

# RECLAMATION

*Managing Water in the West*

## **Todisco Ranch Conservation Project**

**Environmental Assessment**



**U.S. Department of the Interior  
Bureau of Reclamation**

**November 2016**

## **Mission Statements**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitment to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

# List of Abbreviations and Acronyms

BDR	Baseline Documentation Report
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CTS	California Tiger Salamander
CVP	Central Valley Project
CVPCP	Central Valley Project Improvement Act
FWS	U.S. Fish and Wildlife Service
HRP	Central Valley Project Improvement Act Habitat Recovery Program
NEPA	National Environmental Policy Act
NRCS	Natural Resources Conservation Service
Point Blue	Point Blue Conservation Science
Reclamation	Bureau of Reclamation
RWI	Rangeland Watershed Initiative
SFC	Sierra Foothill Conservancy
SHPO	State Historic Preservation Officer

# Contents

	Page
<b>Section 1 Introduction.....</b>	<b>1</b>
1.1 Background.....	1
1.2 Need for the Proposal.....	1
<b>Section 2 Alternatives Including the Proposed Action.....</b>	<b>3</b>
2.1 No Action Alternative.....	3
2.2 Proposed Action.....	3
<b>Section 3 Affected Environment and Environmental Consequences .....</b>	<b>4</b>
3.1 Resources Not Analyzed in Detail.....	4
3.1.1 Cultural Resources .....	4
3.1.2 Indian Trust Assets .....	4
3.1.3 Indian Sacred Sites.....	4
3.2 Biological Resources .....	4
3.2.1 Affected Environment.....	4
Table 1: Federally Listed, State Listed, and Other Designated Species at Todisco Ranch .....	5
3.2.2 Environmental Consequences.....	7
3.2.2.1 No Action .....	7
3.2.2.2 Proposed Action .....	7
3.3 Cumulative Impacts .....	7
<b>Section 4 Consultation and Coordination .....</b>	<b>8</b>
4.1 CVPCP and HRP Technical Team .....	8
4.2 Consultation with Federal Agencies .....	8
4.2.1 National Historic Preservation Act .....	8
<b>Section 5 References.....</b>	<b>9</b>
<b>Appendix A Cultural Resources Compliance.....</b>	<b>10</b>
<b>Appendix B Indian Trust Assets Compliance .....</b>	<b>12</b>
<b>Appendix C Endangered Species Act Compliance .....</b>	<b>16</b>

