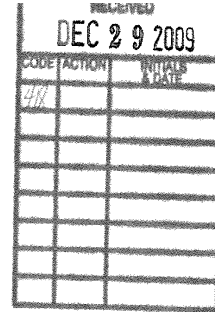
Nancy Whittle, Owner
Janet Cuslidge, Owner

Letter O-5

Comments

Responses

Gold Star Plumbing
 PO Box 1705
 Murphys CA 95247
 (209) 728-3210



December 28, 2009

Mrs. Melissa Vignau
 C/O Central California Area Office
 US Department of the Interior
 Bureau of Reclamation
 7794 Folsom Dam Rd
 Folsom CA 95630-6610

Mrs. Vignau,

O-5-1

I would like to express my support for increasing the size restrictions on house boats for the New Melones water ways. At present they are limited to 15' x 56'. All new house boats are around the 16' x 70' size. This is the size that people want because of the amenities they provide. I do not feel the added size impacts the water, but it does impact peoples decision on where to spend their disposable income. As tough as times are now, it is important to let all businesses play on a level field and prosper as well as they can. I hope to see this restriction lifted. If you have any comments, questions or concerns I would love to hear from you.

Thank you for your help,

Jonathan Ingber

O-5-1: The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.

Letter O-6

Comments

Responses



December 30, 2009

Ms. Melissa Vignau
C/o Central California Area Office
U.S. Department of the Interior
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630-6610

Fax: 916-989-7109

Re: New Melones Resource Management Plan and Environmental Impact Statement

Dear Ms. Vignau,

O-6-1

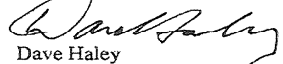
We are requesting a revision to the Bureau of Reclamation policy on the size limit of house boats allowed on New Melones Lake. The current policy limits houseboat width to 15' and length to 56'. Our request is to increase the size limit to accommodate the newer houseboats of at least 16' in width and 70' in length.

Considering the New Melones Lake size of 12,000 surface acres and its importance to our Calaveras County economic and recreation needs, it is imperative that we offer the boating public the ability to use the latest state of the art houseboats.

Our experience in discussing the houseboat size issue with interested boaters is that they would use New Melones Lake if they accepted the larger houseboats, but due to the current size limits they have no interest. This attitude in part hurts our ability to increase the economic viability of our County.

In addition, our company is in the business of building commercial business and residential home opportunities in Calaveras County. The importance for us to be competitive with other regions that have lake access for the larger boats is critical to the success of our region.

Sincerely,



Dave Haley
Vice President, Division Manager

O-6-1: The current size limitation of 15' x 65' is based on many factors, including but not limited to entrance road size limitations, marina facilities and capacity studies. The 2002 Visitor Use Study established a capacity of 106 houseboats, in part based on current size limits. Increasing the maximum size of houseboats may have an impact on the overall capacity and range of recreation opportunities and visitor experiences on the lake. The preferred alternative seeks to maintain or enhance the existing capacity and range of recreation opportunities provided.

Letter O-7**Comments****Responses**

Central Sierra Environmental Resource Center
 Box 396 • Twain Harte, CA 95383 • (209) 586-7440 • FAX (209) 586-4986
 Visit our website at: www.cserc.org or contact us at: johnh@cserc.org

January 3, 2010

Ms. Melissa Brockmam-Vignau
 Project Manager, New Melones RMP
 Bureau of Reclamation
 Central California Area Office
 7794 Folsom Dam Road
 Folsom, CA 95360

Re: New Melones Lake Area Resource Management Plan/EIS

Dear Ms. Brockman-Viganu:

As you and New Melones officials already know, the Central Sierra Environmental Resource Center (CSERC) has been an active, science-based advocate and respectful participant in planning at New Melones for more than a decade. CSERC has been involved throughout the entire planning process for the New Melones Resource Management plan. Our staff has attended all public meetings, and we have engaged in all opportunities to provide input. After reviewing the Draft Management Plan and EIS, CSERC submits these final detailed comments. We also ask that all of CSERC's previous submitted written comments provided previously in this process be included as part of the legal record for purposes of CSERC's legal standing.

