

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Camp Nine Whitewater Events FONSI 15-13-CCAO

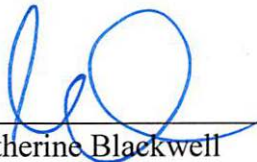
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Mission Statements

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

The Camp Nine Whitewater Events (Proposed Action) assumes action would be taken in order to issue Special Event Permits (SEP), as water level conditions allow, to evaluate the feasibility and benefits of an intermittent commercial whitewater boating program that was identified in the 2010 New Melones Lake Area RMP/EIS, due to unusually low water levels in New Melones Lake. The project is comprised of Reclamation's issuance of an SEP for up to four local outfitter companies (permittees) to conduct commercial whitewater boating operations on the main stem Stanislaus River between the Camp Nine area and Mark Twain Day Use Area at New Melones Lake.

Reclamation prepared the attached Environmental Assessment (EA) to evaluate the effects of the Proposed Action. The EA was available for public review on July 6, 2016. The review period ended on August 5, 2016. Four comment letters were received on the EA during this period.

Proposed Action

The Proposed Action would use existing roads to transport customers, outfitter staff, and equipment along Highways 4 and 49, Parrotts Ferry Road, and Camp Nine Road, including the access route to Mark Twain Recreation Area on former Highway 49. The Camp Nine Road extends about nine miles from Parrotts Ferry Road to the Collierville Power Plant. The put-in would be located below Camp Nine Road near Mile 8 and the former Camp Nine Bridge. The former bridge and an adjacent weir were removed in 2008. Proposed operations would involve putting boats into the river at the existing three-rail raft slide just downstream from the remaining concrete abutment of the former Camp Nine Road Bridge.

Findings

Based on the attached EA, Reclamation has determined that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. The attached EA describes the existing environmental resources in the Proposed Action area, evaluates the effects of the No Action and Proposed Action alternatives on the resources, and proposed measures to avoid, minimize, or mitigate any potential adverse effects. The EA was prepared in accordance with the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of Interior Regulations (43 CFR Part 46). The analysis provided in the attached EA supports the following findings, and is incorporated by reference.

The following factors support this determination:

1. The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(2)).

2. The proposed action will not significantly impact natural resources and unique geographical characteristics such as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (40 CFR 1508.27(b)(3) and 40 CFR 46.215(b)).
3. The proposed action will not have possible effects on the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
4. The proposed action will neither establish a precedent for future actions with significant effects nor represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).
5. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
6. The proposed action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
7. The proposed action would result in no adverse effect to any individual historic properties, nor to the National Register of Historic Places-eligible New Melones Archaeological District (40 CFR 1508.27(b)(8)).
8. The proposed action will not affect listed or proposed threatened or endangered species (40 CFR 1508.27(b)(9)).
9. The proposed action will not violate federal, state, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
10. The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993), as there are none in the proposed action area.
11. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898), as there are none within the proposed action area.
12. The proposed action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3). There were no sacred sites identified within the proposed project area.

Environmental Commitments

Reclamation is obligated to ensure fulfillment of any environmental commitments prescribed to mitigate or eliminate impacts resulting from implementation of the proposed project.

Environmental commitments and mitigation measures described in Section 3 of the EA will be implemented. Reclamation will coordinate with the commercial whitewater outfitters throughout the duration of the proposed project to ensure avoidance or minimization of effects to the environment.

RECLAMATION

Managing Water in the West

Environmental Assessment

Camp Nine Whitewater Events

**Central California Area Office
Folsom, CA**



**U.S. Department of the Interior
Bureau of Reclamation
Mid Pacific Region
Central California Area Office
Folsom, California**

September 2016

Mission Statements

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List of Acronyms and Abbreviations

AF	Acre Feet
APE	Area of Potential Effects
CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulations
cfs	Cubic Feet Per Second
CNDDDB	California Natural Diversity Data Base
CNPS	California Native Plant Society
CRLF	California red-legged frog
EO	Executive Order
ESA	Endangered Species Act
EA	Environmental Assessment
ITA	Indian Trust Asset
MBTA	Migratory Bird Treaty Act
NEPA	National Environmental Protection Act
NHPA	National Historic Preservation Act
NMAD	New Melones Archeological District
NRHP	National Registry of Historical Places
PA	Proposed Action
PG&E	Pacific Gas and Electric Company
Reclamation	U.S. Bureau of Reclamation
RMP/EIS	Resource Management Plan/Environmental Impact Statement
ROD	Record of Decision
SEP	Special Event Permit
Service	U.S. Fish and Wildlife Service
SHPO	State Historic Preservation Officer
USGS	United States Geological Service
VELB	Valley elderberry longhorn beetle

Section 1 Introduction

In conformance with the National Environmental Policy Act of 1969 (NEPA), as amended, the Bureau of Reclamation has prepared this Environmental Assessment (EA) to evaluate and disclose any potential environmental impacts associated with issuance of permits for commercial whitewater rafting along the main stem of the Stanislaus River due to unusually low water levels in New Melones Lake.

The Stanislaus River forms the boundary between Calaveras and Tuolumne Counties, and drains an area of about 980 square miles on the western slope of the Sierra Nevada Mountains in east central California (Figure 1). The Stanislaus River Basin has three major tributaries, the North, South and Middle Forks, and the average annual discharge is almost 1,000,000 acre feet.

