

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

New Melones Lake Area Storage Facility

FONSI 12-02-MP

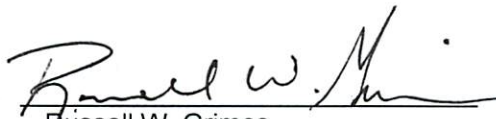
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U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
Sacramento, California

May 2013

Introduction

In accordance with Section 102(2)(c) of the National Environmental Policy of 1969, as amended, the Mid-Pacific Regional Office of the Bureau of Reclamation (Reclamation) has determined that constructing a new storage facility on federal lands within the New Melones Lake area is not a major federal action that will significantly affect the quality of the human environment and an Environmental Impact Statement is not required. This Finding of No Significant Impact (FONSI, 12-02-MP) is supported by the attached Environmental Assessment (EA), *New Melones lake Area Storage Facility*, which is hereby incorporated by reference.

Proposed Action

Reclamation proposes to construct a new storage facility at the New Melones Lake area to provide secure storage space for equipment and properties. The new storage facility would measure 40' wide by 100' long and 18' high. Most of the new building would be prefabricated, with appurtenant equipment installed/attached to the building exterior or on top of a concrete slab. Trenching for electrical and communications conduits would be excavated from the new storage facility location to existing connections. The project area is located northwest of the maintenance yard within the New Melones Lake Area in Tuolumne County, California (see Figure 1-1 from the EA).

As part of the Proposed Action, Reclamation will implement Avoidance and Minimization Measures as noted in Section 2.2.1 of the EA to avoid, minimize, and/or reduce potential environmental impacts.

Findings

Reclamation's determination that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the attached EA and is summarized in the following:

Water Resources

Construction activities and staging area would occur on an existing asphalt parking lot and road shoulder. There would be no activities within New Melones Lake or wetlands.

Indian Trust Assets

The Proposed Action does not have the potential to affect Indian Trust Assets.

Indian Sacred Sites

The Proposed Action will not affect and/or prohibit access to and ceremonial use of Indian sacred sites.

Environmental Justice

There are no economically disadvantaged or minority populations that would be disproportionately affected by the Proposed Action.

Recreation

Access to and use of the visitor center and museum, trail, and lake for fishing and swimming will still be accessible during and after construction activities.

Biological Resources

Construction would occur outside of the nesting season, or after fledgling have left the nest, to avoid impacts to raptors protected by the Migratory Bird Treaty Act.

There are three seasonal wetland ponds near the action area that are wet for approximately three months during the winter and dry the rest of the year. There is minimal vegetative cover in and around the wetland areas, a large population of bull frogs, and use by wading birds and waterfowl. As a result, the wetlands may provide marginal habitat for California red-legged frogs (CRLF). However, no activities would occur within the wetlands. Avoidance and minimization measures as noted in Section 2.2.1 of the EA will be implemented as part of the Proposed Action. As a result, Reclamation made the determination that the Proposed Action is not likely to adversely affect CRLF and requested written concurrence from the U.S. Fish and Wildlife Service (USFWS). The USFWS provided their concurrence in a memo dated May 16, 2013.

Cultural Resources

Reclamation concluded that a finding of no adverse effect to historic properties was appropriate pursuant to 36 CFR Section 800.5(b) since the project is within the New Melones Archaeological District boundaries but no individual or contributing historic properties are present within the area of potential effects. Reclamation consulted with the California State Historic Preservation Officer and received concurrence on the finding of no adverse effect, dated October 4, 2012.

RECLAMATION

Managing Water in the West

Environmental Assessment

New Melones Lake Area Storage Facility



**U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
Sacramento, CA**

May 2013

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 commitments 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.

Section 1 Introduction

This Environmental Assessment (EA) has been prepared to examine the potential direct, indirect, and cumulative impacts to the affected environment associated with building a new storage facility on Bureau of Reclamation (Reclamation) land. The project area is located northwest of the maintenance yard within the New Melones Lake Area in Tuolumne County, California (see Figure 1-1).