# **Section 1      Introduction**

## **1.1 Background**

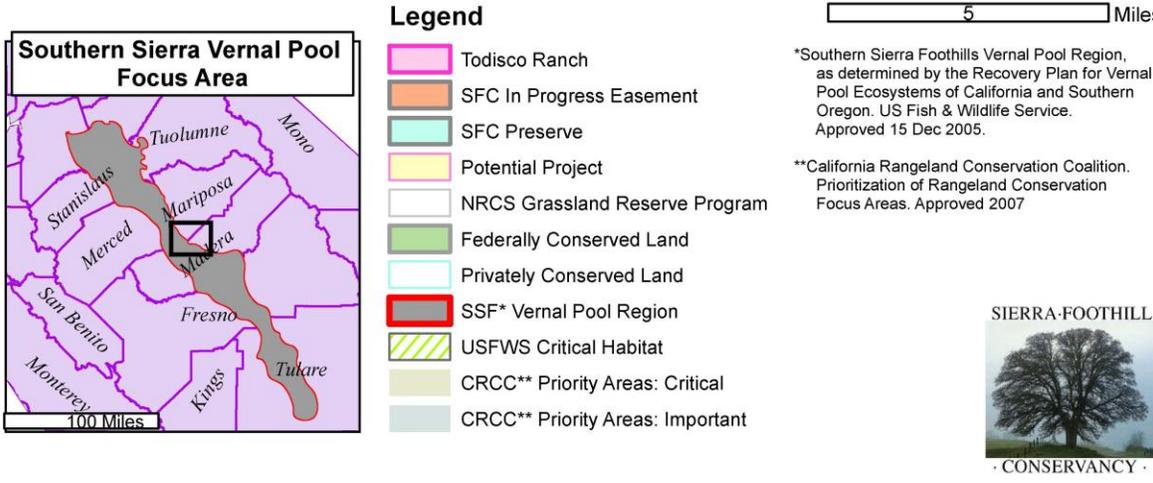
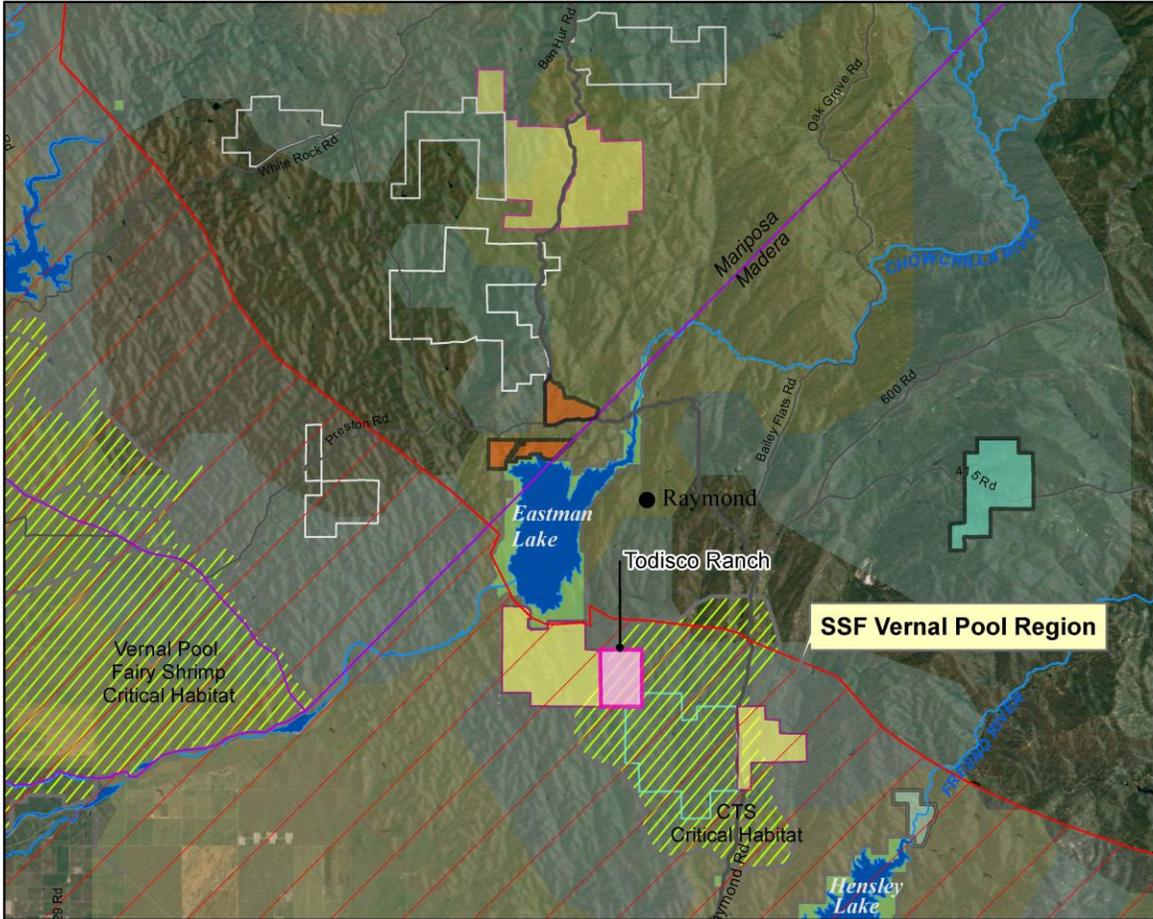
In conformance with the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508), and Department of the Interior Regulations (43 CFR Part 46), the Bureau of Reclamation (Reclamation) prepared this Environmental Assessment (EA) to evaluate and disclose potential environmental impacts associated with providing \$576,000 from the Central Valley Project Conservation Program (CVPCP) and the Central Valley Project Improvement Act (CVPIA) Habitat Restoration Program (HRP) to the Sierra Foothill Conservancy (SFC) to purchase a conservation easement on the Todisco Ranch. The easement would conserve 480 acres of grasslands, oak woodlands, stock pond, vernal pools and wetland swales in Madera County to protect and conserve critical aquatic and upland habitats for the federal and state threatened California tiger salamander, as well as habitat for vernal pool species including the federally threatened vernal pool fairy shrimp and potentially the federally endangered vernal pool tadpole shrimp. The area of the Proposed Action (Figure 1) is located about 15 miles northwest of the city of Madera.