The main stem of the Stanislaus River was popular for whitewater boating prior to the completion of the New Melones Dam in 1979 which filled in 1983 and flooded the scenic reach of the Stanislaus River. Up to approximately 40 outfitters guided trips on Class III rapids through the deepest limestone canyon in the western United States between Camp Nine and the former Parrotts Ferry Road until 1983. Due to the 2013-2015 drought conditions in California, the unusually low water levels in New Melones Lake again allow whitewater boating, although conditions in the canyon have changed within the lake bed. The main stem Stanislaus River between the Camp Nine area and Mark Twain Recreation Area at New Melones Lake is the proposed area of whitewater boating activity (Figure 2). Reclamation proposes to issue limited Special Event Permits, when water level conditions allow through 2026, to up to four local whitewater outfitters to evaluate the compatibility and opportunities for whitewater boating management.

1.1. Project Background

A whitewater boating program was proposed in the 2010 New Melones Lake Area Final Resource Management Plan/ Environmental Impact Statement (RMP/EIS), and approved in the Record of Decision (ROD). The ROD states, “Reclamation’s decision is to implement Alternative D” of the RMP/EIS, which states that Reclamation will “Issue permits for whitewater rafting services in Camp Nine” (Reclamation 2010, p. ES-17).



Figure 1: Camp Nine Whitewater Events Project Vicinity

Additionally, the ROD states that, “The key components of this alternative include potential future increases in watercraft use...” (Reclamation 2010, p. 3). It also recognizes whitewater boating on the lake and river (RMP/EIS page 5-109):

White-water boating has occurred during ideal lake conditions. The Stanislaus River, when it is not inundated by New Melones Lake, offers generally forgiving to fairly difficult rafting runs. Depending on seasonal water fluctuations, commercial rafting companies may offer organized guided raft trips down the river. Most of the white-water boating consists of organized permittees that provide day-long, guided raft trips; however, several individuals also kayak and raft the lake and river.

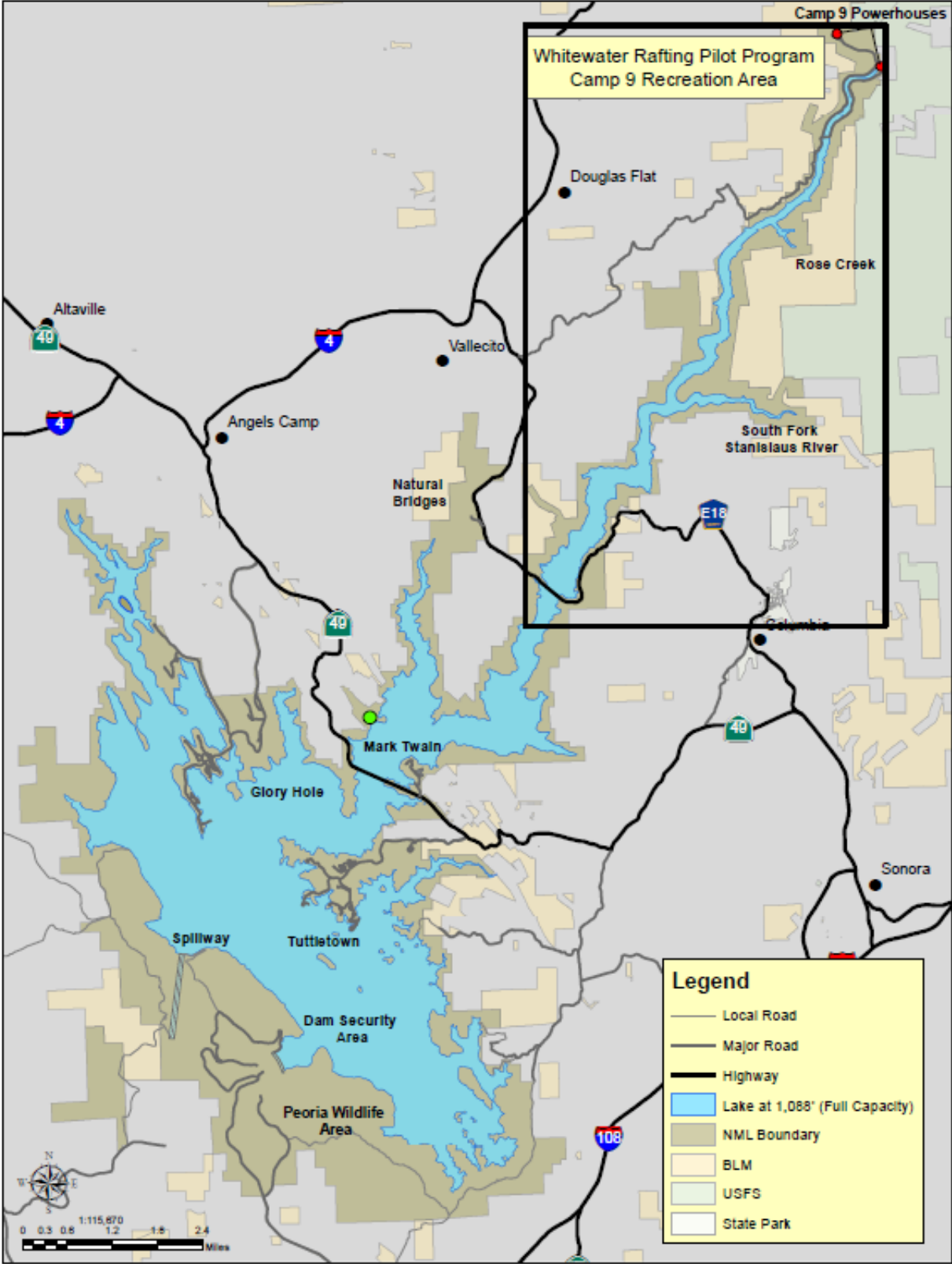


Figure 2: Camp Nine Whitewater Events Proposed Action Area

Environmental Assessment – Camp Nine Whitewater Events

The Final RMP/EIS states that Reclamation will “Issue permits to a limited number of commercial businesses to operate mission-compatible white-water rafting services in the Camp Nine Area” (p 3-26).

