

RECLAMATION

Managing Water in the West

Record of Decision New Melones Lake Area Resource Management Plan



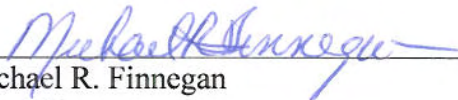
**U.S. Department of the Interior
Bureau of Reclamation
Central California Area Office**

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Record of Decision

New Melones Lake Area Resource Management Plan Central California Area Office


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1. Introduction

This document is the Record of Decision of the Department of the Interior, Bureau of Reclamation, Central California Area Office, regarding the alternative selected to provide management guidance for the New Melones Lake Area. The 30,000-acre New Melones Lake Area Resource Management Plan (RMP) planning area defines the Reclamation lands and waters that are the subject of the Draft Environmental Impact Statement (DEIS), dated October 2009, and the Final EIS (FEIS), dated February 2010. The RMP provides a range of alternatives for managing Reclamation-administered lands within the New Melones Lake Area in Tuolumne and Calaveras Counties, California, and the EIS is an analysis of the environmental effects that could result from implementing the actions defined in the RMP. The FEIS was prepared pursuant to the Council on Environmental Quality Regulations for implementing the procedural requirements of the National Environmental Policy Act (NEPA), Department of Interior policies, and Reclamation's NEPA handbook. The FEIS addresses the interrelationships among the various resources at the New Melones Lake Area and analyzes management options to balance resource management in accordance with Reclamation's mission and authority and the needs of the public to use these lands.

Located in the foothills of the Sierra Nevada, New Melones Lake is the fifth largest reservoir in California and the most recent major project incorporated into the Central Valley Project. Completed in 1979, New Melones dam holds water from the Stanislaus River and other tributaries within a 980-square-mile watershed. The plan area encompasses approximately 30,000 acres, including New Melones Lake (12,500 acres) and surrounding project lands. The project provides flood control for the lower Stanislaus River and San Joaquin River Delta, irrigation and municipal water supplies, peak use period hydroelectric production, recreation, water quality, and fish and wildlife enhancement.

Current and past decisions directing the management of Reclamation-administered lands in the planning area are based on the New Melones Lake Area Master Plan (Master Plan), approved in 1976 (US Army Corps of Engineers and Reclamation 1976). These decisions are also based on subsequent amendments to that plan and on applicable federal, state, and local regulations. The Master Plan provides a set of land use allocations, development recommendations and objectives, and constraints to guide the management of each resource.

The new RMP, which will replace the Master Plan, will provide consistent and integrated decisions for managing Reclamation-administered lands in the planning area. The guidance provided in the RMP will help New Melones managers fulfill Reclamation's mission, which is "to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public."

2. Reclamation's Decision

Reclamation's decision is to implement Alternative D. Implementing this alternative will balance the need to protect the natural and cultural environment and support the overall recreational needs and interests of visitors. Alternative D includes implementation of a Fire Management Plan and a Moored Vessel Plan, which were included as appendices to the RMP/EIS. Through this decision, these plans would be adopted and considered final.

3. Alternatives Considered

Four management alternatives were developed to address the major planning issues. Each alternative provided direction for resource programs based on the development of specific goals and management actions. Each alternative described specific issues influencing land management and emphasized a different combination of resource uses, allocations, and restoration measures to address issues and resolve conflicts among users.

3.1. Management Actions Common to All Alternatives

Under all alternatives, Reclamation would comply with all applicable laws and regulations, including those relating to air and water quality, hazardous materials, fish and wildlife, special status species, trespass, health and safety, transportation, recreation, cultural resources, social and economic resources, and environmental justice. Reclamation will continue to work with appropriate agencies and entities to adequately manage the New Melones Lake Area. Further, the New Melones Lake Project would continue to be designated and managed as a Special Use Area, pursuant to 43 CFR, Part 423.

3.2 Alternative A (No Action—Continue Current Management)

Alternative A is the continuation of current management practices, based on the existing land use plan and plan amendments. Valid and feasible decisions contained in the 1976 Master Plan would be implemented, if they are not already completed. Direction contained in existing laws, regulations, policies, and standards would also continue to be implemented, sometimes superseding provisions of the 1976 Master Plan. The current levels, methods, and mix of multiple use management of public lands in the New Melones Lake Area would continue, and resource values would generally receive attention at present levels. Existing facilities, roads, and trails would not be expanded or updated unless it was done under the direction of specific health and safety or Americans with Disabilities Act (ADA) guidelines. Best management practices (BMPs) would continue to be used to address fire response at New Melones Lake. Land management would also comply with land allocation identified in the 1976 Master Plan.

