

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

New Melones Lake Concession Development

California Area Office

FONSI 13-06-CCAO

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U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region

August 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 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.

Introduction

In accordance with Section 102(2)(c) of the National Environmental Policy of 1969, as amended, the Central California Area Office of the Bureau of Reclamation (Reclamation) has determined that the award of a new concessions agreement for improvement, development, and management of the Black Bart portion of the Glory Hole area at New Melones Lake 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 13-06-CCAO) is supported by the attached Environmental Assessment (EA), *New Melones Lake Concession Development* which is hereby incorporated by reference.

Proposed Action

Reclamation proposes to award a new concession agreement for improvement, development, and management of the Black Bart portion of the Glory Hole (T2N, R13E, Section 21, NW ¼ of the SE ¼, Angles Camp Quadrangle, Calaveras County, California) area at the expiration of the current interim concession contract. The new agreement will provide a full range of concession opportunities as identified in the Commercial Services Study and Financial Feasibility Evaluation. The new long-term concession contract will be advertised and awarded through a competitive bidding process (a prospectus) in accordance with Reclamation Manual, Directives and Standards LND 04-01.

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:

Indian Trust Assets - The Proposed Action does not have a potential to impact Indian Trust Assets (ITA).

Indian Sacred Sites - No Indian sacred sites have been identified within or adjacent to the footprint of the Proposed Action.

Environmental Justice - The Proposed Action will not have any disproportionately negative impact on low-income or minority individuals within the Proposed Action area.

Air Quality - There will be no emission of criteria pollutants that would cause detectable changes to the baseline conditions or exceed Federal, State, and local thresholds due to the Proposed Action.

Global Climate Change - Trends in climate change will not be affected by the Proposed Action. In addition, climate change will not have an impact to the Proposed Action.

Socioeconomic Resources

Provision of the aquatic recreation opportunities at New Melones Lake ensures continuing contributions to the economic well-being of both Calaveras and Tuolumne Counties.

Cultural Resources

Reclamation has determined that this undertaking, consisting of the award of a concession agreement only, will not cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1) of the National Historic Preservation Act.

Biological Resources

Under the Proposed Action, continued use of existing facilities could occur. The area below the Black Bart parking lot will become a part of the facility and location for the access to the marina; new day use area will be constructed to offset the loss of Black Bart Day Use Area. Lodging facilities will be constructed (RV, yurts, and/or cabins). A restaurant could also be constructed in this area. This area is relatively steep, and its development in the flatter upper parts above or near the parking lot may require the removal of a mature blue oak and interior live oak trees.

Measures to minimize loss of native vegetation and habitat and prevent the spread of invasive plants and animals will be identified in a separate environmental document, upon site specific details.

Measures will be required to protect and maintain suitable water quality in waterways, particularly the management of run-off and the control of pollutant sources and will be identified in a separate environmental document, upon site specific details.

There will be no effects to listed species as a result of the Proposed Action.

Recreation

Under the Proposed Action, Glory Hole Recreation Area will be provided expanded concession opportunities by incorporating the Black Bart Day Use Area into the current concession boundary and relocating the marina there. The water area of the current concession boundary will no longer be used for commercial services after a transitional period.

Visual Resources

Under the Proposed Action, concession opportunities will be expanded at Glory Hole Recreation Area by incorporating the Black Bart Day Use Area into the current concession boundary and relocating the marina there. The water area of the current concession boundary will no longer be used for commercial services after a transitional period.

Parking and Traffic Circulation

Traffic circulation will not be altered by the use of Black Bart Day Use Area for the marina location. The existing roadway will continue to be a part of the Glory Hole Recreation Area located outside the concession boundaries. Reclamation will continue to maintain the roadway and enforce all traffic laws and vehicular flow through the area. Launching and retrieval of house boats will continue to be managed by Reclamation at its Glory Hole Point launch ramp through the Special Use Permit process currently in effect.

Cumulative Effects

Reclamation's action is the award of a concession agreement. Reclamation will begin working on a prospectus to release for potential bidders. All necessary environmental analysis required

for the implementation of the new recreation facilities will be completed under a separate environmental analysis.

There will be no adverse impacts that contribute to cumulative changes or impacts to ITA, Indian Sacred Sites, environmental justice, air quality, global climate change, socioeconomic and environmental justice, cultural resources, biological resources, recreation, visual resources, or parking and traffic circulation. Therefore, there will be no cumulative impacts as a result of the Proposed Action.

Public Review Period

The public comment period was July 17, 2013 through August 16, 2013. A public open house session was held at New Melones Lake Visitor Center on Tuesday, July 30, 2013, 5:30-7:30 p.m.

In general, the meeting attendees had questions about the status of houseboats on the lake, the financial feasibility of the new concessions area, and Reclamation's transition strategy. Reclamation acknowledged the attendees' concerns and encouraged them to write their comments down and send them to Reclamation.

Reclamation received five comments. In general, the comments were supportive of the new location. One commenter expressed concerns about the economic feasibility for a new concessionaire. One commenter desires to be kept informed of the next environmental document.



Environmental Assessment

New Melones Lake Concession Development

Central California Area Office, Folsom, CA

August 2013



**U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region**

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.

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List of Acronyms and Abbreviations

ACOE	U.S. Army Corps of Engineers
ADA	Americans with Disabilities Act
CFR	Code of Federal Regulations
CSS	Commercial Services Study
EA	environmental assessment
EIS	Environmental Impact Statement
FFE	Financial Feasibility Evaluation
NEPA	National Environmental Policy Act
NMAD	New Melones Archaeological District
NRHP	National Register of Historic Places
Reclamation	Bureau of Reclamation
RMP	Resources Management Plan
RV	Recreation Vehicle

Section 1 Introduction

This environmental assessment (EA) has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, 42 USC, §4321 et seq.; the Council on Environmental Quality regulations for implementing NEPA, 40 Code of Federal Regulations (CFR), Parts 1500-1508. Through the process of creating the EA, Reclamation will determine the potential for effects due to the Proposed Action. The process also serves as a method of informing the public about project alternatives and allows for public input on the Proposed Action

1.1 Background

New Melones Lake is located in Calaveras and Tuolumne Counties, California. New Melones Lake is operated by the Bureau of Reclamation (Reclamation) for multiple purposes, including flood control, irrigation and municipal water supplies, hydroelectric production, recreation, water quality, and fish and wildlife enhancement. As one of the primary purposes, recreation is key management consideration at New Melones Lake. The reservoir provides opportunities for both land- and water-based recreation activities.