Air Quality:

In one of the only major legal deficiencies in the current Resource Management Plan, the Bureau has failed to provide a reasonable range of alternatives under NEPA in terms of the significant impact of Greenhouse Gas (GHG) emissions and the need to reduce carbon contributions to climate change. The State of California (as well as the federal government) has determined that climate change and GHG emissions are creating significant negative impacts for the environment. Thus, it is not legally permissible for the Bureau to sidestep this significant impact without providing a range of potential strategies to reduce the

Letter O-7, Continued

Comments

Responses

significance of the impact. Accordingly, any major land management plan requires appropriate consideration of GHG emissions and feasible mitigation measures to reduce carbon emissions.

- O-7-1 In one of the major gaps of information considered in the current plan, sources of greenhouse gases and appropriate mitigation measures are not considered under the Air Quality section. It is important to quantify and mitigate the effect that motorized boats, RV's, cars, construction of new complexes, and other activities occurring at New Melones have on air quality as well as climate change due to greenhouse gases. The federal government issued a mandate on October 5, 2009 stating that the heads of all federal agencies must account for their contribution of greenhouse gases and by January 3, 2010 have a "a percentage reduction target for agency-wide reductions of scope 1 and 2 greenhouse gas emissions in absolute terms by fiscal year 2020, relative to a fiscal year 2008 baseline of the agency's scope 1 and 2 greenhouse gas emissions."¹ CSERC strongly urges the Bureau to not only include New Melones in their plan to decrease greenhouse gas emissions created by activities occurring within BLM property, but to also appropriately analyze the impact that proposed expansions of recreation facilities may have on accomplishing reduction goals.
- O-7-2
- O-7-3

- O-7-4 In the final EIS and in the final selected alternative, the Bureau should either discuss differing options and alternatives for reducing GHG emissions, or at a minimum the Bureau must identify how appropriate mitigation will be adopted for not only the predicted increase in GHG emissions tied to management approval, but also for the cumulative GHG emission impacts that the new emissions combined with existing emissions collectively produce. The FEIS and final Decision should spell out how mitigation is planned to reduce the level of significance of climate change impacts from management activities, and assure that future site-specific actions based on this programmatic plan will only be approved if GHG emission reduction mitigations are determined to be adequate and sufficient.
- O-7-5

Noise:

- O-7-6 Alternative C requires mandatory compliance with boat and visitor noise, whereas the proposed action does not. CSERC believes that it is critical to have mandatory compliance to ensure that noise restrictions are enforced if regulations are going to be effective. Without mandatory compliance, the sole incentive for compliance will depend upon the desire by visitors to respect rules. In reality those who are causing the greatest noise problems are unlikely to comply with any noise restriction requirements unless there is some clear consequence. In this case CSERC encourages the adoption of Alternative C - mandatory compliance with noise regulations. How those noise regulations are designed and how they are enforced can provide the Bureau with flexibility based on an awareness of the limits of agency personnel and staffing capacity.

