

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Recreational Improvements at East Park Reservoir - Orland Project Mid-Pacific Region

FONSI 16-02-NCAO

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Introduction

The Bureau of Reclamation (Reclamation), in cooperation with Colusa County, proposes to enhance the land-based recreational activities at East Park Reservoir (EPR) by installing an 18-hole disc golf course (DGC) on the east side, and a non-motorized aircraft landing zone (LZ) on the west side, of EPR.

In accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Northern California Area Office (NCAO) of the Bureau of Reclamation, has determined that an environmental impact statement is not required for implementation of the Proposed Action. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) Number EA-16-02-NCAO, *Recreational Improvements at East Park Reservoir - Orland Project, Mid-Pacific Region*, which is incorporated by reference.

Alternatives Including Proposed Action

No Action Alternative

Under the No Action Alternative, Reclamation would not allow the development of a disc golf course or non-motorized aircraft landing zone at EPR.

Proposed Action

The Proposed Action would allow development of an 18-hole DGC and a non-motorized aircraft LZ at EPR. Development of these areas would occur during summer 2016. Details of each are provided below.

Disc Golf Course

The 18-hole DGC would be established on a 50-acre parcel along the east side of EPR. At this time, the course layout has not been defined; however, considerations in the layout will include positioning of tees, baskets (pins), and main trails (or fairways) to minimize interaction with other course participants, vehicle traffic, and unique natural resources of the area, including the presence of rare, native plant species.

Once the course layout has been determined, construction would begin. This would entail installing a tee pad and a metal basket for each of the 18 holes. Each tee pad would be comprised of cement or recycled rubber with dimensions recommended for the terrain available; the minimum rectangular size is 4 feet wide by 10 feet long. Small gas/diesel powered equipment (backhoe or similar equipment) would be used to contour/ level each tee prior to covering the tee with the chosen overlay material, as well as other duties. If cement is chosen as the overlay material, temporary form boards would be installed and the cement hauled or pumped to the tees. In contrast, if rubber pads are used, they would be anchored with spikes spaced adequately to ensure a durable and secure surface.

Installation of the metal baskets would entail hand-boring a 2-foot deep hole and concreting the 2-inch basket support tube. Signage posts would also be installed at each tee to direct players to the layout of the hole and the course. As with the baskets, the signage post holes could be created with a backhoe or hand tools and they would be cemented to a depth of 2 feet.

No formal adjustments to the landscape are anticipated for each fairway, which represents an intermediary area of play between the tee and the pin. Vegetation maintenance of the fairways and around tees and baskets is anticipated to occur infrequently. Historical grazing practices of this area would continue and would help reduce vegetation within and outside the area to assist in fire fuels management. In addition, mechanical control of vegetation in the fairways could be used to help direct foot traffic to designated areas in certain years or seasons, depending on vegetation growth patterns. Mechanical vegetation control would be limited to times when the park was open for use, typically from April through September, unless directed otherwise by annual course maintenance inspections that could suggest other times are more appropriate. These annual inspections would also be used to identify any areas of unexpected natural resources impacts (e.g. unforeseen erosion, impacts to trees and recorded large populations of rare plants, litter, etc). Corrective measures would be implemented, as needed, to maintain the site for its intended use while protecting the natural resources at EPR.

Landing Zone

The LZ for non-motorized aircraft would be established on a 46-acre parcel on the west side of EPR. This site was selected because it provides good access for aerial enthusiasts who fly from the mountain range to the immediate west of EPR (e.g. Potato Hill). In addition this site has the following attributes:

1. It provides a relatively large, flat, open space landing zone for safe landings;
2. It is adjacent to East Park Road, providing close and convenient parking access in an area already disturbed; and
3. It is adequately distant from camping and picnic areas to avoid potential conflicts between different user groups.