1.1 Need for the Proposal

Reclamation needs to provide secure storage space for various equipment and property at New Melones Lake by constructing a new storage facility near the maintenance yard.

Section 2 Proposed Action and Alternatives

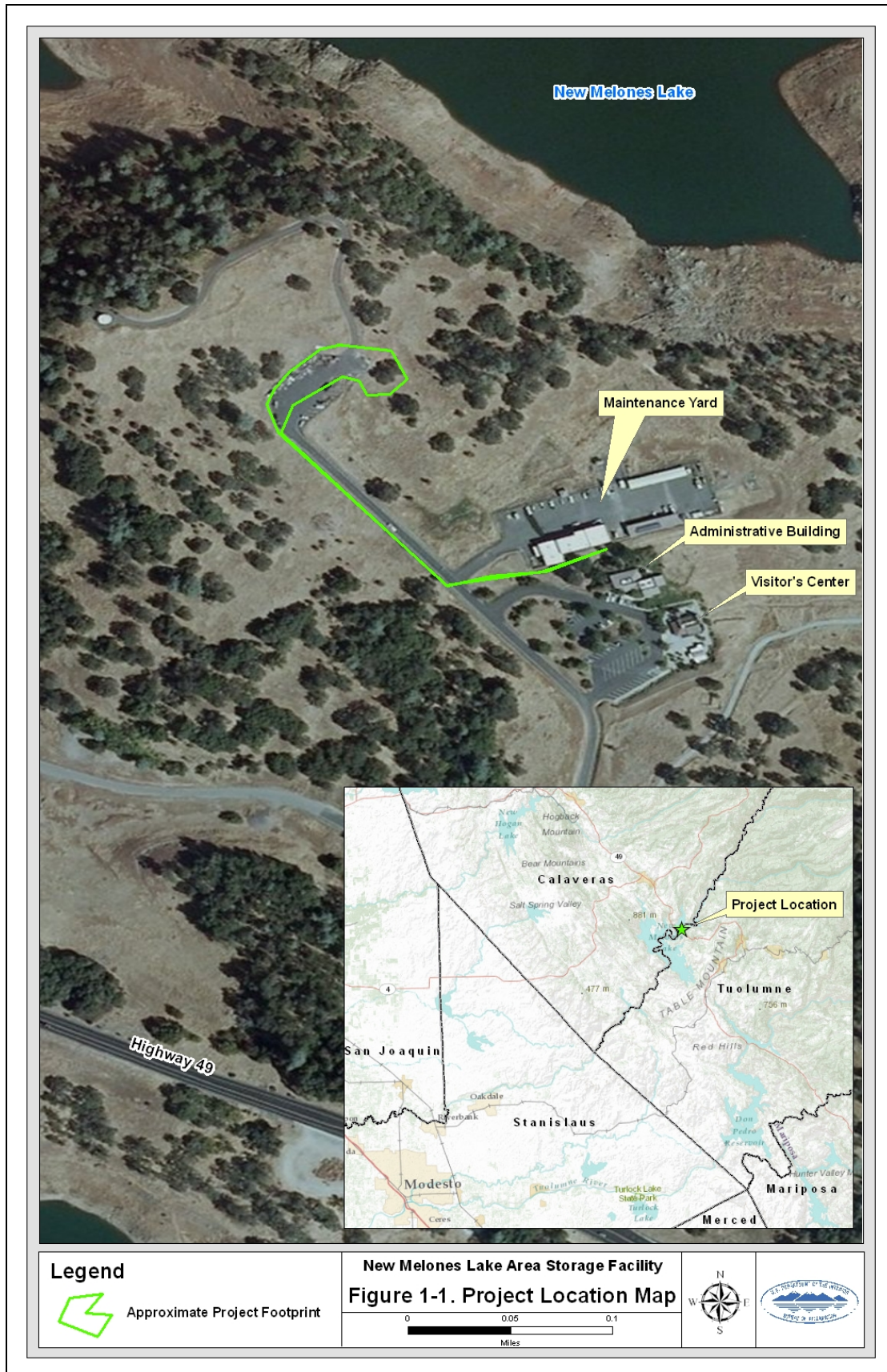
2.1 No Action Alternative

Under the No Action Alternative, Reclamation would continue to store equipment and properties within existing storage areas and facilities around the New Melones Lake area.