## **1.2 Need for the Proposal**

If the Todisco Ranch is not conserved, it is highly likely that land use conversion, to either development or intensive agriculture use would occur. The scenic value of this property, its proximity to the town of Madera, combined with its accessibility and gentle rolling topography result in an idyllic site for a rural residential development. The easement is needed to protect and conserve critical aquatic and upland habitats for the federal and state threatened California tiger salamander, as well as habitat for vernal pool species.

# Location Map Madera Mariposa Focus Area: Todisco Ranch

1:165,000



**Figure 1. Vicinity of Todisco Ranch**

## **Section 2 Alternatives Including the Proposed Action**

### **2.1 No Action Alternative**

Reclamation would not provide \$576,000 from the CVPCP and HRP to the SFC to purchase a conservation easement on the Todisco Ranch to conserve 480 acres of grasslands, oak woodlands, stock pond, vernal pools and wetland swales in Madera County to protect and conserve critical aquatic and upland habitats for threatened and endangered species. SFC would be required to obtain the \$576,000 from other public or private sources. If alternative funding cannot be secured, the Proposed Action could not move forward.

### **2.2 Proposed Action**

Reclamation would provide \$576,000 from the CVPCP and HRP to the SFC to purchase a conservation easement on the Todisco Ranch to conserve 480 acres of grasslands, oak woodlands, stock pond, vernal pools and wetland swales in Madera County to protect and conserve critical aquatic and upland habitats for threatened and endangered species. SFC would do the following:

1. Enter into a conservation easement purchase and sale agreement with landowner Jeanne Todisco.
2. Obtain and review the property's title report, resolve title related issues as needed, develop a conservation easement for the Ranch, complete a Baseline Documentation Report, and obtain title insurance for the easement.
3. Purchase and record the conservation easement.
4. Transfer the conservation easement to SFC long-term stewardship. SFC will transition the project to its Stewardship Director who will schedule yearly monitoring visits with the landowner to insure that the property is being used and managed in conformance with the terms and conditions of the conservation easement. Should the landowner's actions deviate from those allowed in the easement language, SFC will take action to correct it.

# **Section 3      Affected Environment and Environmental Consequences**

## **3.1 Resources Not Analyzed in Detail**

Department of the Interior Regulations, Executive Orders, and Reclamation guidelines require a discussion of the following items when preparing environmental documentation:

### **3.1.1 Cultural Resources**

The Proposed Action is an undertaking as defined at 36 CFR § 800.16(y). Reclamation determined the undertaking has no potential to cause effects on historic properties, pursuant to 36 CFR § 800.3(a)(1), and, therefore, would result in no significant impacts to cultural resources. As such, Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act.

### **3.1.2 Indian Trust Assets**

Indian Trust Assets (ITAs) are legal interests in assets that are held in trust by the United States for federally recognized Indian tribes or individuals. There are no Indian reservations, rancherias or allotments in the project area. The nearest ITA is 50HS114 about 12.70 miles to the east of the project site. Therefore, the Proposed Action does not have a potential to affect ITAs (See Appendix B).