Furthermore, the RMP/EIS acknowledges that whitewater kayaking and rafting is available to people when there are periods of low lake water levels (pages 5-122 and 7-12):

White-water kayaking and rafting is also enjoyed in Camp Nine sections, subject to appropriate water levels. Flatwater paddling, such as in canoes or touring kayaks, has expanded in popularity in recent years. These activities occur almost exclusively during periods of low lake water levels. Most of the white-water rafting consists of organized concessionaires that provide day-long, guided raft trips. However, individuals may also kayak and raft the lake/river. Depending on water levels, the white-water trip can be up to nine miles long. In some parts of the New Melones Lake Area, water flows, controlled upstream by Pacific Gas and Electric’s (PG&E) hydro facilities, provide Class II to Class III rapids.

The RMP/EIS also identifies the vehicle that Reclamation would use to regulate whitewater rafting (page 5-71):

Use Permits. Permits are issued to regulate the allocation and intensity of use for activities that are in high demand or that have significant safety or environmental concerns (Reclamation 1995). Reclamation regulates the following activities through Special Use Permits, contracts, and other rights of use processes (Laird 2007):

- White-water rafting;

1.2. Purpose and Need

The purpose and need for Reclamation’s commercial whitewater permits is to allow intermittent commercial whitewater boating as identified in the 2010 New Melones Lake Area RMP/EIS. Permits are the preferred method to help regulate the commercial boating to help ensure proper management and protection of natural and cultural resources.

Section 2 Alternatives Including the Proposed Action

This EA considers two possible actions: the No Action Alternative and the Proposed Action (PA). The No Action Alternative reflects future conditions without the PA and serves as a basis of comparison for determining potential effects to the human environment.

2.1. No Action Alternative

The No Action Alternative is the alternative that assumes no action would be taken. This alternative does not meet the goal of providing permits to evaluate the compatibility and opportunities for an intermittent whitewater boating program as identified in the 2010 New Melones Lake Area RMP/EIS.

Permits would not be offered to local outfitter companies to conduct commercial whitewater boating operations on the main stem Stanislaus River between the Camp Nine area and Mark Twain Recreation Area at New Melones Lake.

2.2. Proposed Action

The PA Alternative is the alternative that assumes action would be taken in order to issue Special Event Permits (SEP), as water level conditions allow, to evaluate the feasibility and benefits of an intermittent whitewater boating program that was identified in the 2010 New Melones Lake Area RMP/EIS.

The project is comprised of Reclamation's issuance of an SEP for up to four local outfitter companies (permittees) to conduct commercial whitewater boating operations on the main stem Stanislaus River between the Camp Nine area and Mark Twain Day Use Area at New Melones Lake.

The PA would use existing roads to transport customers, outfitter staff, and equipment along Highways 4 and 49, Parrotts Ferry Road, and Camp Nine Road, including the access route to Mark Twain Recreation Area on former Highway 49 (Figure 3). The Camp Nine Road extends about nine miles from Parrotts Ferry Road to the Collierville Power Plant.

The put-in would be located below Camp Nine Road near Mile 8 and the former Camp Nine Bridge (Photos 1 and 4). The former bridge and an adjacent weir were removed in 2008.

Proposed operations would involve putting boats into the river at the existing three-rail raft slide just downstream from the remaining concrete abutment of the former Camp Nine Road Bridge (Figure 4, Photos 1 and 4).