New Melones Lake is a popular recreation destination in the Sierra Nevada foothills; over the last 10 years, average visitation it has been 648,545 for the recreation area and 299,388 visitors annually in the Glory Hole area. With recreation playing such a large role in the management of the reservoir and adjacent lands, the role of commercial services is an important planning issue that was identified in the New Melones Lake Resources Management Plan (RMP) and Environmental Impact Statement (EIS) completed in 2010. The EIS analyzed four alternatives to address the major planning issues; the alternatives ranged from continuance of current management (Alternative A) to a multiple-use alternative (Alternative D). The Record of Decision was signed June 18, 2010, and Reclamation selected the multiple-use alternative (Reclamation 2010).

Construction of New Melones was authorized by the Flood Control Act of December 22, 1944; it was subsequently modified by the Flood Control Act of 1962 (PL 87-874). The U.S. Army Corps of Engineers (ACOE) developed the Master Plan for the reservoir in 1976. The plan proposed 13 separate management areas.

The building and filling of New Melones Reservoir became controversial and litigious. Due to ongoing litigation, construction of the recreation facilities was postponed. At that time, the ACOE, applied a cost-sharing requirement for recreation and fish and wildlife, as outlined in PL 89-72.

Efforts to find a cost share for recreational facilities were unsuccessful, and only “minimal facilities” were built. The ACOE constructed facilities beyond the “minimum basic facilities” in Glory Hole and Tuttletown but these were not as extensive as described in the Master Plan. The remaining planned recreation areas were never

developed. These areas are currently used as undeveloped areas for such purposes as wildlife management, resource protection, and dispersed recreation.

In 1979, a memorandum of understanding transferred management responsibility for New Melones Lake from ACOE to Reclamation (Reclamation 2010).

In 1986, Reclamation contracted for portions of Glory Hole Recreation Area lands for construction, operation and maintenance of Glory Hole Marina, a commercial public marina and associated recreation use facilities and developments (Reclamation 1986). The Glory Hole Marina was sold to a new owner in 1993 and has been operated as the New Melones Lake Marina since that time. Reclamation uses concessionaire agreements to achieve needed recreational support services, programs, and facilities and as a means for dissemination of public use information. The primary concessionaire at the New Melones Lake Area runs the New Melones Lake Marina at the Glory Hole Management Area (Reclamation 2010).

As part of its implementation of the 2010 RMP, Reclamation prepared the New Melones Lake Marina Siting Plan (Appendix A) based on the Commercial Services Study (CSS) and Financial Feasibility Evaluation (FFE) (Appendix B) in order to identify commercial services and facilities determined to be necessary and appropriate for New Melones Lake (April 2011).

1.2 Purpose and Need

This EA will be used to assist with developing implementation actions (a prospectus) to plan, authorize and manage commercial services at New Melones Lake in accordance with commercial service planning policies and directives administered by Reclamation.

The Proposed Action is being considered due to the location of the existing marina, boats and existing facilities which are susceptible to damage from prevailing storm winds from the southwest. There have been several large storms in recent history that have caused substantial damages to the marina and boats. As a result, it is recommended that the marina be relocated to a more suitable location.

Reclamation is seeking to provide visitors with new and improved site facilities and implementation of business models having a continued focus on short-term recreation use, the same visitor profile, and provide enhanced opportunities for visitation growth at New Melones Lake. The Proposed Action is needed to meet the public demand for access to the lake as well as recreation and educational opportunities. Meeting these objectives at New Melones Lake will support Reclamation's efforts to achieve the overall management goal for recreation use at New Melones Lake, in accordance with Reclamation's Resource Management Plan.

Additionally, the Proposed Action is due to the expiration of the current concessionaire's agreement. The original agreement was set to expire December 31, 2012. However, an interim concession contract was executed and is in place for the period January 1, 2013

until December 31, 2014. Upon expiration, the current concessionaire will not manage the recreation area. The interim concession contract was executed to bridge the gap of available recreation services between expiration of the previous long-term concession contract and a new long-term concession contract which is expected to be awarded within the next two years.

Section 2 Alternatives Including Proposed Action

The environmental review performed in this document is for the award of a concession agreement and limited to the No Action and Proposed Action alternatives. Additional site specific environmental analysis will be conducted upon further development information of the concession area.

2.1 No Action Alternative

The interim concession contract would expire on December 31, 2014. Reclamation would not enter into a new concession's agreement. No improvements would be made to the existing concession facilities, and no new facilities would be developed. The following actions under the No Action Alternative would occur:

- The concessionaire and Reclamation would remove and properly dispose of the structures associated with the concession contract from the Glory Hole area.
- The marina would be removed.
- The mooring field would be removed.
- All boats would be removed from the Glory Hole area by the respective owners, the outgoing concession contractor, or be disposed of by Reclamation.

2.2 Proposed Action Alternative

Reclamation proposes to award a new concession agreement for improvement, development, and management of the Black Bart portion of the Glory Hole (T2N, R13E, Section 21, NW ¼ of the SE ¼, Angles Camp Quadrangle, Calaveras County, California) at the expiration of the current interim concession contract. The new agreement would provide a full range of concession opportunities as identified in the CSS and FFE (April 2011). The new long-term concession contract would be advertised and awarded through a competitive bidding process (a prospectus) in accordance with Reclamation Manual, Directives and Standards LND 04-01.