### **3.1.3 Indian Sacred Sites**

Executive Order (EO) 13007 (May 24, 1996) requires Federal agencies to protect and preserve Indian religious practices on Federal lands through accommodating access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoiding adversely affecting the physical integrity of such sacred sites. EO 13007 is applicable to sacred sites identified by Federally-recognized Indian tribes on Federal land. The Proposed Action does not involve Federal land. As such, the Proposed Action would result in no impacts related to the access or use of Indian sacred sites.

## **3.2 Biological Resources**

### **3.2.1 Affected Environment**

Todisco Ranch consists of 480 acres of grassland and oak woodland. Located in the ecotone between the grasslands and the oak savannah, the Todisco Ranch provides diverse habitat for

many species. These transition zones contain great biodiversity, with species from both ecosystems, as well as those species that are endemic to the ecotone.

An extensive wetland swale system exists on the Todisco Ranch which supports a wide variety of perennial grasses and forbs in the wetter months. During the wet season, precipitation and runoff quickly diverts to major streams and rivers as the water travels over land, but the undulating topography of the Todisco Ranch allows for water catchment and support of these seasonal plants. The hydrology of wetland swales in turn supports vernal pools. The Todisco Ranch also contains a 1.3 mile long seasonal stream and multiples springs and seeps and a 1.2 acre stock pond.

Table 1 lists the special status species occurring or potentially occurring at Todisco Ranch.

Table 1: Federally Listed, State Listed, and Other Designated Species at Todisco Ranch					
Common Name	Scientific Name	Federal Status	State Status	Other Designated Species	Species Verified Presence (Y/N)
<b>Mammals</b>					
American badger	<i>Taxidea taxus</i>			CSC	Y
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	P		CSC	
Western mastiff bat	<i>Eumops perotis</i>			CSC	
<b>Avian</b>					
Bald eagle	<i>Haliaeetus leucocephalus</i>	Delisted		FP	Y
Burrowing owl	<i>Athene cunicularia</i>			CSC	
California horned lark	<i>Eremophila alpestris actia</i>			CSC	
Golden eagle	<i>Aquila chrysaetos</i>			FP	Y
Grasshopper sparrow	<i>Ammodramus savannarum</i>			CSC	
Loggerhead shrike	<i>Lanius ludovicianus</i>			CSC	
Peregrine falcon	<i>Falco peregrinus</i>			FP	Y
Short-eared owl	<i>Asio flammeus</i>			CSC	
Swainson's hawk	<i>Buteo swainsoni</i>		T		
Tricolored blackbird	<i>Agelaius tricolor</i>			CSC	
<b>Amphibians</b>					
California tiger salamander	<i>Ambystoma californiense</i>	T	T		
Western spadefoot toad	<i>Spea hammondi</i>			CSC	
<b>Invertebrates</b>					
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	E			
Vernal Pool tadpole shrimp	<i>Lepidurus packardii</i>	E			

Reptiles					
Western pond turtle	<i>Actinemys marmorata</i>			CSC	
Insects					
Valley elderberry longhorn Beetle	<i>Desmocerus californicusdimorphus</i>	T			
Plants					
Beaked clarkia	<i>Clarkia rostrata</i>			CNPS 1B.3	Y
Hoover's calycadenia	<i>Calycadenia hooveri</i>			CNPS 1B.3	Y
Madera leptosiphon	<i>Leptosiphon serrulatus</i>			CNPS 1B.2	Y
Orcutt grass	<i>Orcuttia pilosa</i>	T	E	CNPS 1B.1	
Spiny-sepaled button celery	<i>Eryngium spinosepalum</i>			CNPS 1B.1	
Succulent and/or fleshy owl's clover	<i>Castilleja campestris</i> spp. <i>succulenta</i>	T	E	CNPS 1B.2	Y

The vernal pools of the Todisco Ranch are likely to contain vernal pool tadpole shrimp and vernal pool fairy shrimp, both federally endangered and ranked as “very high” priorities for the CVPCP/HRP project. According to the California Natural Diversity Database (CNDDDB 2010), vernal pool fairy shrimp were recorded 9.2 miles south and vernal pool tadpole shrimp were noted 7.6 miles west of the property. Also, the Bennett Ranch, contiguous with the Todisco Ranch to the south and east, contains extensive documented vernal pools, creating a large swath of viable habitat for these species. The Todisco Ranch vernal pools are located in Zone 1 of the Southern Sierra Foothills Core Area of the U.S. Fish and Wildlife Service’s Vernal Pool Recovery Plan (USFWS, 2005). Protecting remaining vernal species occurrences and habitats on private lands such as the Todisco Ranch is identified as a priority action in the Plan. Due to the proximity of recorded sightings on nearby parcels, there is a high probability that one or more listed vernal pool species is present on the ranch.