3.3 Alternative B (Increased Use)

Alternative B emphasizes new and expanded access and recreation opportunities. Protecting other resources would be secondary to accommodating recreational interests, although all resources would be managed, at minimum, to the levels required by law. This alternative also emphasizes opportunities for developed and motorized recreation. Alternative B would focus on increasing access (roads and trails) and expanding facilities (such as concessions and fish cleaning stations). The key components of this alternative are evaluating the addition of recreation facilities at Glory Hole, Tuttle town, Bowie Flat, Westside, French Flat, Bear Creek, Parrotts Ferry, Mark Twain, and Greenhorn Creek management areas; allowing increased levels of houseboat, water vessel, and equestrian use; and relocating the equestrian staging area. Prescriptive grazing, where appropriate, would be permitted to assist in invasive weed removal and fire protection. Water Recreation Opportunity Spectrum (WROS) categories would change certain management areas from Rural Natural to Rural Developed or from Semi-primitive to Rural Natural.

3.4 Alternative C (Conservation)

Alternative C deemphasizes recreational goals and facilities in favor of natural resource values. There would be less active management of recreational resources and facilities than under the other alternatives. Alternative C emphasizes tighter controls on motorized recreation. The key components of this alternative are potentially decreasing the level of houseboat use, minimizing the development of recreation areas in Rural Natural and Rural Developed management areas, and relocating the equestrian staging area. New trails would not be developed unless needed to protect sensitive species and habitats. Access to caves and rock climbing routes would also be restricted to protect unique and special status species habitats. This alternative would allow the use of chemical, biological, and mechanical controls to help eradicate invasive species. WROS categories would change slightly to less developed uses.

Alternative C is the environmentally preferred alternative. Alternative C assures less environmental impact but is more restrictive in the use of the land and waters of the New Melones Lake Area.

3.5 Alternative D (Multiple Use)

Alternative D is intended to balance management of recreational uses and resources and management of natural and cultural resources. This alternative was developed by combining those aspects of Alternatives A, B, and C that provide the most balanced outcome for managing public lands within the New Melones Lake Area. Alternative D incorporates many management objectives and actions from the first three alternatives and may include new management direction as necessary. This alternative also generally allows for more uses and active resource management than under Alternative C but less than under Alternative B. The key components of

this alternative include potential future increases in watercraft use, if feasible, new lake use zones, a Moored Vessel Plan for the management of houseboats and other vessels, minimizing development of recreation areas in Rural Natural Areas, and relocating the equestrian staging area. Reclamation would fully implement a project-wide Fire Management Plan. In addition, the Peoria Wildlife Management Area (PWMA) Interim Management Plan would be fully implemented by being adopted into the New Melones RMP. Alternative D would call for a moderate amount of updating and modernizing of roads, access areas, and facilities. Alternative D, like Alternatives B and C, would update land use allocations based on input from the public and results of the visitor use survey, WROS, and the commercial services plan. Under Alternative D, Reclamation would develop and implement a long-term strategy for managing hunting, as visitation and urban development increase. Reclamation would also increase limitations to recreation based on environmental resource concerns. Trail improvements would focus on allowing a diversity of uses. WROS categories would change slightly, to more developed uses. Certain areas would be developed through partnership agreements with organizations and local agencies, which would involve minimum use of federal appropriations.

3.6 Alternatives Considered but Eliminated

Several alternatives were eliminated from detailed study because they did not meet the purpose and need for the proposal or were outside the technical, legal, or policy constraints of developing a land use plan for public land resources and uses. These included exclusive use of the New Melones Lake Area, management for only one authorized purpose, full elimination of multiple traditional uses from the project without clear cause, and full build-out of the 1976 Master Plan. Further, the RMP/EIS does not address management of long-term water operation decisions associated with the Central Valley Project.

4. Basis of Decision and Issues Evaluated

The purpose and need for the federal action takes into consideration Reclamation's statutory mission and authority for the operation, maintenance, and security of the New Melones Lake Area facilities. In the FEIS, the four alternatives were evaluated on how well they met the project's purpose and need and their environmental consequences.

The alternatives were analyzed to determine their impacts on recreational, environmental, economic, public health and safety, and social issues. Studies included consideration of potential impacts on:

- Physical resources, including air quality, noise, geology, caves, hydrology, water quality, and visual resources;

- Natural resources, including vegetation, fish and wildlife, invasive species, and special status species;
- Lands, transportation, and access;
- Cultural and social resources, including socioeconomic and environmental justice impacts; and
- Recreation, including land- and water-based recreation, and interpretive services.