- O-7-1: Sources of greenhouse gas emissions are considered in the air quality cumulative impacts (Section 6.18.1). The analysis concludes that no cumulatively significant effects on air quality are expected from implementing the New Melones RMP. Because the RMP is a programmatic document and the analysis broad-scale, quantification of emissions that may result from implementing actions in the RMP would be speculative and was not conducted. Available information was insufficient to develop quantitative greenhouse gas emissions for activities addressed by RMP alternatives; however, qualitative analysis was provided. Impacts on air quality would be further assessed during NEPA review at the project implementation level, and appropriate mitigation measures would be proposed, as warranted.
- O-7-2: Reclamation will comply with the Executive Order and any future requirements for all future actions as required.
- O-7-3: Impacts on air quality would be further assessed during NEPA review at the project implementation level, and appropriate mitigation measures would be proposed, as warranted.
- O-7-4: Because the RMP is a programmatic document and the analysis broad-scale, quantification of emissions that may result from implementing actions in the RMP would be speculative and was not conducted. As such, specific mitigation measures were not proposed. Impacts on air quality would be further assessed during NEPA review at the project implementation level, and appropriate mitigation measures would be proposed, as warranted, to address project-specific and cumulative effects.
- O-7-5: Analysis in the RMP/EIS concludes that climate change impacts from management activities would be less than significant. Impacts on air quality would be further assessed during NEPA review at the project implementation level, and appropriate mitigation measures would be proposed, as warranted.
- O-7-6: Comment noted.

Letter O-7, Continued	Comments	Responses
O-7-7	<p><u>Geologic Resources (excluding caves):</u></p> <p>CSERC generally supports the Bureau's plans for managing geologic resources, and the continued restriction of mining within the study area, as well as the involvement of New Melones in any proposed mining plans that may affect the New Melones watershed. However, in section 6.4.3.3 of the EIS the environmental effects of grazing on geologic resources are described. <u>Because grazing can affect soil and watershed values, it may be appropriate for the Bureau to include strategies for management of grazing impacts in the Goals or Actions in this section</u> since in the Bureau's proposed alternative, grazing will be brought back into the New Melones Lake Area as described in Table 3-1 Action ISC 4D and Action LM 9B.</p>	<p>O-7-7: Actions ISC 4B-4D state that grazing would be allowed upon the approval of grazing plans; grazing plans would include measures to minimize impacts to geologic resources.</p>
O-7-8	<p><u>Caves:</u></p> <p>CSERC supports the Bureau's goals to comply with cave management regulations and the resources within caves. <u>The Center strongly encourages the Bureau to strengthen these goals by including language in the Resource Management Plan that demonstrates that strict measures will be taken to protect the resources and habitats within significant caves identified</u> (specifically Caves 25, 54, 77, 52, 85, and Dragon's Breath caves, and those that may be identified in the future) on New Melones land including "restriction of use of significant caves" ² in accordance with the 1988 Federal Cave Resources Protection Act. The species specially evolved to live in and dependant on these delicate ecosystems and the extreme vulnerability of these habitats to alteration due to human contamination and destruction is why <u>CSERC supports the adoption of Alternative C with an inclusion of a detailed management strategy for cave management.</u></p>	<p>O-7-8: Comment noted. Should funding become available, Reclamation may develop an updated cave management plan by coordinating with other agencies to strengthen and protect cave resources. Action C 2 has been revised to reflect this information.</p> <p>O-7-9: The implementation of WR1 would vary on a case-by-case basis, depending on the nature or location of facilities being updated. Impacts on existing habitat and wildlife would be addressed during environmental review at the project implementation level; however, the overall intent of this management action includes ecosystem protection.</p>
O-7-9	<p><u>Hydrology/Water Quality:</u></p> <p>The goals and general actions described in Table 3-1 are intended to manage the water quality, water resources, and aquatic habitats in a way that supports water and ecosystem health, conservation, and quality. CSERC supports those goals and the general actions spelled out. However, CSERC notes that the language put forth in this section is generally vague when describing new facilities and that the need for greater detail is necessary to ensure that these goals are truly realized with the least possible impacts to affected resources. For example, Action WR1 states that minimum basic facilities such as parking and restrooms will be updated in Rural Developed and Rural Natural Management Areas to protect water quality and ecosystem protection. <u>Without specific details on how these expansions will be done in a way that protects the resources described, CSERC opposes Action WR1 due to the potential harm that any new development may have on existing habitat and wildlife.</u> In the final plan and FEIS, such information and criteria should be spelled out.</p>	