The Todisco Ranch resides entirely within the California tiger salamander (CTS) Critical Habitat Unit 11, as determined by the Fish and Wildlife Service (FWS). CTS surveys have occurred and the species has been documented in abundance on the adjacent Bennet Ranch (CNDDDB 2010), which borders the Todisco Ranch to the south and east. CTS are likely to utilize the vernal pools and stock pond on the property for breeding, while the upland areas function as habitat for aestivation.

Vernal pool plant species would also benefit from the project. The federally threatened succulent (fleshy) owl’s clover occurs in northern claypan and northern hardpan vernal pools (Sawyer and Keeler-Wolf 1995). California Native Plant Society members have documented the presence of the species within less than a mile of the property. The property has suitable habitat for the federally threatened San Joaquin hairy orcutt grass which has been observed less than 10 miles south of the Todisco Ranch (CNDDDB 2010).

The bald eagle and Swainson’s hawk breed and forage in the region and utilize the Todisco Ranch. The open savannah that composes the landscape of the Todisco Ranch has abundant

small rodents and ground squirrels, ideal foraging ground for avian species including the golden eagle and ferruginous hawk. Burrowing owl, oak titmouse, yellow billed magpie, tri-colored blackbird, and many more bird species utilize the wetlands and transition zones found on the Todisco Ranch for breeding and foraging. Other State Species of Special Concern that utilize the ranch include the western pond turtle, western spadefoot toad, American badger, two species of bats, and several endemic plants.

## **3.2.2 Environmental Consequences**

### **3.2.2.1 No Action**

If Reclamation does not provide funding to the SFC to purchase a conservation easement on Todisco Ranch, SFC would have to find additional funds from other funding sources. The effects of no action would be the same as the proposed action if these funds are obtained. If alternative funds were not available, SFC may not be able to purchase the conservation easement.

### **3.2.2.2 Proposed Action**

The Proposed Action establishes a conservation easement which would conserve a number of federally-listed species, listed in Table 1, through permanent protection and management of their habitats on Todisco Ranch. Provisions in the conservation easement would prohibit any activities by the landowner that could affect these habitats or any other “conservation values” in the easement area. Conserving the property would protect foraging and breeding habitats, while limiting human disturbance, which aligns with recovery and management actions put forth by FWS in the Recovery Plan. Consequently, the Proposed Action would not adversely affect any federally-listed species. (See Appendix C).

## **3.3 Cumulative Impacts**

The Todisco Ranch Conservation Project would contribute to the expansion of the Madera-Mariposa Focus Area, a larger conservation effort supported by the California Department of Fish and Wildlife, NRCS and the California Rangeland Trust (CRT). The Todisco Ranch is contiguous with the 2,093-acre Bennett Ranch Conservation Easement managed by CRT to the south and east, and is bordered on the west and east by another proposed conservation easement that is over 2,000 acres. This Focus Area encompasses vernal pool species, CTS, and the many species that inhabit oak woodlands and grasslands, and the transition zone between Eastman and Hensley Lake. SFC along with CRT and NRCS has conserved over 16,000 acres to date, and SFC anticipates conserving another 5,247 acres in targeted projects for this Focus Area. Conservation of the Todisco Ranch contributes to federal and state strategy for recovery of CTS as it is located within the CTS Critical Habitat Unit 11. The conservation easement contributes to the goal of connecting a corridor of conservation for CTS, vernal pools, migratory deer, and the other species listed in Table 1.