Development of this site would primarily entail formal establishment of a rock-based parking lot (approx. dimensions 95 feet by 140 feet or 0.3 acres) in the northwest corner of the parcel, adjacent to East Park Road (Figure 2 of EA). The parking lot area is presently delineated by posts and cables and receives moderate vehicular traffic throughout the year. No excavation of the existing terrain is anticipated. Heavy equipment would be used to perform minor grading and to spread and compact up to 250 cubic yards of road base or equivalent materials that would serve to create the 4-inch to 8-inch base and surface of the parking area. These materials would be transported to the work site by transfer load dump trucks traveling on existing, paved county roads and gravel roads within the EPR area. An earth-tone colored sign would be cemented in place in the parking area to reflect the area's designated use and any rules and regulations.

Maintenance of the LZ is expected to be minor with periodic mechanical vegetation control of the preferred landing area within this parcel, which is mainly comprised of annual grasses. As with the DGC, historic cattle grazing would continue on this parcel for fire fuels management purposes, and mechanical vegetation control would be limited to times when the park was open for

use, typically from April through September, unless directed otherwise by annual course maintenance inspections that could suggest other times are more appropriate.

Comments on EA

Comments on the draft EA were received from botanists associated with the California Native Plant Society (CNPS). All comments received were related to concerns about the potential for, and protection of, special status and rare plant species which could occur at the site.

Reclamation's responses follow the comments relaying specific concerns, paraphrased in bold font below:

Lists of rare plant species that may be present at the site, provided in the draft EA, are aged and incomplete. A query of the California Natural Diversity Database (CNDDDB) performed by a commenting botanist produced additional species not included in the draft EA tables.

There are numerous methods by which to query the CNDDDB. In its initial research performed for the 2014 draft EA, Reclamation queried the CNDDDB by county. While this method is conservative, it often returns recorded species occurrences that are not in the immediate geographic vicinity of the site. In updating the list of rare plant species which may occur at the site for the final EA, Reclamation used the Biographic Information and Observation System (BIOS) mapping complement to the CNDDDB which depicts the approximate locations of species occurrences, based on data provided by the reporting party. The information provided by the 2016 BIOS output is both more current than that referenced in the draft EA and more refined to the immediate site vicinity. However, consistent with the 2014 query, the 2016 BIOS map output indicates that there have been no recorded occurrences of species Federally-listed as Threatened or Endangered, or Candidates for listing under these protection categories at the site or in the immediate project area with the exception of a recorded occurrence of Keck's checker mallow (*Sidalcea keckii*), over 0.75 miles west of the LZ. The US Fish and Wildlife Service (Service) has clarified that the listing of Keck's checker mallow as Endangered is specific to a sub-population in Yosemite Valley; Keck's checker mallow is not considered a Federally-Endangered species in the site vicinity. Additional rare, native plant species appearing on the BIOS map were added to Table 1 of the EA.

Reclamation should use the revised CNDDDB list in determining species of concern for the purposes of the 2015 special status plant survey, paying special attention to rare plant species that could be present but may not be easily distinguishable from their more common look-alikes.

The primary purpose of Reclamation's 2015 special status plant surveys was to confirm the absence of special status plant species within the proposed Project footprints. Based on feedback received on the draft EA, Reclamation expanded the scope to include identification and recording of large populations of rare, native plant species with the intent of using the data in development of avoidance and minimization measures to be implemented where practical and consistent with the project purposes and intended future site use. In performing the 2015 surveys, Reclamation's professionally-trained staff recorded observations of both rare, native

plant species, not Federally-listed under the ESA, and more common flowering plant species that are also not ranked as rare by the CNPS, State of California, or otherwise. Representative samples were collected where appropriate to aid in accurate species identification. Field methods used, survey results and photographs are included as Appendix D of the EA.

Informal reports of rare plants within the EPR project vicinity include *Eriastrum brandegeae* and *Layia septentrionalis*. These and other discoveries may not have been reported to CNDDDB, but may be documented in herbarium collections or known by the current Mendocino National Forest botanist. List 1B species, *Amsinckia lunaris* and *California macrophylla*, were found in the surveyed area of the nearby proposed Sites Reservoir.