Letter O-7, Continued	Comments	Responses
O-7-10	<p>Sanitation: CSERC supports the Actions described for Sanitation management that are universal to all of the proposed actions. Additionally, CSERC supports all of the actions proposed under Alternative D, while noting that installing a sign at Coyote Creek that indicates the lack of restroom facilities at Natural Bridges along with using BMPs (Action WR 19C) is generally vague and greater detail on how this will accomplish sanitation goals is needed.</p>	<p>O-7-10: Should funding become available, installation of a compost facility could be placed at Natural Bridges in the Coyote Creek Management Area, to accompany an existing facility. Action WR 19C has been revised to reflect this information.</p>
O-7-11	<p>Erosion: While CSERC strongly supports the actions that are universal to all of the proposed alternatives in this section, our Center notes that Action WR24 stating the Bureau will “Prohibit discharge of sediment to any water body” is contradictory to many of the proposed new and expanded activities that the Management Plan is proposing. This includes grazing, which is known to create soil erosion problems² and discharge of sediment. CSERC urges the Bureau to include specific regulations that will ensure that activities that lead to erosion and sedimentation are properly planned and mitigated for in order to reduce their impact to the maximum extent feasible.</p>	<p>O-7-11: Measures to minimize and mitigate erosion/sedimentation impacts would be addressed at the project implementation level.</p>
O-7-12	<p>For the Actions proposed in WR28, CSERC supports Alternative C as this alternative addresses the existing problems of erosion through closures of degrading roads instead of updating roads and minimizing the erosion new construction creates (as will happen in the proposed action Alternative D), as well as restricting and reducing vehicle use in vulnerable areas.</p>	<p>O-7-12: Comment noted.</p>
O-7-13	<p>Contaminants: CSERC recognizes that it is necessary in some circumstances to use chemical controls for invasive plant removal when biological and mechanical controls are no longer effective in halting the spread and reproduction of non-native plant species. Consequently, CSERC supports the proposed Alternative D, Action WR 35D, while urging the Bureau to use chemical controls responsibly and as a last resort for difficult invasive species (for example, yellow star thistle).</p>	<p>O-7-13: Comment noted.</p>
O-7-14	<p>Vegetation:</p> <p>Under all topics within this section, CSERC strongly supports the Bureau adopting the Alternative C actions, as it considers and mitigates for the environmental effects that activities such as burning, grazing, moving the Baseline Conservation Camp, and human activity have on existing vegetation and habitats. All the topics under the section discuss the importance of education to the public in order to raise awareness of the value of certain habitats, as well as avoiding certain sensitive and easily impacted environments during proposed project developments or activities. However Alternative C is the only one that takes the extra precautions to consider and minimize the impact that these activities may have on vegetation and habitat in the long run, and truly allows the Bureau demonstrate its stated values which it strives to educate the public about, while reaching other goals listed in other categories within Table 3-1. For example, under the Hydrology/Water Quality category, Goal 3 states the Bureau will work to “Maintain the ecological health of aquatic habitats on New Melones Lake lands, for example riparian and wetlands”. In section</p>	<p>O-7-14: Comment noted.</p>

Letter O-7, Continued

Comments

Responses

6.7.3.3 of the EIS, the indirect effects of livestock grazing are described: "livestock grazing deteriorates stabilizing vegetation, erodes banks, and causes decline in water storage capacity and quality." These impacts clearly work against the described goal. According to Section 6.7.6 *Effects of Vegetation under Alternative C*, only under Alternative C will BMPs be implemented to protect water quality, which would "protect riparian vegetation from degradation resulting from grazing use". Clearly with instances such as this the Conservation Alternative not only would protect the habitats and water that help to create a healthy ecosystem, but the Conservation Alternative approach also aligns with the goals put forth by the Bureau of Reclamation.