## **Section 4 Consultation and Coordination**

### **4.1 CVPCP and HRP Technical Team**

CVPCP and HRP Program managers are guided by a Technical Team of biologists and natural resource specialists from Reclamation, the FWS, and the California Department of Fish and Wildlife. During the period of October 12, 2015 through January 21, 2016, members of the Technical Team reviewed and scored proposals submitted to Reclamation for consideration for funding. The Todisco Ranch proposal ranked in the top tier of proposals and was selected for funding following evaluation by the Team. Reclamation and FWS management subsequently approved the Technical Team's recommended list of proposals for funding.

On November 4, 2015, HRP Manager Caroline Prose of the FWS' Pacific Southwest Regional Office, and CVPCP/HRP Manager Dan Strait of Reclamation's Mid-Pacific Regional Office met with SFC's Bridget Fithian and Lauren Hubert and land owner Jeanne Todisco to conduct a site visit of the proposed Todisco Ranch Conservation Project. They discussed other nearby conservation activities to protect working lands and wildlife habitat, how completion of the Todisco conservation easement would connect to an adjacent 2,093-acre working rangeland conservation easement, the threats to local ranches from rapid conversion to orchards, and vineyards, and grazing management.

### **4.2 Consultation with Federal Agencies**

#### **4.2.1 National Historic Preservation Act (NHPA) (16 U.S.C. § 470 et seq.)**

Section 106 of the NHPA requires that Federal agencies take into consideration the effects of their undertakings on historic properties. Historic properties are defined as cultural resources that are included in, or eligible for inclusion in, the National Register. The process for implementing Section 106 of the NHPA is found at 36 CFR Part 800. The Section 106 process includes requirements to identify historic properties that could be affected by a proposed undertaking, to seek and gather information about significant cultural resources from Indian tribes and other interested parties, and to consult with the State Historic Preservation Office (SHPO) on a finding of effect for an undertaking.

Because the establishment of a conservation easement would not result in a change in land use, or cause any new activity to occur on the Ranch, it is the type of undertaking that does not have the potential to cause effects to historic properties, should such properties be present, pursuant to the NHPA Section 106 regulations codified at 36 CFR § 800.3(a)(1). Reclamation has no further obligations under NHPA Section 106, pursuant to 36 CFR § 800.3(a)(1). (See Appendix B).

## Section 5      References

Sawyer, John and Todd Keeler-Wolf. 1995. Biology of a Covered Species, A. Federally Listed Plant Species, 1. *Castilleja campestris* ssp. *succulenta* (Fleshy Owl's Clover), a. Description and Taxonomy, [http://www.fws.gov/sacramento/ES/Recovery-Planning/Vernal-pool/Documents/fleshy\\_owls\\_clover.pdf](http://www.fws.gov/sacramento/ES/Recovery-Planning/Vernal-pool/Documents/fleshy_owls_clover.pdf) .

California Natural Diversity Database. 2010 .Rarefind. California Department of Fish and Wildlife.

U.S. Fish and Wildlife Service. 2005. Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon. Portland, Oregon.

# **Appendix A Cultural Resources Compliance**

**CULTURAL RESOURCES COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**Cultural Resources Branch**

**MP-153 Tracking Number:** 16-SCAO-199

**Project Name:** Todisco Ranch Conservation Project

**NEPA Contact:** Doug Kleinsmith, Natural Resources Specialist

**NEPA Document:** EA1

**MP-153 Cultural Resources Reviewer:** Joanne Goodsell, Archaeologist

**Date:** October 26, 2016

**JOANNE GOODSELL** Digitally signed by JOANNE GOODSELL  
Date: 2016.10.26 14:16:12 -07'00'

---

Reclamation proposes to provide \$576,000 from the Central Valley Project Conservation Program and the Central Valley Project Improvement Act Habitat Restoration Program to the Sierra Foothill Conservancy to purchase a conservation easement on 480 acres of the Todisco Ranch to protect habitats for the California tiger salamander and vernal pool fairy shrimp. The proposed action would cover the costs of preparing environmental documents, conducting an appraisal of the land to determine its value, and purchasing of the conservation easement. The proposed action would result in no change in land use or new ground-disturbing activities.