Some docks not removed by the existing Glory Hole concessionaire may be temporarily moved and utilized by the new concessionaire in the Black Bart portion of the Glory Hole, if abandoned by the current concessionaire. The existing Glory Hole marina store, administration office, maintenance workshop, parking lots, roads, dry storage yard, water storage tank and water well may become property of the United States and, therefore, may be temporarily utilized under the new concession agreement in their current location. These facilities could be assigned to the new concession contractor and would be replaced, within a specified time, based on life expectancy of the facility, by new facilities, with the exception of the water wells. Reclamation is also developing a transition strategy; this is a separate action that would be analyzed in a separate document.

Under the Proposed Action, amenities would include some, all, or a combination of the following features:

Full Service Marina

- Covered Boat Slips, Open Boat Slips Rental – up to 110
- Transient Boat Slip – Up to 20
- Private House Boat Slip Rentals – up to 116
- Commercial House Boat Rentals – up to 18
- Watercraft Rentals
 - Pleasure boat rentals – up to 9
 - Personal Watercraft – up to 12
 - Pontoon (Patio) – up to 10
 - Fishing boats – up to 12
 - Non-Motorized
 - Kayaks/Canoes – up to 17
 - Paddleboards – up to 6
- Marine Fuel – dock with two dispensers
- Marine Repair Services – Marine services and minor repairs
- Wastewater Pump Out
- Dry Boat Storage – Dry Yard or Stacked Storage
- Fishing Dock
- Fish Cleaning Station
- Marine and/or Land-based Retail Store
- Retail Facilities
 - Clothing
 - Food & Beverage
 - Beer & Wine Sales
 - Sandwiches
 - Snack Food
 - Firewood
 - Supplies
 - Camping
 - Boating
- Lodging:
 - Yurts or Cabins – up to 9
 - RV Park - up to 22
- Restaurant
- Valet Launching/Retrieval
- Houseboat Retrieval & Launching
- Non-motorized Boat Launch
- Day Use Sites – group or individual family sites
- Restroom (both land based and on docks)
 - Add showers to existing facility
- Parking modification

- Restriping 23 parking spaces
- Provide hammerhead turn around at Black Bart portion of the Glory Hole Concession Area
- Connect existing and new waste water sources to Reclamation's existing force main sewer system
- Lift Stations for Waste Water Facilities – up to 2
- Extend potable water lines to service new concession facilities
- Electrical lines and additional transformer(s)

Existing Facilities

- The new concessionaire may continue to operate and maintain
 - the parking lots and roads at the current Glory Hole marina sites
 - a 600 amp marina transformer and circuit breaker panel and telephone panel at existing marina site
 - a maintenance facility that consists of a dry storage lot and a two-bay repair workshop at existing marina site
 - water well and water storage tank
 - an administrative office at existing marina site
 - concrete ramp
 - fuel tanks
 - sewage lines and sewage tank
 - street lighting

Development of the Black Bart portion of the Glory Hole Concession Area would require an extension of the water and electricity lines. It is estimated that oak trees would need to be removed during construction.

A new marina would be developed and operated at Black Bart Cove. Due to fluctuation of the reservoir, slopes to the facility can vary. A pedestrian path leading to the marina or other means of providing access would need to be designed to meet Americans with Disabilities Act (ADA) of 1990 and 1995 (29 USC, Section 794 seq.) and the requirements for recreation facilities (28 CFR Part 35 and 36).

Development of the Black Bart portion of the Glory Hole Concession Area would create the loss of the existing Day Use picnic sites and lake access currently operated by Reclamation and enjoyed by park visitors. Day Use concession activities would be a required service of the concession operation and could be provided within a portion of the Black Bart area. However, development of several new Day Use sites outside of the concession area would be required to offset the loss of the Reclamation-operated sites at Black Bart Day Use Area. The proposed location for the new Reclamation Day Use sites is a wooded area near the existing restroom at Glory Hole Point. Additional areas that could be used for concession-operated Day Use sites include a portion of the existing concession site (concrete ramp and parking area at existing marina location), and an area adjacent to the proposed marina site in the Black Bart area. All three sites provide opportunities for development of individual and group picnic sites. The existing marina

location may also provide an opportunity for hand launching of non-motorized boats and a designated swimming/fishing area.

Development of Recreation Vehicle (RV) camping would be created in both the existing and the Black Bart portion of the Glory Hole Concession Area. Additionally, short term lodging utilizing such facilities as Yurts, Cabins or Park Models may be developed. All RV and short term lodging sites would include full service connections; such services being water, wastewater collection and electricity.

It is estimated that 20 mature oak trees would need to be removed during construction.

Once quantities and locations of services have been determined, a site specific environmental analysis will be prepared.

2.3 Alternative Sites Considered but Eliminated from Further Consideration

As part of the CSS, a preliminary geographic information system based analysis was conducted with an objective to determine sites potentially suitable for recreation development while considering potential resource constraints. The analysis considered the proximity to existing roads, the Water Resources Opportunities Spectrum classification system and the slope of the land. A site visit was undertaken to obtain preliminary information for each of the sites. Information was collected for the existing marina, Black Bart portion of the Glory Hole Concession Area, Angels Creek, Heron Point Area, French Flat, Old Melones (Old Hwy 49 North), and Mark Twain (Old Hwy 49 South) on: 1) proximity to roads (need for new roads or road improvements), 2) access to infrastructure (launch ramps, land-based facilities), 3) availability of utilities, 4) exposure to wind (wind fetch), and 5) visual amenity. Based on that analysis the following sites were eliminated from further consideration:

Existing Marina

The prevailing winds at this site come from the southeast and due to the large fetch (almost 30,000 feet) can result in waves above five feet high. During the winter, periodic storms with winds of up to 50-60 mph blow, sometimes for up to two days duration. These strong storms result in extensive damage to the marina and the houseboat slips, floating docks and private boats. Attempts to construct a breakwater have largely been unsuccessful, and protection from winter storms has relied on temporarily moving the marina and houseboats into more sheltered locations.