Fish and Wildlife:

In the goals listed by the Bureau under the section of Fish and Wildlife, it is emphasized that the main objectives of the Resource Management Plan are to maintain or improve biological diversity, reduce disruption and loss of sensitive wildlife habitat, to enhance wildlife habitat overall, and to restore wildlife habitat that has been damaged through restoration and revegetation. CSERC strongly supports these goals, recognizing that the continued use of the New Melones Lake area for recreational and other purposes inadvertently impacts the diversity and stability of wildlife populations and habitat. Of all the strategies each alternative takes to mitigate for these impacts, CSERC supports the adoption of actions under Alternative C as well as the all of the actions that are universal under all of the alternatives, in order to provide the most protection of wildlife resources. Alternative D allows room for undefined development in the Peoria Wildlife Management Area with the expansion of the Baseline Conservation Camp "if needed". Without any description of where or what type of expansion this development project would be, CSERC opposes the expansion due to the impact that this may have on the surrounding habitat. Additionally, no matter what alternative the Bureau ultimately adopts, CSERC urges that the prohibitions and restrictions on vehicle usage in designated areas be enforced to a greater extent by increasing the severity of the fine or punishment for violators, and that these penalties be described in the final management plan.

Special Status Species:

CSERC supports the Bureau's recommendation of Alternative C for Action SSS 1D, which states that the Bureau will work to "conserve sensitive wildlife habitats", specifying the protection of raptors and bats during breeding periods. **Our Center urges the Bureau to expand upon the details of this action in the final management plan, describing the specific locations and the actions that will be taken at these locations to conserve and protect these habitats that special status species** (including flora as well as fauna) depend upon so greatly. Additionally, there is no mention of specific measures that may be taken to protect special status species other than bats or raptors that have had confirmed sightings in the New Melones Lake area. Species of concern includes fauna such as the tri-

O-7-14: Comment noted.

O-7-15: Comment noted. Since there is currently no detailed project description, further environmental review would be conducted prior to the implementation of any expansion, even if such actions occur within the existing footprint.

O-7-16: Comment noted. As Reclamation lands are owned under proprietary jurisdiction, Reclamation relies on enforcement of federal, state and local laws and regulations by authorized enforcement officers of those agencies. Reclamation is working with law enforcement officials in both Tuolumne and Calaveras Counties to enforce regulations and to mirror ordinances between both counties to increase the ability to cite and fine violators. Fines and bail schedules are not set by Reclamation.

O-7-17: The action states that Reclamation will "conserve sensitive habitats... by minimizing disruption and loss". Reclamation's measures to minimize habitat disruption and loss would vary on a case-by-case basis depending on the project or activity being implemented. Measures to adequately minimize habitat disruption and loss would be determined during additional environmental review prior to the implementation of any project or activity that could impact sensitive wildlife habitat.

O-7-18: Although the RMP does not identify specific management actions for all special status species that may be present in the New Melones Lake Area, Reclamation would, in general, manage public use and operations and maintenance to contribute to the conservation of special status species. Reclamation would conduct additional environmental review prior to the implementation of any activity or project that could impact special status species; impacts would be minimized to the extent possible and mitigation measures implemented as warranted.

O-7-14
(Continued)

O-7-15

O-7-16

O-7-17

O-7-18

Letter O-7, Continued

Comments

Responses

O-7-18 (Continued) color blackbird, the burrowing owl, and the double crested coromont, as well as flora such as *Chlorogalum grandiflorum* and *Lomatium congdonii*. These species are at risk of habitat disturbance from a variety of activities on Bureau land (e.g. invasive species, grazing, fire, and so on), therefore CSERC urges that all special status species be included and protected in the final management plan. For the rest of the actions proposed under this category, CSERC supports Alternative C's approach because the actions described under this alternative take the highest measures to protect raptors and bats through restricting access to their nesting areas during mating season.