Environmental Assessment – Camp Nine Whitewater Events

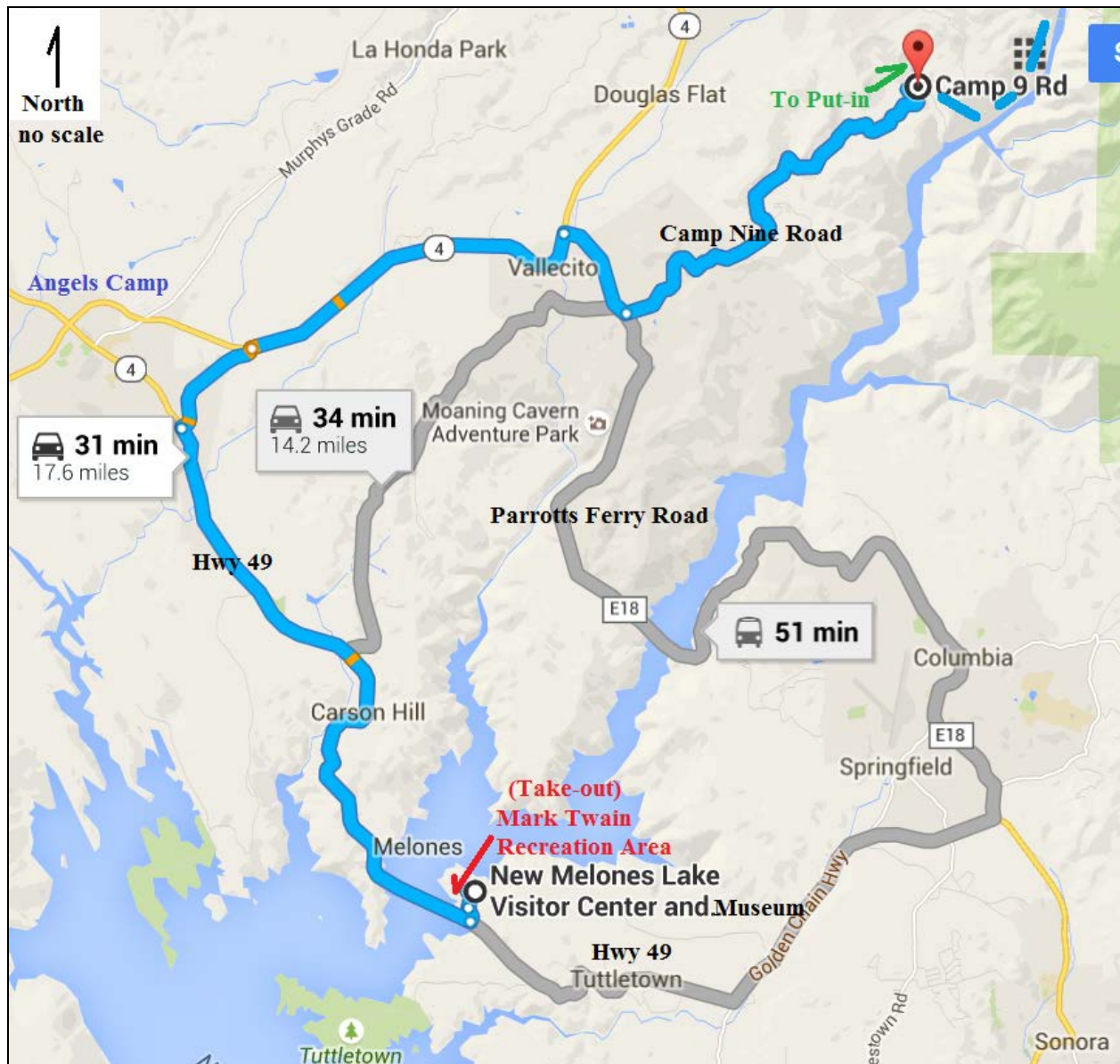


Figure 3: Vehicle route from put-in at Camp Nine to take-out at Mark Twain Recreation Area.

Source: Google Maps (Retrieved June 12, 2015)

Customers would typically be transported in vans or small buses with no more than 30 customers per trip. Guides and equipment may be transported separately by truck and/or trailer to the wide shoulders near the put-in.

An existing foot trail provides access for customers, guides and equipment to the river bank. Guides and customers may also slide rafts down the rails or carry them to the shoreline or river to tie them off while rigging and loading.

The boats would navigate the river downstream to New Melones Lake. Stops would be made at designated locations along the route along the shorelines of the river and lake for lunch or relaxing on the day trips. No camping or open flames would be allowed as part of the trips.

The boats would continue on the lake to contact motor boat services arranged to tow the boats to Mark Twain Recreation Area where they would take out on the paved surface of former Highway 49.