Eriastrum brandegeae was recorded on the project site in Reclamation's 2015 special status plant surveys. *Layia septentrionalis* was included in Table 1 of the final EA as a rare plant species recorded to occur in the vicinity of the site, but was not observed during the spring 2015 surveys. Neither *Amsinckia lunaris* nor *California macrophylla* were observed during Reclamation's 2015 surveys. The proposed Sites Reservoir location is over 3.5 miles from EPR. Therefore these species were not included in Table 1 of the EA

Reclamation should cross-check the species reported in the CNDDDB with a review of the species' habitat description, as provided in CNPS's inventory. Reclamation should be cognizant that one species of rare plant species may collocate with others and review the soil type to the microhabitat level when determining which species have the potential to occur at the site. The US Department of Agriculture (USDA) Natural Resource Conservation Service soil survey for Colusa County should be used to refine the CNDDDB results.

Section 3 of the final EA includes species and habitat descriptions for all species observed during the 2015 spring surveys. The descriptions are consistent with, if not directly from, the CNPS's online inventory, supplemented by additional, more detailed sources, where readily ascertainable. In addition, site-specific information on soil type and attributes was obtained from the USDA soil survey, as suggested. When the site conditions and rare plant observances are compared to the species habitat description, it is apparent that the rare plant species can occur outside of their typical microhabitat. For example, as noted in Section 3 of the EA, clusters of Brandegee's eriastrum (*Eriastrum brandegeae*) and Jepson's navarretia (*Navarretia jepsonii*), some numbering thousands of individuals, were reported within the parcel for the proposed LZ in the May surveys, although Brandegee's eriastrum typically occurs in sandy soils at higher elevations and Jepson's navarretia typically occurs in wetlands. In recognizing that the habitat descriptions and soil mapping are not absolute indicators of whether or not a rare, native plant species can occur within the Project footprints, Reclamation has conservatively assumed that larger populations of rare, native plant species than those observed during the spring 2015 surveys, as well as other such species, including but not limited to those listed in Table 1 of the EA, may occur at the site in future years. The finding that impacts to these species are less than significant is based on the ability to control the potential for impacts, as appropriate, with avoidance and minimization practices and continued monitoring and adaptive management. It

should be recognized that, regardless of the potential for impacts, there are no formal protection measures for non-listed species required from a Federal agency under the Federal ESA.

The absence of the Federally-Endangered species, *Sidalcea keckii* (Keck's checker mallow) in the site area warrants further review. Although the species reported in the area is likely not *Sidalcea keckii*, it may be a taxon not yet defined and even rarer, rather than the eastern Sacramento Valley look-alike, *S. diploscypha*. Any subset of the *Sidalcea* genus observed during the 2015 rare plant survey should be recorded and protected from project impacts.

As indicated in Section 3 of the EA, no occurrences of *Sidalcea keckii* were recorded during Reclamation's spring 2015 special status plant survey, nor were any undocumented or unrecognizable taxon of *Sidalcea* species observed. The nearest special status plant occurrence recorded in the CNDDDB as *Sidalcea keckii* is located over 0.75 miles west of the project boundaries.

The timing of the 2015 rare plant survey should coordinate with early blooms anticipated from unseasonably warm weather associated with the fourth consecutive year of drought, which may also result in abnormally small or even absent occurrences of rare plants (than those that are typically present). If plants in known locations are absent or extremely sparse, an additional year of surveying may be warranted. Any protections promised (e.g. fencing, limited operation periods, signage, layout changes) should be designed to protect an extended habitat area adjacent to plants found in 2015 surveys.

Reclamation conducted both early (March 1) and late (May 7 and 18) surveys to compensate for fluctuations in the blooming periods of special status plants due to weather, as well as fluctuations in the typical blooming periods between species. However, as previously indicated, Reclamation has conservatively assumed that additional and/or increased populations of rare, native plant species may be observed on-site in future years. The impacts to these species from site activities are anticipated to be minor and controlled by continued avoidance and minimization practices and adaptive management. However, these rare, native plants do not qualify for formal protection measures due to the lack of an ESA listing for the species.