2.2 Proposed Action

Reclamation proposes to construct a new storage facility at the New Melones Lake area to provide secure storage space for equipment and properties. The project location, including staging area, is located on an existing asphalt parking lot approximately 600 feet (ft) from the maintenance building (see Figure 1-1). Trenching for electrical and communications conduits would be excavated from the new storage facility location to existing panels on the maintenance building. In addition, trenching would be required for a water connection pipeline and a sewer line, septic tank, and leach field. More specifically (all measurements are approximate):

- The new storage facility would have a floor area of 4,000 square-ft, and measure 40 ft wide by 100 ft long and 18 ft high. Most of the new building would be prefabricated, with appurtenant equipment installed/attached to the building exterior or on top of a concrete slab. The area of disturbance for the building and related appurtenances is 120 ft long and 50 ft wide. The asphalt would be excavated up to 2 ft below existing grade for the building and concrete slab foundations.
- Conduits for electrical and communications wiring, and a sewer line would be buried in a trench measuring 1,000 ft long, 2 ft wide, and 4 ft deep from the new storage facility to existing sources at the maintenance building. The majority of the trenching for the conduits would be within existing asphalted areas and road shoulders.



- Potable water would be provided to the new building by connecting a 6 inch pipe to an existing 6 inch water main buried along the northern edge of the parking lot.

Construction activities are expected to begin in summer 2013 and take about two months to complete.

2.2.1 Avoidance and Minimization Measures

As part of the Proposed Action, Reclamation will implement the following measures in order to avoid and/or minimize potential effects to the affected environment:

- Construction activities will be performed outside of the nesting season for raptors protected by the Migratory Bird Treaty Act (MBTA), or after fledglings have left the nest.
- Construction activities will only be performed during the dry season, between April 15 and October 15. The dry season window may depend on rainfall and/or site conditions.
- No construction will occur within the wetland areas adjacent to the project site.
- Open trenches/pits will be covered with plywood or similar material at the end of the working day. If left uncovered, one or more escape ramps will be provided.
- There will be no construction work during the night time or rain events.
- Stock piles, the staging area, and vehicle fueling will be confined to the existing asphalt parking lot.
- A training session shall be conducted by a qualified biologist for all construction personnel regarding the biology, distribution, and ecology of the California red-legged frog (CRLF, *Rana draytonii*); protection afforded to such species under applicable federal and state laws and regulations; all protection measures that must be followed to protect such species during the proposed project activities, and penalties for noncompliance. Additional training shall be conducted as needed.

Section 3 Affected Environment and Environmental Consequences

Impacts to the following resources were considered and found to be minor. Brief explanations for their impacts are provided below:

- **Water Resources:** Construction activities and staging area would occur on an existing asphalt parking lot and road shoulder. There would be no activities within New Melones Lake or wetlands.
- **Indian Trust Assets:** The Proposed Action does not have the potential to affect Indian Trust Assets.
- **Indian Sacred Sites:** The Proposed Action will not impact and/or prohibit access to and ceremonial use of Indian sacred sites.
- **Environmental Justice:** There are no economically disadvantaged or minority populations that would be disproportionately affected by the Proposed Action.
- **Recreation:** Access to and use of the visitor center and museum, trail, and lake for fishing and swimming will still be accessible during and after construction activities.

3.1 No Action Alternative

Under the No Action Alternative, there would be no change to existing conditions and current trends of the affected environment.

3.2 Proposed Action

3.2.1 Special Status Biological Resources

Nesting raptors and other avian species protected by the MBTA have been known to occur within the New Melones Lake area. Within proximity to the action area, bald eagle (*Haliaeetus leucocephalus*), Western burrowing owl (*Athene cunicularia*), osprey (*Pandion haliaetus*), waterfowl, and wading birds have been recorded and/or observed.