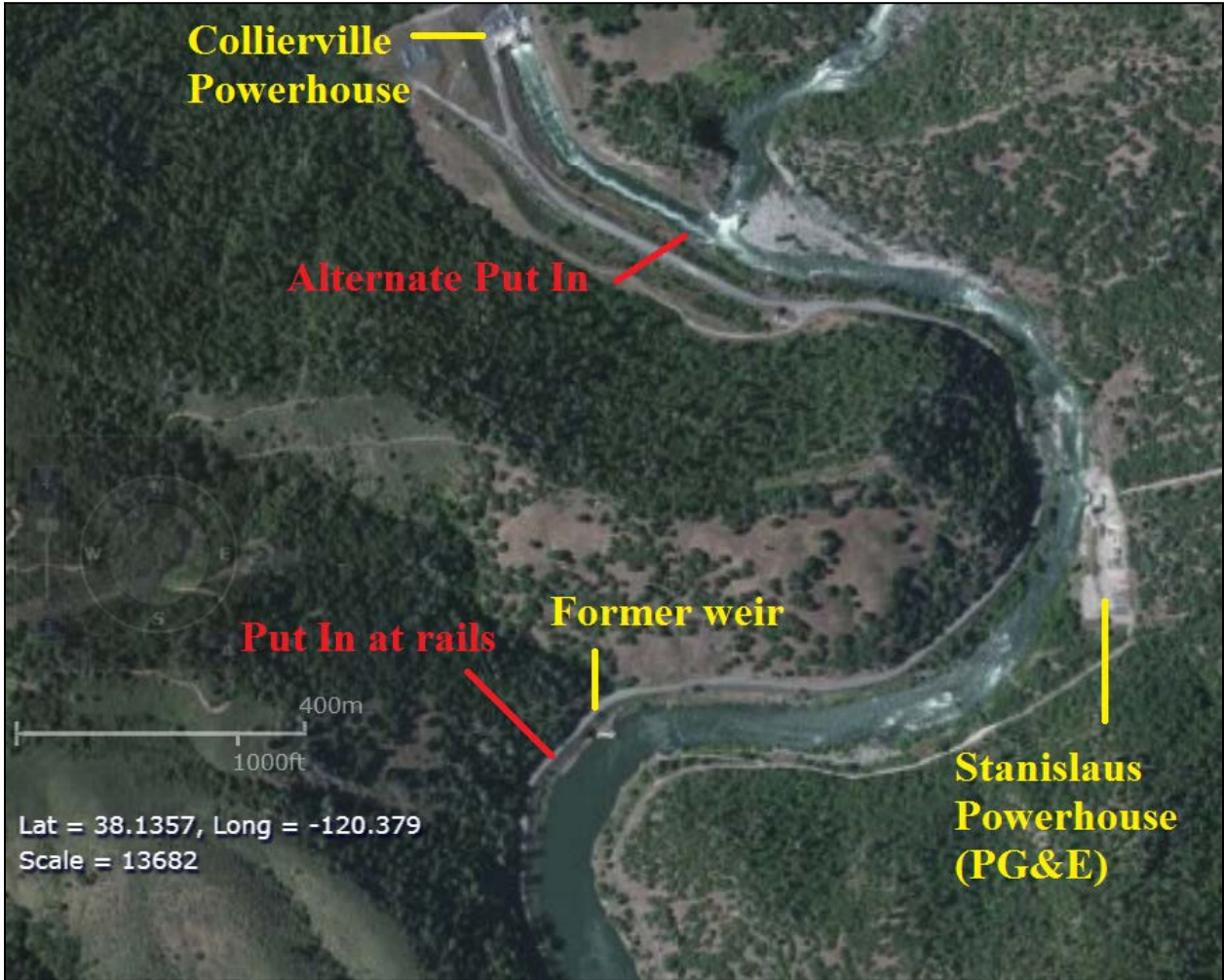


Figure 4: Proposed and Alternate Put-In Sites

Section 3 Affected Environment and Environmental Consequences

This section identifies the potentially affected environment and the environmental consequences involved with the PA and the No Action Alternative, in addition to environmental trends and conditions that currently exist.

This EA will analyze the affected environment of the PA and No Action Alternative in order to determine the potential direct, indirect, and cumulative effects to the following resources:

- Traffic
- Endangered Species
- Cultural Resources
- Water Resources/Hydrology
- Land Use
- Safety

Indian Trust Assets (ITA) – ITAs are legal interests in property or rights held in trust by the United States for Indian Tribes on individual Indians. Indian Reservations, Rancherias, and Public Domain Allotments are common ITAs in California. The nearest ITA is Sheep Ranch, California Valley Miwok Tribe approximately 9.66 miles from the project site. The PA does not have a potential to affect Indian Trust Assets.

Indian Sacred Sites – Sacred sites are defined in Executive Order (EO) 13007 (May 24, 1996) as “any specific, discrete narrowly delineated location on federal land that is identified by an Indian tribe, or Indian individual determined to be on appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site.” Through correspondence dated June 30, 2015, Reclamation requested assistance from the California Valley Miwok Tribe, Chicken Ranch Rancheria of Me-Wuk, and the Tuolumne Band of Me-Wuk Indians to identify sites of religious and cultural significance pursuant to EO 13007. To date, no responses have been received. No sacred sites have been identified within or adjacent to the PA area.

Environmental Justice – EO 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. Communities may be considered “low-income” under the EO if the median household income for the defined geographic area is below the poverty line (primary method of analysis), or if other indications are present that indicate a low-income community is present within the census tract (secondary method of analysis).

The PA would not have a disproportionately high and adverse human health or environmental effect on minority or low-income populations because no minority or low-income populations are present within the PA area.

Global Climate Change – Climate change refers to significant change in measures of climate (e.g., temperature, precipitation, or wind) lasting for decades or longer. Many environmental changes can contribute to climate change, changes in sun’s intensity, changes in ocean circulation, deforestation, urbanization, burning fossil fuels, etc. (Environmental Protection Agency 2011a). No changes in measures of climate are expected to occur as a result of whitewater boating activities.

3.1. Traffic

3.1.1. Affected Environment

Existing roads potentially affected by the PA include Highways 4 and 49, Parrotts Ferry Road, and Camp Nine Road, including the access route to Mark Twain Recreation Area on former Highway 49. The Camp Nine Road extends about 9 miles from Parrotts Ferry Road to the Collierville Power Plant.

3.1.2. Environmental Consequences

No Action

The No Action alternative would not result in issuance of special event permits for commercial whitewater boating on the Stanislaus River and New Melones Lake. Traffic would continue on existing roads.

Proposed Action

The PA would result in issuance of special event permits for commercial whitewater boating on the Stanislaus River and New Melones Lake. Traffic would continue with the additional impact of up to a maximum of four buses, or 10 vans, plus potentially four equipment trucks and four trailers per day. No additional traffic control or maintenance is expected. Wide road shoulders and turnouts at the put-in and take-out would accommodate the whitewater rafting vehicles and operations. The roads used would remain within the design capacity thus impacts to traffic would be negligible.

3.2. Biological Resources

3.2.1. Affected Environment

The PA area is located within the Stanislaus River and New Melones Lake in Calaveras and Tuolumne counties, on the Columbia United States Geological Survey (USGS) 7.5 minute topographic quadrangle. The PA area consists primarily of stream and open water habitat with surrounding steep terrain.

3.2.1.1. Habitats

The environmental setting of the PA area consists of rural lands with steep slopes and uneven terrain along finger ridges above New Melones Reservoir. These landscapes include exposed schist, limestone and quartz bedrock amongst densely vegetated areas, and dry seasonal drainages. The vegetation mainly consists of native plants, comprised of live oak (*Quercus agrifolia*), California black oak (*Quercus kelloggii*), valley oak (*Quercus lobata*), and blue oak (*Quercus douglasii*) woodlands with gray pine (*Pinus sabiniana*) trees, California buckeye (*Aesculus californica*), poison oak (*Toxicodendron diversilobum*), whiteleaf manzanita (*Arctostaphylos manzanita*), chamise (*Adenostoma fasciculatum*), and various native and non-native grasses and shrubs. The overall landscape is mostly uneven and sloped, with the slopes ranging between 0 to 80 percent. The soil varies between reddish brown to a dark reddish brown (2.5 YR 4/4 and 2.5/4) silty loam with small schist, limestone and quartz gravels and rocks.