Angels Creek

For this site to be developed as a new marina location, a new water well and distribution system must be developed, a substantial extension of the boat launch ramp would be required, and a new land-based office/storage facility would need to be constructed. Angels Creek was eliminated from consideration as the depth of Angels Cove is not conducive to operating a marina during lower water levels.

Heron Point Area

This area is well-protected from southeast winds; however, during high water, much of the shoreline available for use would be submerged. The steep topography of Heron Point Cove causes it to become unusable as a marina during periods of lower water levels.

French Flat

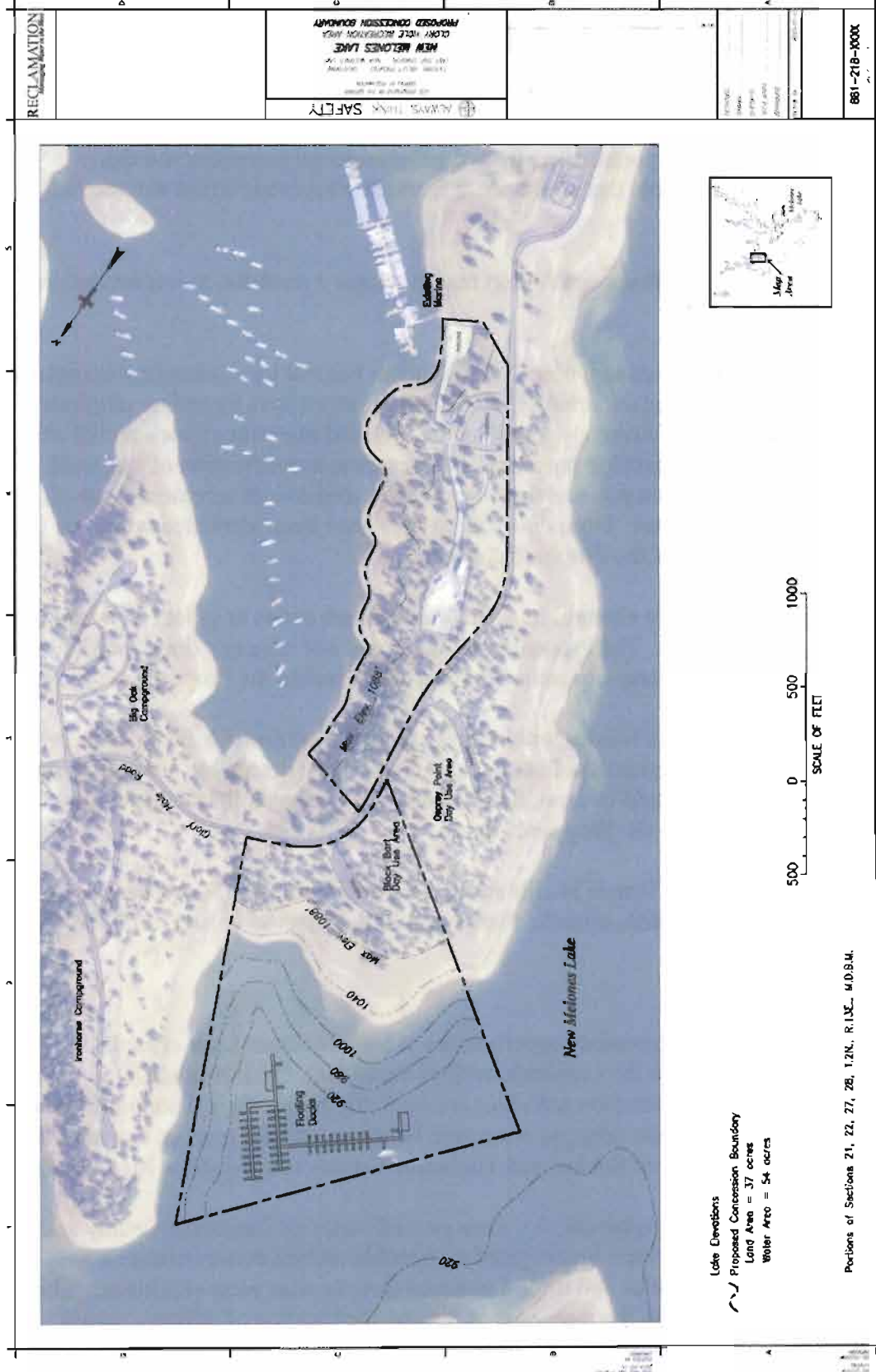
This area is not supported by existing infrastructure. The nearest power source would be likely near private homes located approximately one mile to the east. Access to the water is via a poorly maintained dirt track, and development would require construction of several miles of a new paved road affecting both Federal and private lands. All new water and wastewater systems would have to be constructed.

Old Melones (Old Hwy 49 North)

This is a steep area accessible from the former Highway 49. The area has no utilities and very limited expansion potential. The access road would have to be widened and upgraded to reflect current roadway design standards. Additionally, this area is facing a long stretch of open water directly windward into the prevailing southeast winds.

Mark Twain (Old Hwy 49 South)

The site is located in a narrow valley between Highway 49 and the New Melones visitor's center. The Reclamation Administration water and wastewater systems would require upgrading and expansion to serve a new marina, or new systems would need to be developed. The location has a fairly steep terrain and a limited quantity of level land surface that could be developed into parking lots or recreation areas required to serve the marina. The bay is also quite narrow and would need to be well planned to provide space for both houseboat and pleasure craft moorings needed by the new marina.



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Figure 1 Area Map

Section 3 Affected Environment & Environmental Consequences

This section identifies the potentially affected environmental resources and the environmental consequences that could result from the Proposed Action and the No Action Alternative.

Indian Trust Assets - The Proposed Action does not have a potential to impact Indian Trust Assets.