There are no Indian Trust Assets identified within the New Melones Lake Area and therefore no effects under any alternative are anticipated. ITAs are legal interests in property held in trust by the United States for Indian tribes or individuals, or property that is otherwise charged by the United States by law to protect. Examples of resources that could be ITAs are lands, minerals, hunting and fishing rights, water rights, and instream flows.

Reclamation has selected Alternative D, based on interdisciplinary team recommendations, environmental consequences analysis of the alternatives, and public input. Alternative D received the most public support; comments received indicated the public's desire to continue conservation, while providing for some increased recreation opportunities, where feasible.

Alternative A, the No Action Alternative, minimally addressed current and relevant issues identified through public scoping and required components of the land use planning document. Alternative A was not the preferred alternative because it did not adequately address issues and concerns identified by the public or required planning components and concerns of the planning team.

Alternatives B and C both addressed the identified relevant issues and required components necessary in a land use planning document focused on conservation and uses of the public land. Alternatives B and C also addressed the public's issues and concerns through identified management direction, as well as the purpose and need, but they lacked a balance between resource conservation and resource use allocations.

Reclamation determined that Alternative D provides the most reasonable and practical approach to managing the project land resources and uses, while addressing the relevant issues relating to the purpose and need. This alternative incorporates many management objectives and actions from the other alternatives and may include new management direction as necessary. Alternative D balances project lands management and an appropriate level of flexibility to meet the overall needs of the resources and use allocations. This alternative represents management that is proactive and provides flexibility to adjust to changing conditions over the life of the plan, while emphasizing a level of protection, enhancement, and use of the resources into the future.

The plan elements that balance the social and environmental elements of the New Melones Lake Area in this alternative are detailed below.

Physical Resources

- Protect water quality by implementing erosion control measures, preventing contaminant release into New Melones Lake, updating minimum basic facilities, and ensuring sanitary waste management facilities
- Seek voluntary compliance with boat and visitor noise regulations
- Manage cave access to comply with federal law and meet health and safety requirements
- Manage recreation facilities to protect visual and aesthetic resources

Natural Resources

- Protect native and unique plant communities and fish and wildlife habitat and eradicate weeds for long-term sustainability and viability
- Fully implement the Fire Management Plan, PWMA Interim Management Plan, and Vegetation Management Plan
- Continue to operate the Baseline Conservation Camp and upgrade or replace facilities, including water supply and water treatment facilities
- Provide access to public lands for grazing and hunting, in accordance with applicable regulations
- Manage introduced or feral species to protect fish and wildlife

Lands, Transportation, and Access

- Continue the Special Use Area designation of the New Melones Lake Project
- Continue to assess how lands contained within the New Melones Lake Area are being effectively used for project purposes
- Manage the Westside Management Area with an emphasis on conservation
- In appropriate areas, and with an approved permit and grazing plan, allow grazing and stock watering as a means to control invasive plant species and to reduce fire danger on Reclamation lands
- Prepare and implement a strategy to address adverse over flight activities over New Melones Lake Area to protect public safety and critical infrastructure
- Update and modernize roads, access areas, and facilities
- Reopen Old Parrotts Ferry Road or Melones Recreation Area, or both, with updated facilities, if feasible
- Address illegal activities through continued law enforcement presence, management controls, signs, and education

Cultural and Social Resources

- Continue to educate the public about sensitive cultural resources in the New Melones Lake Area and consult with the State Historic Preservation Officer and appropriate Indian tribes about activities subject to compliance with Section 106 of the National Historic Preservation Act (NHPA)
- Address any disproportionately high and adverse human health and environmental effects on low-income and minority populations
- Move the New Melones Archaeological Storage Facility to a site outside the PWMA that meets modern standards for an archaeological collections storage facility

Recreation

- Develop a long-term strategy that maintains and, wherever appropriate, optimizes the diversity of recreation and level of service found at New Melones Lake
- Explore and support, where appropriate, concessionaire agreements with private enterprises and managing partner agreements with public agencies
- Continue to operate, manage, update, and modernize campgrounds and day-use facilities
- Designate additional lake zones to provide for more balanced use, increase public safety, reduce shoreline erosion, and protect environmentally sensitive areas
- Minimize future development in Rural Natural Management Areas and expand development in Rural Developed Management Areas
- All new facilities and programs would be designed to incorporate the universal design approach to accessibility. As required, facilities and programs would meet legally mandated accessibility standards (Per the ADA of 1990 and the 1991 ADA accessibility guidelines, Section 504 of the Rehabilitation Act of 1973, as amended in 1978, and the International Building Code [National Fire Protection Association 5000 Building and Safety Code])
- Focus trail improvements on allowing a diversity of uses
- Prepare and implement an Interpretive Master Plan
- Continue to implement current policy for non-commercial seaplane use under the authority of 43 CFR 423.41
- Continue to implement current houseboat size limits. Size limits are subject to revision as studies are updated and/or conditions change