3.2.1.2. Special-Status Species

For the purposes of this document, special-status plant and wildlife species are defined as those species listed as endangered, threatened, or proposed for listing under the Federal Endangered Species Act (ESA), as amended (Code of Federal Regulations [CFR], Title 50, Section 17), and/or birds protected under the Migratory Bird Treaty Act (MBTA) (16 U.S. Code 703-712). As summarized below, a limited number of special-status plants and wildlife species occur within the PA area.

Table 1 below provides a summary of the status and habitat requirements for each of the federally-listed species with the potential to occur in the PA area. Species only protected under the MBTA (i.e., not federally-listed under the ESA) are not listed in Table 1 because most bird species occurring in California fall under the protection of the MBTA. The species listed in Table 1 are a compilation of species obtained from the U.S. Fish and Wildlife Service (Service) species list for the PA area boundary (Service 2016), a search of the California Natural Diversity Database (CNDDB) (California Department of Fish and Wildlife (CDFW) 2016), a search of the California Native Plant Society (CNPS) project quadrangle and surrounding eight quadrangles (CNPS 2016), relevant literature, knowledge of regional biota, and observations made during field investigations. The potential for each species to occur in the PA area was evaluated in consideration of site-specific conditions. Based on that evaluation, each species was placed into one of four categories, as defined below and indicated in Table 1.

Environmental Assessment – Camp Nine Whitewater Events

- None: Indicates that the PA area contains a complete lack of suitable habitat, the local range for the species is restricted, and/or the species is extirpated in this region.
- Not Expected: Indicates situations where suitable habitat or key habitat elements may be present but may be of poor quality or isolated from the nearest extant occurrences.
- Possible: Indicates the presence of suitable habitat or key habitat elements that potentially support the species.
- Present: Indicates the target species was either observed directly or its presence was confirmed by diagnostic signs during field investigations.

Table 1: Federally-Listed Plant and Wildlife Species with Potential to Occur in the PA Area

Scientific Name Common Name	Listing Status ¹	Land Cover Type	Potential for Occurrence
Plants			
Arctostaphylos myrtifolia lone manzanita	Fed: FT State: None	Chaparral, cismontane woodland	None
Brodiaea pallida Chinese Camp brodiaea	Fed: FT State: SE	Cismontane woodland, valley and foothill grassland	None
Verbena californica Red Hills vervain	Fed: FT State: ST	Cismontane woodland, valley and foothill grassland	Not Expected
Invertebrates			
Branchinecta lynchi Vernal pool fairy shrimp	Fed: FT, CH State: None	Vernal pools	None
Desmocerus californicus dimorphus Valley elderberry longhorn beetle	Fed: FT State: None	Occurs only in the Central Valley of California in association with blue elderberry (Sambucus mexicana)	Not Expected
Fish			
Hypomesus transpacificus Delta smelt	Fed: FT, CH State: SE	Open waters of bays, tidal rivers, channels, and sloughs. Concentrated mainly in the lower Delta and upper Suisun Bay.	None
Oncorhynchus mykiss Steelhead Central Valley DPS	Fed: FT, CH State: None	Sacramento and San Joaquin Rivers and their tributaries (excluding steelhead from San Francisco and San Pablo Bays and their tributaries)	None
Amphibians			
Ambystoma californiense California tiger salamander Central California DPS	Fed: FT, CH State: ST	Central Valley and surrounding foothills from southern Colusa County to northwestern Kern County on the west side of the valley and southern Butte County to northern Tulare County on the east side. Vernal pools and permanent waters in grasslands; burrows in adjacent upland sites.	None
Rana draytonii California red-legged frog	Fed: FT, CH State: SSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation	Not Expected
Mammals			
Martes pennanti Fisher West coast DPS	Fed: FPT State: SSC	Inhabit upland and lowland forests, including coniferous, mixed, and deciduous forests	None

¹ Explanation of State and Federal Listing Codes

Environmental Assessment – Camp Nine Whitewater Events

Federal

FT = Federally Listed as Threatened

CH = Critical Habitat (Proposed or Final) is designated

FPT = Federally Proposed as Threatened

State

SE = State listed as Endangered

ST = State listed as Threatened

SSC = California Species of Special Concern

There are nine species or subspecies that are listed as threatened under the federal Endangered Species Act (ESA) that could occur and be affected by the Proposed Action (Table 1). In addition, one species is proposed for listing. No critical habitat is present within the PA area.

Special-Status Plants

The CNDDDB (CDFW 2016) has no recorded occurrence of Chinese Camp brodiaea (*Brodiaea pallida*), Red Hills vervain (*Verbena californica*), and Ione manzanita (*Arctostaphylos myrtifolia*) within the Columbia 7.5 minute topographic quadrangle. In addition, Ione manzanita and Chinese Camp brodiaea were not found during surveys conducted in the New Melones Lake area (Reclamation 2010). Therefore, these species are not expected to occur in the PA area.

Red Hills vervain – This species is federally listed as threatened and is found in Tuolumne County (CNPS 2016). It is a perennial or biennial herb, with violet to purple flowers that bloom May through September (Reclamation 2010). This species is known from ten occurrences in the Red Hills and is threatened by grazing, mining, development, recreation, and vehicles (CNPS 2016). Red Hills vervain may grow in cismontane woodland, valley and foothill grassland, and foothill pine-blue oak woodland. It has been found on mesic sites on Delpiedra serpentine, usually seeps, creeks, swales, or in wet meadows at 830 to 1,300 feet. It is often associated with Cleveland's butterweed (*Senecio aronicoides*), which was observed on Peoria serpentine (Reclamation 2010). The CNDDDB does not have a recorded occurrence of this species within the Proposed Action area. Additionally, the species was not recorded during surveys conducted on Peoria Wildlife Management Area serpentine (Reclamation 2010). Red Hills vervain has been recorded at Yosemite Junction, approximately seven miles from the lake area.