Indian Sacred Sites - Executive Order 13007 requires Federal land managing agencies to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and to avoid adversely affecting the physical integrity of such sacred sites. It also requires agencies to develop procedures for reasonable notification of proposed actions or land management policies that may restrict access to or ceremonial use of, or adversely affect, sacred sites. No Indian sacred sites have been identified within or adjacent to the footprint of the Proposed Action.

Environmental Justice - No changes in agricultural communities or practices would result from the Proposed Action. The Proposed Action would not have any disproportionately negative impact on low-income or minority individuals within the Proposed Action area.

Air Quality - New Melones resides within the Mountain Counties Air Basin. There would be no emission of criteria pollutants that would cause detectable changes to the baseline conditions or exceed Federal, State, and local thresholds for the Mountain Counties Air Basin due to the Proposed Action.

Global Climate Change - Trends in climate change would not be affected by the Proposed Action. In addition, climate change would not have an impact to the Proposed Action.

Socioeconomic Resources

Provision of the aquatic recreation opportunities at New Melones Lake ensures continuing contributions to the economic well-being of both Calaveras and Tuolumne Counties. Though no concession activities are currently proposed in Tuolumne County at the Tuttletown Recreation Area, an economic benefit continues to exist by park visitors traveling through the City of Sonora and Tuolumne County to reach New Melones Lake.

In the marina siting plan (Appendix A), three possible sites in Tuolumne County and four sites in Calaveras County were investigated as possible marina concession locations. All of the Tuolumne County sites and three Calaveras County sites were eliminated. These sites were eliminated due to the steepness of terrain, the location of utilities, access through private property and wind exposure.

Should there be sufficient demand, Reclamation may in the future consider provision of additional year-round or seasonal commercial services in Tuolumne and/or Calaveras Counties.

3.1 Cultural Resources

3.1.1 Affected Environment

Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, [16 USC 470, 36 CFR § 800] requires all Federal agencies to take into account the effects of their undertakings on historic properties that are included in, or eligible for inclusion in, the National Register of Historic Places prior to the approval of the expenditure of any Federal funds, the approval of any action on Federal lands, or the issuance of any Federal license or federal permit. Accordingly, Section 106, as implemented by 36 CFR Part 800, would apply to the development of new concession facilities at New Melones Lake if historic properties were located in the project's area of potential effects.

Under Section 106, Federal agencies must seek to avoid adverse effects to historic properties, but if no alternatives exist, the agency must mitigate the adverse effect. In addition, Federal agencies or their Federally delegated authorities are required to consult with the State Historic Preservation Officer during the evaluation process.

The Section 106 process is typically undertaken in advance of or in conjunction with the NEPA compliance process, although they are separate laws. Under NEPA, a more comprehensive evaluation of cultural resource impacts are evaluated. Both processes are performed in the project planning stage, when adverse impacts to the environment can still be avoided or mitigated.

Previous cultural resource studies in the New Melones Lake area, which consists of a reservoir with a surface area of 12,500 acres and approximately 17,500 acres of Federal project lands surrounding the lake, have been subject to over 118 cultural resource reports. These reports have documented in excess of 644 cultural resource sites, the large majority of which were documented between 1968 and 1975. In 1988, a nomination was made to the National Register of Historic Places (NRHP) for a New Melones Archaeological District (NMAD) that included, at the time, 627 archaeological sites. Although this nomination was not finalized, the NMAD is considered to be eligible for the NRHP and all of the Federal lands around and under the lake are located within the NRHP eligible district.

3.1.2 Environmental Consequences

No Action

Under the No Action alternative, the Interim Concession Contract would expire. A new concessions agreement would not be awarded and there would be no marina services. All existing infrastructure would be removed. The water surface and land would return to open space.

Proposed Action

Under the Proposed Action, concession-operated recreation services would be provided for the Black Bart portion of the Glory Hole Concession Area. The Proposed Action is award of a concession agreement. Additional site specific environmental analysis would be conducted, as applicable, upon further development of the already highly developed concession and recreation area. The Proposed Action would not result in any change in use or modification of prior use, nor would it result in a change of land use.

Reclamation has determined that this undertaking, consisting of the award of a concession agreement only, would not cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1) of the NHPA.

3.2 Biological Resources

3.2.1 Affected Environment

The proposed Black Bart portion of the Glory Hole Concession Area is currently a day use area with a parking lot (space for approximately 44 cars), restroom facilities, and several day use sites with tables, barbecue pits and water faucets.

A U.S. Fish and Wildlife Service endangered and threatened species list was generated on May 6, 2013 (Document Numbers: 130506101026 and 13050601492) for the Angels Camp and New Melones Dam quadrangles. Reclamation also queried the California Diversity Database (Table 1).

Table 1 Threatened and Endangered Species List

Species	Status	Habitat	Occurrence in Action Area
vernal pool fairy shrimp <i>Branchinecta lynchi</i>	FT	Occur primarily in vernal pools.	Absent. Suitable habitat absent within the Proposed Action Area
valley elderberry longhorn beetle, <i>Desmocerus californicus dimorphus</i>	FT	Lives in elderberry shrubs of California's Central Valley and Sierra Foothills with stems one inch or greater in diameter.	Absent. Suitable habitat absent within the Proposed Action Area
delta smelt, <i>Hypomesus transpacificus</i>	FT, CE	Endemic to the Delta. Found in San Joaquin River up to Mossdale in some years and in Sacramento River up to Rio Vista where salinity is 2-7 parts per thousand.	Absent. Suitable habitat absent within the Proposed Action Area.
Central Valley steelhead, <i>Oncorhynchus mykiss</i>	FT	Anadromous species; spawns in cold waters.	Absent. No natural waterways within the species' range would be affected by the Proposed Action.
Central Valley spring-run chinook salmon <i>Oncorhynchus</i>	FT	Anadromous species; spawns in cold waters.	Absent. No natural waterways within the species' range would be affected by the Proposed