The potential for invasive species to displace and degrade the habitat of rare, native plant species should be addressed, including the potential for increased foot traffic to carry material from invasive species from other areas. Vegetation management should be used to minimize spread of invasive species in the project area.

As indicated in the EA, mechanical control of invasive species is currently conducted and will be continued at the site. The vegetation control is conducted sparingly to avoid impacts to native plants. Seasonal cattle grazing provides additional control of unwanted vegetation.

The LZ should be relocated to an area where repeated landings and associated transport of aircraft from the site will not adversely affect observed rare plant species.

No rare, native plant species were recorded in the location of the proposed LZ parking lot, which is already disturbed, during the 2015 surveys. The presence of rare, native plant species on the remainder of the parcel for the proposed LZ was concentrated on the east side, and in the southeastern peninsula. The locations of large clusters of these species will be considered in the site design.

Language used in the description of site avoidance and minimization measures should be strengthened to guarantee protections for rare plants. (E.g. considerations in the layout *will* (rather than *would*) include positioning of tees, baskets (pins), and main trails (or fairways) to minimize and avoid unique natural resources of the area.)

The requested adjustments have been made to the language from the draft EA. Colusa County has made a commitment to avoiding and minimizing impacts to rare, native plant species to the extent practicable, beginning with judicious layout of the DGC and landing zone to avoid large populations of rare, native plant species recorded in the spring 2015 special status plant surveys. As indicated in the EA, the available acreage of land on the parcels proposed for the recreational development is adequate to allow for avoidance of most areas of known concentrations of rare, native plants in the project design. Information from field surveys conducted in spring 2015 will be used to guide the layouts of the DGC and LZ to avoid and minimize the potential for impacts to rare, native plant species from the construction and recreational activities to the extent practical. Wood stakes, or other visual indicators, and educational signage will be placed in areas of high concentration of these species that fall within the final project footprint with the intent of drawing the users' attention to the sensitive nature of these species without limiting the potential for species recruitment.

Findings

Reclamation's determination that implementation of the Proposed Action would not result in significant impacts to the quality of the human environment is supported by the attached EA and is summarized in the following. References to sections of regulations, Executive Orders and agency policies defining "significant" are provided in parentheses, where applicable:

- The Proposed Action will not significantly impact natural resources and unique geographical characteristics such as historic or cultural resources; parks, recreation lands, and refuges; wilderness areas; Wild and Scenic rivers or rivers placed on the nationwide river inventory; national natural landmarks; sole or principal drinking water aquifers; prime and unique farmlands; wetlands (Executive Order (EO) 11990); flood plains (EO 11988); national monuments; and other ecologically significant or critical areas (40 CFR 1508.27(b)(3) and 43 CFR 46.215(b)).
- The Proposed Action will not affect listed or proposed Threatened or Endangered species or their habitat (40 CFR 1508.27(b)(9)).
 - Sensitive biological species on the parcels planned for recreational development are limited to rare, native plant species, none of which are listed as Threatened or Endangered, or Candidate species for these listings, under the Federal ESA. Avoidance and minimization efforts, including judicious site design and annual

site maintenance monitoring, will result in a less than significant impact to these species.

- The Proposed Action would not result in any adverse cumulative impacts.
- The Proposed Action will not significantly affect public health or safety (40 CFR 1508.27(b)(3)).
- The Proposed Action will not have possible effects on the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
- The Proposed Action will neither establish a precedent for future actions with significant effects nor represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).
- There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
- The Proposed Action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
- The Proposed Action has no potential to affect historic properties (40 CFR 1508.27(b)(8)).
- The Proposed Action will not violate Federal, state, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
- The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
- Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
- The Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 and 512 OM 3).