Special-Status Wildlife

Valley elderberry longhorn beetle – The valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*) occurs in association with blue elderberry (*Sambucus mexicana*) shrubs in riparian areas and oak savanna habitats. These habitat types and elderberry occur in the New Melones Lake area and the species has been documented nearby, approximately 0.5 miles south of the confluence of the Stanislaus River and south fork Stanislaus River confluence (CDFW 2016). However, suitable VELB habitat does not occur within the PA area or study area.

California red-legged frog – The California red-legged frog (CRLF) occurs in lowlands and foothills in or near permanent sources of deep water with dense shrubby or emergent riparian vegetation (California Department of Fish and Game 2007a). The Stanislaus River at the bridge site does not provide suitable habitat such as permanent deep water and dense shrub cover. The river bank substrate at the put-in consists of exposed bedrock and large river boulders. There is no suitable habitat for the species at the put-in or take-out proposed for the Camp Nine Whitewater Events. Habitat may exist along tributary streams along the river and lake outside of the PA area.

A 2006-2007 survey of Sierra Nevada foothill streams in counties north of the PA area found that the nearest extant population of CRLF was west of New Hogan Lake, approximately 25 miles northwest of New Melones Lake area (Reclamation 2010). A valid historical record of a CRLF sighting occurred near Columbia, approximately 5 miles from the lake, but this record was not confirmed during the 2006-2007 surveys. The overall results of the surveys indicated that although CRLF can and do occupy streams at similar elevations as those in the New Melones Lake area, populations are relatively rare and depend on high-quality habitat (Reclamation 2010).

The remaining listed species that occur in the project counties are unlikely to occur in the PA area due to lack of appropriate habitat or documented range, including elevation.

3.2.2. Environmental Consequences

No Action

There is no suitable habitat for any of the federally listed species that may occur in the PA area. Other non-listed species that could be present in the area as well as the bald eagle (*Haliaeetus leucocephalus*), a state and MBTA-listed species, would continue to use the habitat in the PA area. The bald eagle would not be adversely impacted.

Proposed Action

The PA of issuance of SEPs for commercial whitewater boating would have minimal impacts on wildlife, fisheries and plants within the PA area. The commercial whitewater boating vehicle and foot traffic would occur on existing roads and trails. There is no suitable or critical habitat for special-status species in the PA area. No fish barrier or disturbance of habitat is anticipated with the Proposed Action area.

Special-Status Species

The proposed project would not directly or indirectly impact any of the federally listed species discussed above because no suitable habitat for any of the species exists at or near the PA area. Implementation of the PA will have “no effect” on the CRLF, California tiger salamander, vernal pool fairy shrimp, Delta smelt,

steelhead, Chinese Camp brodiaea, Red Hills vervain, Ione manzanita, VELB, or fisher.

Guides will be provided information on identifying and avoiding potential CRLF habitat and rest stops would occur at designated locations to avoid potential CRLF habitat. Annual monitoring will be conducted by Reclamation staff to ensure that potential CRLF habitat remains available and intact within the PA area. Monitoring results would determine if additional avoidance measures would be implemented. Therefore, the whitewater activities will have no or negligible effect on CRLF habitat.

Bald eagles would continue to use habitat within the PA area. The addition of limited commercial whitewater rafting is expected to have negligible impact on the bald eagle, which currently tolerates boating activities within the PA area. Annual monitoring will be conducted by Reclamation staff to ensure that bald eagles are not adversely affected by the PA.

3.3. Cultural Resources

“Cultural resources” is a broad term that applies to prehistoric and historic-era archaeological sites and structures, components of the built environment, and traditional cultural properties, all of which provide evidence of human behaviors, economic activities, and cultural traditions, both past and present. The National Historic Preservation Act (NHPA) of 1966 (54 U.S.C. § 300101 et seq.) is the primary legislation outlining the federal government’s responsibilities related to the identification and preservation of significant cultural resources. Cultural resources that are included in, or eligible for inclusion in, the National Register of Historic Places (NRHP) are known as “historic properties.”

54 U.S.C. § 306108, commonly known as Section 106 of the NHPA, requires federal agencies to take into consideration the effects of their undertakings on historic properties. The Section 106 process is outlined in the federal regulations at 36 CFR Part 800. These regulations describe the process a federal agency follows to identify and determine the level of effect a proposed undertaking would have on historic properties. The Section 106 process requires consultation with the State Historic Preservation Officer (SHPO), Indian tribes that may have concerns about effects on sites of religious or cultural significance, and other parties, as appropriate.

3.3.1. Affected Environment

New Melones Dam and Lake are located in the foothills of the Sierra Nevada range on the Stanislaus River about 60 miles upstream from the its confluence with the San Joaquin River. The Stanislaus River is the boundary between Calaveras and Tuolumne counties and drains an area of approximately 980 square miles on the western slope of the Sierra Nevada Mountains in east-central California. The discontinuous Area of Potential Effects (APE) for Reclamation’s current undertaking is situated along an approximately 9.0-mile reach of the Stanislaus River, from Camp Nine to the Mark Twain Day Use Area.