<i>tshawytscha</i>			Action.
California tiger salamander, central population, <i>Ambystoma californiense</i>	FT, CT	Found primarily in annual grasslands; requires vernal pools for breeding and rodent burrows for refuge.	Absent. Suitable habitat absent within the Proposed Action Area
California red-legged frog, <i>Rana draytonii</i>	FT	Red-legged frogs require aquatic habitat for breeding but also use a variety of other habitat types including riparian and upland areas. Adults often utilize dense, shrubby or emergent vegetation closely associated with deep-water pools with fringes of cattails and dense stands of overhanging vegetation such as willows.	Absent. Suitable habitat absent within the Proposed Action Area
Chinese Camp brodiaea <i>Brodiaea pallida</i>	FT, CE	Grows in overflow channels, seeps, and springs in clays that may be derived from serpentine soils (FWS 2007).	Absent. Suitable habitat absent within the Proposed Action Area.
Definitions of Occurrence Indicators: Absent: Species not observed on the action area, and precluded from occurring there because habitat requirements not met. Listing Status Codes: FE: Federal Endangered FT: Federally Threatened CE: State Endangered CT: State Threatened			

3.2.2 Environmental Consequences

No Action

Under the No Action alternative, the Interim Concession Contract would expire. A new concessions agreement would not be awarded and there would be no marina services. All existing infrastructure would be removed. The water surface and land would return to open space.

Proposed Action

Under the Proposed Action, continued use of existing facilities could occur. The area below the Black Bart parking lot would become a part of the facility and location for the access to the marina; new day use area would be constructed to offset the loss of Black Bart Day Use Area. Lodging facilities would be constructed (RV, yurts, and/or cabins). A restaurant could also be constructed in this area. This area is relatively steep, and its

development in the flatter upper parts above or near the parking lot may require the removal of a mature blue oak and interior live oak trees.

There may be impacts on terrestrial and aquatic native flora and fauna once site specific details are known; however, this would be analyzed in a separate environmental document. Measures to minimize loss of native vegetation and habitat and prevent the spread of invasive plants and animals would be identified in a separate environmental document, upon site specific details.

There may be impacts should water be discharged from the marina concession area, such discharges would have an impact on aquatic resources and measures would be required to protect and maintain suitable water quality in waterways, particularly the management of run-off and the control of pollutant sources. Upon site specific details, this will be analyzed in a separate environmental document.

There would be no effect to special status species as a result of the Proposed Action.

3.3 Recreation

3.3.1 Affected Environment

New Melones is the fifth largest reservoir in California and the most recent major project incorporated into the Central Valley Project. 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.

The existing marina offers boat slips and moorings for rent, which accommodate both small and large watercraft, including houseboats. The marina maintains a total of 100 small boat slips (20-24 feet), of which 56 are covered and 44 are uncovered. Currently, the marina is authorized to have a total of 106 houseboats at its facility, including 18 rental houseboats, 38 private houseboats docked in marina slips, and 50 private houseboats docked at mooring balls in the cove. The prevailing winds at this site come from the southeast and due to the large fetch (almost 30,000 feet) can result in waves approximately 5-10 feet high. During the winter, the winds may periodically blow at 50-60 mph, sometimes for up to two days. These strong storms cause extensive damage to the marina and the houseboat slips, floating docks, and private boats. Attempts to construct a breakwater have largely been unsuccessful, and protection from winter storms has relied on moving the marina and boats into more sheltered locations.

In addition to the floating facilities, the existing marina includes: several parking lots with space for approximately 200 cars; two large gasoline tanks with their associated containment basin; a large sewage tank and containment basin; a 600 amp marina transformer and circuit breaker panel; and a telephone panel. The utilities are laid on the ground and connect in several connection wells. The marina is served by a maintenance

facility, which consists of a large fenced marine storage yard with a two bay repair workshop and an adjacent office.

The proposed Black Bart portion of the Glory Hole is currently a day use area with parking lot space for approximately 44 cars, restroom facilities, and three day areas available with tables, barbecue pits and water faucets. The area is well protected from the southeast, and wave action will be influenced by summer north westerly winds where the wind fetch may approach 9,000 feet. However, summer winds are normally more mild and not as extreme as the potential winds associated with winter storms.

3.3.2 Environmental Consequences

No Action

Under the No Action alternative, a new concessions agreement would not be awarded and there would be no marina services. All existing infrastructure would be removed. The water surface currently occupied by the marina would revert back to open space. After a transition period, no concession areas would be open. Reclamation recreation areas would be open as usual to provide camping, restrooms, showers and portable water. There would be no boat rentals, mooring of boats, fuel or other marina services. All day use areas would be available for use at Osprey point, Angel Creek, Buck Brush and Black Bart Day Use Areas. Traffic would be less due to the lack of marina services.

Proposed Action

The Proposed Action would provide expanded concession opportunities at Glory Hole Recreation Area by incorporating the Black Bart Day Use Area into the current concession boundary and relocating the marina there. The water area of the current concession boundary would no longer be used for commercial services after a transitional period. Concession services would include a year round marina with a full range of services and lodging in the form of park cabins, yurts, and/or full hookup RV sites. One or more commercial day use areas would be constructed in the proposed concession area and would require additional environmental analysis. The land use area would increase and the water use area would decrease after the transition period. The Proposed Action would require a land use area of 53 acres and water use area of 54 acres in the Glory Hole Recreation Area.

The area below the Black Bart parking lot is relatively steep, and its development in the flatter upper parts above or near the parking lot may require the removal of mature blue oak and interior live oak trees. However, because of its proximity to the existing marina, this site could be only partially developed by using the infrastructure serving the existing marina. Development of the Black Bart portion of the Glory Hole would require an extension of the water and electricity lines, and either a new sewer or modification of Reclamation's existing system.

Under the Proposed Action, a greater level of commercial services and concessions would be offered. This would improve the overall recreational experience of visitors to project lands, which would encourage continued or increased visitation.