Reclamation has determined that the proposed action is the type of undertaking that does not have the potential to cause effects on historic properties, pursuant to 36 CFR § 800.3(a)(1) and will result in no new impacts to cultural resources. As such, Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

This document conveys the completion of the cultural resources review and NHPA Section 106 process for this undertaking. Please retain a copy with the administrative record for the proposed action. Should the proposed action change, additional review under Section 106, possibly including consultation with the State Historic Preservation Officer, may be required.

# **Appendix B Indian Trust Assets Compliance**

## Indian Trust Assets Request Form (MP Region)

Submit your request to your office's ITA designee or to MP-400, attention Kevin Clancy.

**Date: 9/9/16**

<b>Requested by</b> (office/program)	Doug Kleinsmith
<b>Fund</b>	15XRO680A3
<b>WBS</b>	RX304249930250000
<b>Fund Cost Center</b>	2015200
<b>Region #</b> (if other than MP)	
<b>Project Name</b>	Todisco Ranch Conservation Project
<b>CEC or EA Number</b>	
<b>Project Description</b> (attach additional sheets if needed and include photos if appropriate)	<p>Reclamation proposes to provide \$576,000 from the Central Valley Project Conservation Program (CVPCP) and the Habitat Restoration Program (HRP) to the Sierra Foothill Conservancy (SFC) to purchase a conservation easement on the Todisco Ranch.</p> <p>The easement would conserve 480 acres of grasslands, oak woodlands, stock pond, vernal pools and wetland swales in Madera County to protect and conserve critical aquatic and upland habitats for the federal and state threatened California tiger salamander, as well as habitat for vernal pool species including the federally threatened vernal pool fairy shrimp and potentially the federally endangered vernal pool tadpole shrimp.</p>

<p><b>*Project Location (Township, Range, Section, e.g., T12 R5E S10, or Lat/Long cords, DD-MM-SS or decimal degrees). Include map(s)</b></p>	<p>-119.95 longitude and 37.20 latitude (See figure below).</p>
---	---

<p><u>/s/ Doug Kleinsmith</u> Signature</p>	<p><u>Doug Kleinsmith</u> Printed name of preparer</p>	<p><u>9/9/16</u> Date</p>
---	--	-------------------------------

**IITA Determination:**

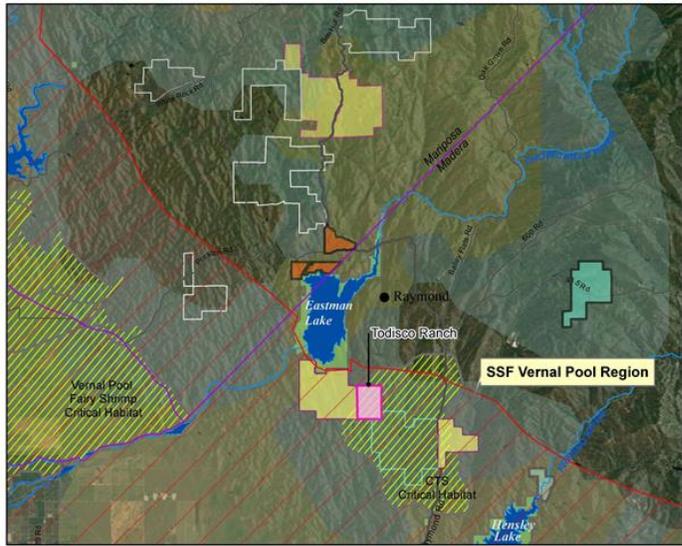
The closest ITA to the proposed Todisco Ranch Conservation Project is 50HS114 about 12.70 miles to the east. (See attached image).

Based on the nature of the planned work it does not appear to be in an area that will impact Indian hunting or fishing resources or water rights nor is the proposed activity on actual Indian lands. It is reasonable to assume that the proposed action will not have any impacts on ITA's.