General Land Management:

Alternative C (along with B and D) advocates for moving the Baseline Conservation Camp (which is located within Peoria WMA) to "existing Equestrian Area away from the Stanislaus River area of the Peoria Wildlife Management Area". Alternative B,C, D say they would restore open areas formerly used by the Baseline CC, but leave the facilities available for future use. Alternatives B, C, and D also want to exclude Baseline from the PWMA boundaries "offsetting with equivalent or more acreage for wildlife mitigation adjacent to the (PWMA) in other areas". CSERC recognizes the realities of needing to provide valuable facilities for Baseline operations. Nevertheless, it is essential that the Management Plan provides for adequate long-term protection for the wildlife habitat areas that are so important to the overall ecosystem of the lands.

Under the topic "Rights of Use," CSERC supports Action LM7D for continued assessment by the Bureau of how lands are used within New Melones Lake Area, as well as the guidelines that new easements will have to adhere to. CSERC also supports the universal action LM8 and the continued prohibition of certain activities without a permit.

O-7-20 Action LM9 recommends the return of livestock grazing "in appropriate areas" for Alternatives B, C, and D to "control invasive plant species and to reduce fire danger". While CSERC does not argue against the use of grazing on federal multi-use land when environmental impacts are not significant, we argue that the phrasing in this action is vague and allows too much discretion in classifying locations that are suitable for range management. **CSERC urges the Bureau to clearly define circumstances and locations where grazing is deemed to be appropriate.** For example, in areas with limited invasions of noxious weeds, livestock grazing may be appropriate if those specific species of weeds are clearly diminished by a level of livestock grazing that does not wipe out all available forage. Some species (such as star thistle) only are effectively constrained by grazing if grazing utilization is so severe that the pasture areas are nearly denuded. Only at that point do the star thistle plants get heavily grazed. Since at New Melones, watershed and soil protection objectives will not be met by that level of intensive grazing, livestock may not be appropriate for constraining start thistle. Additionally, while grazing may, to a limited degree, help reduce the fuel load of non-native grasses prone to burning, CSERC emphasizes that this tactic does not address the underlying ecological issues that have created the present landscape, nor does it contribute to returning the landscape to its

O-7-18: Although the RMP does not identify specific management actions for all special status species that may be present in the New Melones Lake Area, Reclamation would, in general, manage public use and operations and maintenance to contribute to the conservation of special status species. Reclamation would conduct additional environmental review prior to the implementation of any activity or project that could impact special status species; impacts would be minimized to the extent possible and mitigation measures implemented as warranted.

O-7-19: Comment noted.

O-7-20: As noted in your letter, the effects of grazing can vary greatly depending on a number of factors, including the location to be grazed, the nature of vegetation communities present, and the extent the area would be grazed. As stated in LM 9, Reclamation would require a grazing plan and permit prior to allowing grazing; the grazing plan and permit process would consider items such as borders and buffers to protect sensitive resources. Additional environmental review would be conducted before authorizing grazing at a particular location to analyze the environmental benefits and potential adverse impacts.

Letter O-7, Continued

Comments

Responses

O-7-21 natural former state. The impacts of cattle grazing on existing wildlife, vegetation, and water quality often outweigh any benefit that their use for "mowing down" grasses can provide. Without the inclusion of how and where buffers and borders will be established to prevent cattle from accessing areas most vulnerable to livestock damage, CSERC opposes the reintroduction of cattle to the New Melones Lake Area, and supports Action LM9A- the continued effort to eliminate unpermitted grazing on Reclamation land.

O-7-22 In the topics of Trespass and Unauthorized Use and Utilities, CSERC supports all proposed actions under the Alternative D as well as all actions that are unanimous to all the alternatives, with the exception that any proposed expansion of minimal facilities (Action LM17) should be described in greater detail as to their location so that the potential environmental impact of any expansion can be considered before action is approved.

O-7-23 Lastly, in the instance of enforcing illegal OHV use (Action LM13), CSERC again urges the Bureau to strengthen the penalties for violators in order to truly discourage this damaging activity.