3.4 Visual Resources

3.4.1 Affected Environment

The New Melones Lake Area is in Calaveras and Tuolumne Counties among the foothills of the west slope of the Sierra Nevada. The dominant visual elements are the hills, ridges, small valleys, the patterns created by the vegetation on the hills and the surface of the lake (Reclamation 2010).

The landscape within this region is characterized by relatively steep-sided and rolling hills that range from a few hundred to a thousand feet. The dominant natural vegetation is annual grassland and native oak woodlands occurring in varying densities. The tree canopy cover and species diversity increases in small draws and valley bottoms where the moisture is more readily available.

3.4.2 Environmental Consequences

No Action

Under the No Action alternative, the Interim Concession Contract would expire. A new concession agreement would not be awarded and there would be no marina services. All existing infrastructure would be removed. The water surface and land would return to open space.

Proposed Action

Under the Proposed Action, concession opportunities would be expanded at Glory Hole Recreation Area by incorporating the Black Bart Day Use Area into the current concession boundary and relocating the marina there. The water area of the current concession boundary would no longer be used for commercial services after a transitional period. Concession services would include a year round marina with a full range of services and lodging in the form of park cabins, yurts, and/or full hookup RV sites. One or more commercial day use areas would be constructed in the proposed concession area and would require additional environmental analysis.

Reclamation would continue the designation of New Melones Lake Project as a Special Use Area (43 CFR, Part 423). Reclamation would allow construction of additional facilities, provide additional services and additional activities. Impacts on visual resources could vary in intensity dependent on site specific activities; therefore, additional environmental analysis will be conducted once that has been determined.

3.5 Parking and Traffic Circulation

3.5.1 Affected Environment

Roads entering the park are paved, two lanes. Off of Highway 49 the speed limit is 55 miles per hour; accident rates are very high because of the winding nature of the roads, along with weather conditions and driver error. The roads leading to the park, such as Highway 49, are public, Whittle Ranch Road is public and maintained by Reclamation.

All interior roads in Glory Hole Recreation Area are used by recreations, Reclamation staff, concession contractors and are maintained/owned by Reclamation.

The busiest months for road usage are May through September. During peak visitation, there is a bottleneck at the entrance station. Highway 49 is a curvy, two-lane state highway.

Currently concession parking consists of 97 parking stalls all located within the current concession boundary, which is adequate during the majority of the year. During periods of high use, holiday weekends and special events, visitor parking often exceeds the available space, and overflow parking outside of the concession boundary and into the Glory Hole Point boat launch parking area is administered by Reclamation.

In 2012, the New Melones Project had 455,372 visitors (Glory Hole Recreation Area = 195,519 visitors; marina visitation as a percent of Glory Hole visitation = 16,619 visitors). Visitation totals are derived by the placement of traffic counters throughout the New Melones Project Area. The traffic counters are placed in the outlying areas and the recreation areas including Tuttletown and Glory Hole Recreation Areas. Traffic counts for the Glory Hole Recreation Area tallied 195,519, with the marina visitation an assumed 8.5% (Reclamation does not have visitation statistics from the marina so this assumption is based on similar marinas offering similar recreational opportunities) of the Glory Hole Recreation visitation, equating to approximately 16,619 visitors.

3.5.2 Environmental Consequences

No Action

Under the No Action alternative, a new concession agreement would not be awarded and there would be no marina services. All existing infrastructure would be removed. The water surface would return to open space.

There would be no concession areas open. Reclamation recreation areas would be open as usual providing camping, restrooms, showers and potable water. There would be no boat rentals, mooring of boats, fuel or boat services. All day use areas would be available for use at Osprey point, Angels Creek, Buck Brush and Black Bart Day Use Area. Traffic would be expected to be less since there would be no concession marina services provided, hence less visitation for that specific use.

Proposed Action

There are currently 40 single stall parking spaces including two ADA spaces at the Black Bart portion of the Glory Hole site. These spaces do not include the spaces marked for parallel truck and boat trailer parking, historically used as overflow space on busy holiday weekends. Re-striping of the parallel truck and boat trailer spaces could provide an additional 23 single stall parking spaces for a total of 63 single stall spaces. An addition of 5 RV sites, with two single-stall spaces at each site would make space for a total of 78 spaces. However, the number of single spaces associated with each RV site would be determined during negotiations with the new concessionaire.

This additional parking capability would reduce the number of parking spaces managed by Reclamation and increase available parking for boats and trailers in the boat launch area. The addition of these parking spaces would reduce congestion and improve traffic flow in the Glory Hole Recreation Area as there would be less competition for overflow parking of the larger vehicles in the Reclamation parking areas.

Traffic circulation would not be altered by the use of Black Bart Day Use Area for the marina location. The existing roadway would continue to be a part of the Glory Hole Recreation Area located outside the concession boundaries. Reclamation would continue to maintain the roadway and enforce all traffic laws and vehicular flow through the area. Launching and retrieval of house boats would continue to be managed by Reclamation at its Glory Hole Point launch ramp through the Special Use Permit process currently in effect. The mooring of the houseboats would continue to be managed through the contract with the concessionaire.

As a condition of the new concession operation the concession contractor selected would be required to provide day use opportunities for visitors to the marina to offset for the loss of Reclamation-operated day use activities at Black Bart Day Use Area. An additional 10 day use sites may be developed at Glory Hole Point adjacent to the Glory Hole parking lot to assist in offsetting the loss of day use at the current Black Bart Day Use Area.

The Concession Contractor can provide for day use at several land based locations within the revised boundaries of the Glory Hole Concession Area. This would permit continued use of the existing designated parking areas without impacting the current parking and traffic flow patterns throughout the Glory Hole Recreation Area.

3.6 Cumulative Effects

According to the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA, a cumulative impact is defined as *the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions*. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

Reclamation's action is the award of a concession agreement and implementation of the Proposed Action. Reclamation will begin working on a prospectus to release for potential bidders. All necessary environmental analysis required for the implementation of the new recreation facilities will be completed under a separate environmental analysis.