5. Public Response to the FEIS

Reclamation's Notice of Availability of the FEIS was published on February 5, 2010, and the Environmental Protection Agency's Notice of Availability was published on February 19, 2010. Copies of the FEIS were distributed to those who requested a copy. A press release was released on February 5, 2010, and sent to the recipients on the New Melones Lake Area RMP/EIS mailing list. The FEIS was made available on the New Melones Lake Area RMP/EIS website at <http://www.usbr.gov/mp/cao/newmelones/rmp.html>.

In a comment letter on the Final RMP/EIS, the Calaveras County Board of Supervisors stated its support of Alternative B and disappointment in Reclamation's selection of Alternative D as the preferred alternative. On March 16, 2010, Reclamation met with the Calaveras County Board of Supervisors to explain the RMP process and Reclamation's selection of Alternative D as the preferred alternative.

6. Environmental Commitments

The RMP was intended to avoid or minimize adverse effects on the environment from implementing any of the alternatives. No significant impacts are expected to occur with implementation of the decision. BMPs will be applied to minimize adverse environmental effects. All practicable means to avoid, minimize, or mitigate any potential impacts related to the decision will be implemented. Project-specific NEPA and NHPA analysis will be conducted on the implementation level, which will include the development of mitigation measures, as necessary. Key management actions described in Alternative D that are considered to be environmental commitments made by Reclamation are detailed below.

Physical Resources

Reclamation will implement a protection plan for caves with significant resource value or potential hazards, as needed and as feasible.

To the extent possible, Reclamation will design, operate, and maintain recreation facilities to maximize water conservation and minimize water contamination and the loss of soils due to surface runoff. Reclamation will apply industry standard BMPs, in addition to minimum basic facilities, to improve sanitation facilities and infrastructure and pollution prevention structures, such as lift stations, floating restrooms, and improved waste management facilities.

Reclamation will work to minimize the number, extent, and adverse effect of stream crossings when new roads, trails, or easements are designed. Reclamation will design new stream crossings and maintain existing crossings to minimize riparian vegetation disruption, to prevent stream flow regime alteration, and to prevent initial and chronic erosion and sedimentation. Where feasible, roads, trails, and access easements will be located and designed to follow the natural topography, minimizing steep slopes and the number of stream crossings.

To the extent possible, Reclamation will avoid disturbing the soil or areas that are particularly vulnerable to erosion and sediment loss, and will implement BMPs, such as water bars, trail nicks, drains, and culverts, to control erosion on roads and trails. Reclamation will work to promote stream bank and reservoir shoreline stability to encourage riparian vegetation.

Reclamation will continue to require emergency spill plans for the marina and all other facilities that store fuels and continue to require that these facilities have spill containment equipment. Reclamation will control surface runoff of pesticides and fertilizers from Reclamation lands by using the Integrated Pest Management Plan for the New Melones Management Area.

Reclamation will attempt to design all facilities to blend in with the natural landscape through careful siting (for example, behind terrain, away from ridgelines, within vegetated areas), screening with appropriate native plant species, using architectural design compatible with the applicable surroundings (including style, scale, texture, and colors) and avoiding the use of unpainted metallic surfaces, such as roof materials.

Natural Resources

Reclamation will work to minimize clearing or converting native plant communities caused by human activities. Reclamation will implement the Fire Management Plan for the New Melones Management Area, and will continue to implement the Vegetation Management Plan.

Where appropriate and feasible, Reclamation will reseed degraded or impacted grassland and woodland habitats with native seed. When practical, Reclamation will avoid wetland communities, such as riparian communities along streams, rivers, or shorelines, wet meadow communities, seeps, vernal pools, or other water-dependent communities, especially when an activity or visitor use may cause erosion or compaction that would degrade habitat values. Reclamation will work to minimize disturbance of habitat in perennial streams that support native fish.

Reclamation will fulfill the mitigation requirements in the PWMA and fully implement the Interim Peoria Wildlife Management Plan.