Access and Transportation:

O-7-24 Recognizing the need to maintain and modernize roads and parking facilities, CSERC tentatively supports the Actions proposed under Alternative D for this category. However if maintenance and updating includes the rerouting or expansion of these areas, CSERC urges the Bureau to analyze and outline the mitigation of the impact that the construction of more impervious surfaces will have to the surrounding environment and water quality before the approval of any project.

O-7-25 CSERC generally opposes for multiple reasons building new roads at New Melones, especially to access areas that are presently valuable to wildlife in part because there is limited vehicular access. Vehicle access brings increased risk of poaching, greater potential for the introduction of non-native plants, increased noise, increased disturbance, and increased risk of road kill for wildlife species. For all of these reasons, CSERC strongly encourages the Bureau to protect and preserve the existing roadless areas within the project area.

O-7-26 In terms of the issue of seaplane use, the matter is primarily a question of whether or not seaplanes are truly necessary to allow at New Melones, or whether the noise and potential safety risks associated with seaplanes is simply not necessary to allow at New Melones. CSERC supports Alternative C with its restrictions on access for seaplanes, but we defer to the judgment of Bureau staff on this matter.

There are already many heavily used locations surrounding the New Melones Lake Area that are challenging in themselves to maintain and manage adequately. There are many miles of trails and roads already easily accessed by outdoor enthusiasts, and the Bureau proposes increasing the footprint of most of these areas with expanded and new facilities, more campgrounds, increased RV access, etc. Westside and Bowie Flat are some of the less

O-7-21: Comment noted.

O-7-22: Environmental impacts from implementation of LM 17 would be addressed during environmental review at the project implementation level.

O-7-23: Comment noted. As Reclamation lands are owned under proprietary jurisdiction, Reclamation relies on enforcement of federal, state and local laws and regulations by authorized enforcement officers of those agencies. Reclamation is working with law enforcement officials in both Tuolumne and Calaveras Counties to enforce regulations and to mirror ordinances between both counties to increase the ability to cite and fine violators. Fines and bail schedules are not set by Reclamation.

O-7-24: Site-specific NEPA will be conducted for all project-level implementation plans. This will include analyzing all impacts associated with the proposed project, to include the maintenance and modernization of roads and parking facilities.

O-7-25: Comment noted.

O-7-26: Comment noted.

Letter O-7, Continued

Comments

Responses

O-7-27 accessed and therefore more natural areas surrounding the lake. Due to the already significant impact that humans have on the environment surrounding New Melones Lake, CSERC questions the need for the increase in trail use by mountain bikers and equestrian users as well as the construction of new trails, trailhead staging, and campgrounds proposed in the Westside and Bowie Flat Management Area. We instead suggest that the objective be to more effectively maintain the trails already in existence, and to keep other areas as natural as possible so that equestrian users, hikers, and others can have natural area options to compliment available trail locations.

Public Health and Safety:

O-7-28 CSERC supports all universal actions described in the category of Public Health and Safety, with the exception of Action PHS 16 under the topic of Law Enforcement. CSERC recognizes the need for accessible and adequate law enforcement, however there is no mention of the area where the substations described in Alternative B and D would be located. Our Center stresses the importance of designating areas appropriate for proposed development sites before their approval so as to not create the potential degradation of valuable habitat due to loose regulations. Therefore, CSERC supports Alternative C for Action PHS 16 in order to protect potentially sensitive habitat from undesignated development projects.

Invasive Species Control

O-7-29 CSERC notes that this category has not been included in the Environmental Consequences section (Chapter 6), which hints that the Bureau has not properly analyzed the actions in this category. As raised previously in earlier comments, this is of concern to CSERC because of the inclusion of grazing as a method of controlling invasive plant species.