There would be no adverse impacts that contribute to cumulative changes or impacts to ITA, Indian Sacred Sites, environmental justice, air quality, global climate change,

socioeconomic and environmental justice, cultural resources, biological resources, recreation, visual resources, or parking and traffic circulation. Therefore, there would be no cumulative impacts as a result of the Proposed Action.

Section 4 Consultation and Coordination

This section presents the agencies and parties that were coordinated or consulted with during the development of the document, and applicable Federal, State, and local requirements.

4.1 Public Review Period

Reclamation made the environmental assessment available July 17, 2013 through August 16, 2013. A public open house session was scheduled for July 30, 5:30-7:30 p.m.

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

Section 7 of the Endangered Species Act requires Federal agencies to ensure that discretionary Federal actions do not jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of the critical habitat of these species. There would be no effects as a result of the Proposed Action.

References

- AOU (American Ornithologists' Union). 1983. Check-list of North American Birds, 6th edition. Allen Press, Inc., Lawrence, Kansas. 877 pp.
- Caire, W., J.D. Tyler, B. P. Glass, and M.A. Mares. 1989. Mammals of Oklahoma. University of Oklahoma Press, Norman, Oklahoma. 567 pp.
- FWS. 2007. Chinese Camp Brodiaea (*Brodiaea pallid*), 5-Year Review: Summary and Evaluation. U.S. Fish and Wildlife Service, Sacramento, California. December 2007. 14 pp.
- Moyle, P.B., R. M. Yoshiyama, J.E. Williams, and E. D. Wikramanayake. 1995. Fish species of special concern in California. Second edition. California Department of Fish and Game, Inland Fisheries Division, Rancho Cordova, California, 272 pp.
- NatureServe Explorer. 2013. Internet:
http://www.natureserve.org/explorer/servlet/NatureServe?sourceTemplate=tabular_report.wmt&loadTemplate=species_RptComprehensive.wmt&selectedReport=RptComprehensive.wmt&summaryView=tabular_report.wmt&elKey=101115&paging=home&save=true&startIndex=1&nextStartIndex=1&reset=false&offPageSelectedElKey=101115&offPageSelectedElType=species&offPageYesNo=true&post_processes=&radiobutton=radiobutton&selectedIndexes=101115. Accessed: May 6, 2013.
- Reclamation. 2011. New Melones Lake Marina Siting Plan. Bureau of Reclamation. April 2011.
- Reclamation. 2011. New Melones Lake Commercial Services Study and Financial Feasibility Evaluation (Final). Bureau of Reclamation April 2011.
- Reclamation. 2010. New Melones Lake Area Final Resource Management Plan and Environmental Impact Statement. Bureau of Reclamation. February 2010.
- Reclamation. 1986. Glory Hole Marina, New Melones Lake, Central Valley Project, California, Concession Agreement

Section 5 Appendices

Appendix A: New Melones Lake Marina Siting Plan

Appendix B: New Melones Lake Commercial Services Study and Financial Feasibility Evaluation (Final)



IN REPLY
REFER TO:
MP-153
ENV-3.00

United States Department of the Interior

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

VIA ELECTRONIC MAIL ONLY

July 02, 2013
MEMORANDUM

To: Patricia Clinton
Natural Resources Specialist, Central California Area Office

From: William E. Soule
Archaeologist, Division of Environmental Affairs

Subject: 13-CCAO-163: New Melones Lake Concession Development Environmental Assessment (EA)

This proposed undertaking by Reclamation is the preparation of a programmatic EA to assist in developing implementation actions (prospectus) to plan, authorize, and manage commercial services at New Melones Lake. This 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 National Historic Preservation Act (NHPA) Section 106 regulations codified at 36 CFR Part 800.3(a)(1).

Under this action, Reclamation proposes to study alternatives for the relocation of the existing New Melones marina, boats, and on-shore facilities located in the Glory Hole Management Area. The current location of the Glory Hole marina is subject to wind and wave damage during storms and Reclamation is proposing that the marina be relocated to a more suitable site. The subject EA is programmatic and limited to the No Action and Proposed Action alternatives. Additional site specific environmental analysis, including compliance with Section 106 of the NHPA, will be developed once an alternative is selected.

After reviewing the Draft Environmental Assessment New Melones Lake Concession Development (Revised), dated June, 2013, I concur with a statement in Section 3.1.2 of the EA that this undertaking does not have the potential to cause effects to historic properties, should such historic properties be present, pursuant to 36 CFR Part 800.3(a)(1). Reclamation has no further Section 106 obligations for this action. This memorandum is intended to convey the completion of the NHPA Section 106 process. Please retain a copy in the NEPA administrative record. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

CC: Cultural Resources Branch (MP-153), Anastasia Leigh – Regional Environmental Officer (MP-150)



CLINTON, PATRICIA <pclinton@usbr.gov>

Re: New Melones Lake Concession Development - ITA

1 message

RIVERA, PATRICIA <privera@usbr.gov>

Mon, Jul 1, 2013 at 7:14 AM

To: "CLINTON, PATRICIA" <pclinton@usbr.gov>

Cc: Kristi Seabrook <kseabrook@usbr.gov>, Mary Williams <marywilliams@usbr.gov>

Patti,

I reviewed the proposed action to award a new concession agreement for improvement development and management of the Black Bart Area at the end of the interim concessions agreement. The new agreement would provide a full range of concession opportunities as identified in the CSS and FSS (April 2011). The new long-term concession contract would be advertised and awarded through a competitive bidding process (a prospectus) in accordance with Reclamation Manual, Directives and Standards LND 04-01.

Any facilities not removed by the existing Glory Hole concessionaire may be moved and utilized by the new concessionaire in the Black Bart Area. The existing Glory Hole marina boat launch, administration office, maintenance workshop, and water well are the property of the United States and therefore may be utilized under the new concession agreement. These facilities would remain as the property of the United States throughout the term of the new concession agreement.

The proposed action does not have a potential to impact Indian Trust Assets.

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
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