<p><u>K. Clancy</u> Signature</p>	<p><u>Kevin Clancy</u> Printed name of approver</p>	<p><u>9/12/2016</u> Date</p>
---------------------------------------	---	----------------------------------

### Location Map Madera Mariposa Focus Area: Todisco Ranch

1:165,000 



- Legend**
- Todisco Ranch
  - SFC In Progress Easement
  - SFC Preserve
  - Potential Project
  - NRCS Grassland Reserve Program
  - Federally Conserved Land
  - Privately Conserved Land
  - SSF\* Vernal Pool Region
  - USFWS Critical Habitat
  - CRCC\*\* Priority Areas: Critical
  - CRCC\*\* Priority Areas: Important

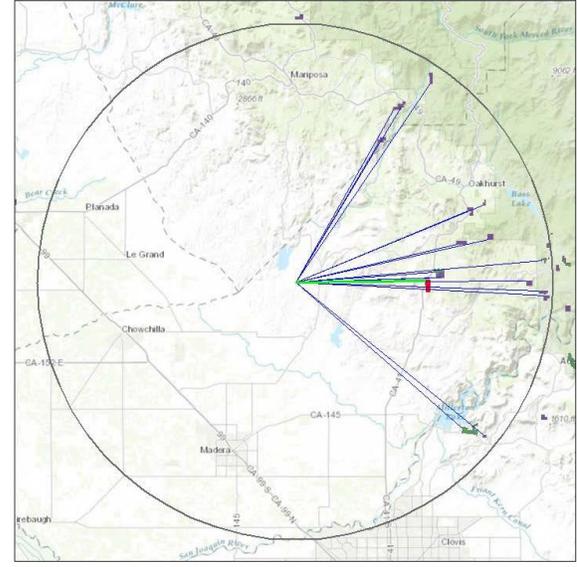
\*Southern Sierra Foothills Vernal Pool Region, as determined by the Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon. US Fish & Wildlife Service. Approved 15 Dec 2005.

\*\*California Rangeland Conservation Coalition. Prioritization of Rangeland Conservation Focus Areas. Approved 2007

5 Miles



### Todisco Ranch Project ITA Map



- Native American Lands FL**
- PDA
  - Rancheria
- Native American Lands**
- <all other values>
  - Alaska Native Regional Corporation
  - Alaska Native Village Statistical Area
  - American Indian Reorganization

0 4.75 9.5 19 Miles



# **Appendix C Endangered Species Act Compliance**



## United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, CA 95825-1898

IN REPLY REFER TO:

OCT 17 2016

MP-152  
ENV 7.00

### MEMORANDUM

To: CVPIA Habitat Restoration Program Manager  
Attn: MP-152 (DStrait)

From: Doug Kleinsmith   
Natural Resources Specialist

Subject: No-Effect Determination for Todisco Ranch Conservation Project

The Bureau of Reclamation proposes to provide \$576,000 from the Central Valley Conservation Program and the CVPIA Habitat Restoration Program to the Sierra Foothill Conservancy to purchase a conservation easement on the Todisco Ranch to conserve 480 acres of grasslands, oak woodlands, stock pond, vernal pools and wetland swales in Madera County.

The conservation easement would conserve critical aquatic and upland habitats for the federal and state threatened California tiger salamander (*Ambystoma californiense*), as well as habitat for vernal pool species including the federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and potentially the federally endangered vernal pool tadpole shrimp (*Lepidurus packardii*) through permanent protection of their habitats on the Ranch. The easement would contain language prohibiting any activity from taking place in the easement area that would impair the conservation values for which the easement is established to protect. For the Todisco Ranch easement those "conservation values" would be habitats and populations of threatened and endangered CVP-impacted species. The protection and conservation of those species and habitats will be the primary management focus of the conservation easement in perpetuity. The current use of the property is as a working cattle ranch. Establishment of the conservation easement would not facilitate any change in land use or new activity that would result in habitat modification or destruction.

Based on the information above, Reclamation has determined the proposed action would not affect the California tiger salamander, the vernal pool fairy shrimp, or the vernal pool tadpole shrimp.