O-7-30 **CSERC opposes the all-inclusive allowance of grazing “in all areas permissible for this type of use except high density recreation areas”,** as stated in all Alternatives except A for Action ISC 4. The implementation of industry standard BMPs are not mandatory³ and thus do not establish strict enough regulations for the protection of water quality and aquatic ecosystems as well as other sensitive habitats.

O-7-31 When considering the usage of pesticide application as a means to control invasive species, CSERC urges the Bureau to consider including “preventative” measures in order to stop the continued introduction of unwanted flora and fauna species. For example, raising public awareness of how invasive species are introduced and spread through educational signs may help reduce contamination. Additionally, creating a regulation that mandates all boats entering New Melones are cleaned properly before entering the lake will help reduce the introduction of marine species such as quagga/zebra mussels and the New Zealand mud snail.

O-7-32

Action ISC Alternative C provides: “Implement a project-wide Fire Management Plan targeting late spring or early summer burning to control or eliminate invasive plants such

O-7-27: Comment noted.

O-7-28: Prior to development, further site-specific review would be conducted to assist in determining the most suitable locations for such facilities that would consider minimization of impacts to sensitive habitats.

O-7-29: As indicated on page 6-1, effects from implementing invasive species control management actions has been addressed, where applicable, under the Effects from Natural Resources Management headings within the 16 resource topics analyzed in Chapter 6.

O-7-30: Comment noted. Actions ISC 4B-4D state that grazing would be allowed upon the approval of grazing plans; grazing plans would include measures to minimize adverse environmental impacts.

O-7-31: Comment noted.

O-7-32: Reclamation can establish policies with proper approvals, but does not have the authority to develop new regulations without legislative approval.

Letter O-7, Continued	Comments	Responses
O-7-33	<p>as yellow star thistle. Rehabilitate all burn areas to prevent infestation of invasive plant species". Alternative D provides the same with the addition of: "...work with CAL FIRE and federal agencies to coordinate rehabilitation efforts on moderate to large fire areas to prevent invasive plant infestation." CSERC believes that realistically the Bureau may not have either the personnel nor the budget to consistently utilize prescribe burning for ecological purposes and species-specific invasive plant control. We suggest that whatever final wording is approved, the program needs to be realistic and to recognize the high risk of escape when burning to reduce invasive species such as star thistle.</p>	O-7-33: Comment noted.
O-7-34	<p><u>Cultural Resources:</u></p> <p>CSERC supports all actions proposed under the Cultural Resources category, while noting that Action CR21 proposes the construction of a new Archaeological Storage Facility in a new location for Alternatives B, C, and D. However, as with other facilities proposed in this programmatic document, CSERC urges the Bureau to include protocols for approval of the new facility within the final Resource Management Plan that includes language that will ensure that sensitive habitats, wildlife, and the watershed are all protected from contamination and disturbance that would be generated by facilities.</p> <p><u>Socioeconomic and Environmental Justice:</u></p> <p>CSERC supports the actions proposed under the Socioeconomic and Environmental Justice category.</p> <p><u>Indian Trust Assets:</u></p> <p>CSERC supports the action proposed under the category Indian Trust Assets.</p> <p><u>General Recreation:</u></p> <p>Under the category of General Recreation there are many new proposed developments that are on the roster under Alternative D that would significantly alter the environmental landscape, habitat, and impact at New Melones Lake Area. While CSERC recognizes the reasons that the Bureau desires to expand facilities and services to reach the goal of meeting public desires for recreation accessibility, CSERC raises a number of concerns about the high level of expansion that is presently envisioned in the proposed action. The plans for expansion of facilities and recreational opportunities may be valuable from a visitor service perspective, but CSERC emphasizes that (1) visitor satisfaction is tied to having lands that are ecologically healthy, and (2) increased crowding, noise, disturbance, and pollution from expanding recreation will result in a lower level of satisfaction for those</p>	O-7-34: Prior to development, further site-specific review would be conducted to assist in determining the most suitable locations for such facilities that would consider minimization of environmental impacts.