Lands, Transportation, and Access

Where necessary, Reclamation will ensure adequate closure of unsafe or potentially hazardous areas (e.g., caves, old mine shafts, exposed steep areas, and high fire hazard areas), in compliance with closure procedures in 43 CFR, Part 423.

Reclamation will continue to implement an Integrated Pest Management Plan that describes appropriate techniques for invasive species control (i.e., quagga/zebra mussels, yellow star thistle, and New Zealand mud snail).

Where appropriate, Reclamation will allow grazing in areas permissible for this type of use, under approved grazing plans. Industry standard BMPs to protect water quality will be implemented for such permits.

Reclamation will implement the project-wide Fire Management Plan, including the following measures: use natural or manufactured barriers, such as roads, streams, ponds, and wetlands, to minimize the need for fire line construction; design fuel breaks and firebreaks to minimize impacts on aesthetic, scenic, and ecological resources, and consider resource objectives for vegetation management, wildlife habitat management, soil stabilization, public safety, ignition sources, and safety of firefighters; and conduct fire management activities in a manner that retains mature oaks for their wildlife benefits and scenic qualities.

Cultural and Social Resources

Whenever possible, Reclamation will protect historic properties by avoidance through Reclamation's planning process. If appropriate, Reclamation will protect cultural resources through the use of fencing, coverings, and exclusion. In areas of known archaeological resources, Reclamation will protect sensitive cultural resources by using Minimum Impact Suppression Tactics and by coordinating with a cultural resource advisor during fire suppression activities.

Reclamation will comply with Section 106 of the NHPA through the process detailed at 36 CFR, Part 800 for the implementation of all project-specific undertakings.

Reclamation will minimize publicity and access to sensitive cave locations, avoid constructing trails to caves, and install gates where necessary for conservation.

Recreation

Reclamation will continue to manage vehicular access under 43 CFR, Part 423.40, and prohibit off-highway vehicle access as required under 43 CFR, Part 420, except as authorized. Reclamation will provide access to project lands for hunting as identified in the long-term hunting strategy yet to be developed and in accordance with rules and regulations set forth by the California Department of Fish and Game; 43 CFR, Part 423; and other federal laws and regulations.

Consistent with the RMP, Reclamation is committed to working with State and local governments, and others, to further review, study and evaluate existing and future recreation access and development and management agreement proposals at New Melones Lake. This process may result in providing additional recreation opportunities at New Melones Lake should it be determined appropriate.

As feasible, Reclamation will minimize construction of roads and access easements on steep slopes and minimize the number of stream crossings. Reclamation will limit land use activities within wetland or riparian buffer zones to prevent significant deterioration of wetland habitats. Reclamation will design recreation area facilities to minimize water contamination and loss of soils from surface runoff.

Reclamation will attempt to prevent the introduction of aquatic invasive pest species through prohibiting boat launching from known source locations, screening for invasive pest species, and educating the public. Reclamation will attempt to minimize soil disturbance and visitor facilities

along perennial stream corridors and reservoir coves that maintain prime spawning, rearing, and adult residence area fisheries.

Reclamation will construct pathways and trails to follow current Reclamation design standards and BMPs.

In the PWMA, Reclamation will manage rock climbing use in accordance with federal regulations on natural and cultural resources.

As described in the Peoria Wildlife Management Plan, if further studies identify impacts on sensitive species, Reclamation will make a management-level decision to develop and implement a climbing management plan to specify the non-impact areas suitable for rock climbing.

The following measures are representative of those that Reclamation may apply on a project-specific basis to minimize adverse environmental effects:

- Require air quality control measures in construction specifications for any proposed development actions
- Decrease erosion during construction by planting grasses, forbs, trees, and shrubs or by placing riprap, sand bags, jute, sod, erosion mats, bale dikes, mulch, or excelsior blankets
- Arrange clearing schedules to minimize the practical exposure of soils
- Begin final erosion control and site restoration as soon as an area is no longer needed for construction, stockpiling, or access
- Include in construction specifications a requirement for contractors to preserve the natural landscape and to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the work vicinity
- Do not use critical environmental areas—stream corridors, wetlands, riparian areas, and steep slopes—for construction equipment or material storage or stockpiling, construction staging or maintenance, or temporary access roads
- After construction, grade any land disturbed but not permanently occupied by new facilities to provide proper drainage and blend with the natural contours of the land; cover the land with topsoil stripped from construction areas and revegetate it with plants native to the area and beneficial to wildlife
- Revegetate uplands with species of the native vegetative community appropriate for the site's soil type, topographic position, and elevation