The Proposed Action does not involve any activities within water bodies nor does it require the removal of trees, shrubs, and/or bushes. An osprey nest on top of a pole located near the action area would not be physically disturbed. There are no other visible raptor nests near the action area. Construction would occur outside of raptor nesting season (refer to Section 2.2.1) to avoid potential nest abandonment due to construction-related noise disturbance, or after osprey fledglings have left the nest. There are no burrows within the action area that could potentially be used by Western burrowing owl. As a result, potential impacts to avian species protected by the MBTA would be avoided.

The California Natural Diversity Database, a species list from the U.S. Fish and Wildlife Service Sacramento Office website (USFWS 2012), and other information available to Reclamation, were used to help determine if the Proposed Action would have the potential to affect federally-listed species. There is no proposed or designated critical habitat for Federally-listed species or recorded occurrences within the action area. The nearest CRLF occurrence was recorded in 1975 approximately 4.5 miles northeast from the action area (CNDDB 2012).

There are three seasonal wetland ponds near the action area that are wet for approximately three months during the winter and dry the rest of the year. The wetland areas are fed through rain runoff. There is minimal vegetative cover in and around the wetland areas, a large population of bull frogs, and use by wading birds and waterfowl. As a result, the wetlands may provide marginal habitat for CRLF. However, no activities would occur within the wetlands. Trenching and excavation would mostly occur within the asphalt area. Some trenching for the communication and power lines would go along the road shoulder on the other side of the wetland ponds and some excavation would be conducted on open grassland near the edge of the parking lot. Avoidance and minimization measures as noted in Section 2.2.1 will be implemented as part of the Proposed Action. As a result, Reclamation has made the determination that the Proposed Action is not likely to adversely affect CRLF and has requested written concurrence from the USFWS.

3.2.2 Cultural Resources

The Proposed Action is on federal lands and constitutes an undertaking pursuant to Section 301(7) of the National Historic Preservation Act, and is the type of activity that has the potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a). Reclamation's efforts to identify and evaluate historic properties within the area of potential effects (APE) consisted of a review of its in-house archaeological site index and past project records and data, a pedestrian archaeological survey of the APE, and Native American consultation completed pursuant to 36 CFR Section 800.4(a)(4). Though the federal lands around and under New Melones Lake encompass the National Register of Historic Places eligible New Melones Archaeological District, Reclamation concluded that a finding of no adverse effect was appropriate pursuant to 36 CFR Section 800.5(b) since no individual or contributing historic properties are present within the project APE. Reclamation consulted with the California State Historic Preservation Officer (SHPO) and received concurrence on the finding of no adverse effect.

3.3 Cumulative Impacts

There are no other known past, present, and reasonably foreseeable future actions that would cumulatively result in significant impacts to the human environment.

Section 4 Consultation and Coordination

4.1 Endangered Species Act (16 USC § 1531 et seq.)

Section 7 of the Endangered Species Act requires Federal agencies, in consultation with the Secretary of the Interior, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species.

Reclamation transmitted a request to the USFWS for written concurrence that the Proposed Action is not likely to adversely affect CRLF in a memo dated March 8, 2013. Reclamation received the USFWS' concurrence in a memo dated May 16, 2013.

4.2 National Historic Preservation Act (16 USC § 470 et seq.)

The National Historic Preservation Act (NHPA) is the primary Federal legislation that outlines the Federal Government's responsibility to cultural resources. Section 106 of the NHPA requires the Federal Government to take into consideration the effects of an undertaking on cultural resources listed on or eligible for inclusion in the National Register of Historic Places.

As noted above in Section 3.2.2, Reclamation's efforts to identify and evaluate historic properties within the APE also consisted of Native American consultation completed pursuant to 36 CFR Section 800.4(a)(4). In addition, Reclamation initiated consultation with the SHPO in a letter dated September 4, 2012, inviting their comments regarding our delineation of the APE and the appropriateness of our efforts to identify and evaluate historic properties in that APE. Reclamation also requested the SHPO's concurrence regarding our finding of no adverse effect and received concurrence in a letter dated October 4, 2012.