Prior to the construction of New Melones Dam, a series of extensive archaeological field investigations were conducted in the area, inclusive of the current APE. More recently, an overview cultural resources management document was compiled for this area as part of the Resource Management Plan prepared for the entire Reclamation facility. More than 600 prehistoric and historic-era sites have been recorded within the New Melones area. These cultural resources are part of the New Melones Archaeological District (NMAD), which has been determined eligible, and was nominated in 1988, for inclusion in the NRHP. The nomination, while viewed favorably by the reviewer, was returned for revision due to gaps in supporting data and has yet to be revised; however, Reclamation continues to treat the entirety of the New Melones facility under its jurisdiction as a NRHP-eligible district. What this means in practical terms is that the potential effects of any Reclamation undertaking must be considered for both individual historic properties and at the district level.

For the current undertaking, the permitted whitewater run would travel through portions of five Management Areas within the New Melones recreation area. From upstream (at the put-in) to downstream (at the takeout), these consist of the Camp Nine, Stanislaus River Canyon, Parrott's Ferry, Carson, and Mark Twain Management Areas. Hundreds of prehistoric and historic-era archaeological sites were recorded within these areas during the field investigations mentioned above. Information and formal documentation related to these cultural resources are on file with Reclamation's Mid-Pacific Regional Office.

A field investigation associated with the current undertaking was conducted via whitewater raft on June 17, 2015. The purpose of this trip was to assess, as possible, the current condition of the Camp Nine run; survey possible pull-out locations for cultural resources; and determine what impacts, if any, the proposed permitting might have on such resources if present. Initial survey plans involved pulling out at multiple locations in the river canyon, where landings could potentially occur; however, due to low river flows, which caused multiple delays in downriver travel, the only location in the canyon that was subject to intensive on-the-ground survey was an area identified as a possible lunch stop for permitted rafting groups. All other potential stopping locations along the river, where brief landings might be made during permitted day trips, could only be observed from onboard the raft. In addition to the possible lunch stop location, intensive pedestrian survey was conducted at proposed put in and takeout locations, and in an area adjacent to the old Parrott's Ferry Bridge where portage of the raft was required.

Two cultural resources were noted during the field investigation: scattered mine tailings likely associated with a previously recorded historic-era site near the possible lunch stop and the old Parrott's Ferry Bridge. Neither of these resources is located within the direct APE for the proposed undertaking and no individual historic properties were identified within the APE during the field investigation.

While no individual historic properties were identified, the proposed undertaking would permit activities within accepted boundaries of the NRHP-eligible NMAD. The presence of this eligible district made it necessary to consider whether the proposed undertaking would have an effect to the archaeological district as a whole. Since approval of the undertaking would include prohibitions against the disturbance or collection of all archaeological materials by permittees and their customers, Reclamation determined that the PA would not alter any of the characteristics of the NMAD that qualify it, or any of its potentially contributing elements, for NRHP inclusion.

As part of the Section 106 process, Reclamation identified the California Valley Miwok Tribe, Chicken Ranch Rancheria of Me-Wuk, and the Tuolumne Band of Me-Wuk Indians as Indian tribes that may attach religious and cultural significance to properties in the APE. Through written correspondence, Reclamation invited these tribes to participate as Section 106 consulting parties for the current undertaking. No responses were received.

3.3.2. Environmental Consequences

No Action

Under the No Action Alternative, special event permits would not be issued and there would be no impacts to cultural resources from permitted whitewater rafting.

Proposed Action

Under the PA, a limited number of permits would be issued for commercial whitewater rafting.

Pursuant to 36 CFR Part 800.5(b), Reclamation initiated consultation with the SHPO on April 6, 2016 on the Section 106 finding of effect. Through the Section 106 process, Reclamation determined that the Proposed Action would result in no adverse effect to any individual historic properties, nor to the NRHP-eligible NMAD. SHPO concurrence was received through correspondence dated April 28, 2016 and concluded the Section 106 process for this undertaking. There would be no significant impacts to cultural resources from implementation of the PA.

3.4. Hydrology

3.4.1. Affected Environment

New Melones Dam is on the Stanislaus River below the confluence of its North, Middle, and South Forks, forming New Melones Lake. Most of the water comes from the North and Middle Forks, with a lesser amount coming from the South

Fork drainage. New Melones Lake is in the Upper Stanislaus River watershed, USGS Hydrologic Unit Code 18040010 (Reclamation 2010).

One of the primary purposes of New Melones Lake is water storage for flood control. The primary operational criteria for New Melones Lake are provided in the California State Water Resources Control Board Water Right Decision 1422, which was issued in 1973. This decision allowed Reclamation to appropriate water from the Stanislaus River into New Melones Lake for irrigation and municipal and industrial uses but required that lake operations include releases of water for existing water rights, fish and wildlife enhancement, and the maintenance of water quality conditions on the Stanislaus and Lower San Joaquin Rivers (Reclamation 2010).

Daily outflows from the lake vary widely and are generally lowest during the rainy season (approximately October through April). Between 2000 and 2006, outflows ranged from 0 to 3,000 cubic feet per second (cfs).

Boating will be undertaken when flows are attractive and suitable for the boaters, based on personal and professional preferences according to boat types and skill levels. Monitoring of flow gauges is not necessary for boaters, but a PG&E gauge is available if desired for any purpose. The gauge is located at the PG&E Stanislaus Powerhouse, directly upstream from the put-in site. Professional permittees and guides will normally observe the flow volume and determine whether it is suitable, or determine how to adapt the trip to existing conditions. Flow rates will not be modified to accommodate boating activities.

Boating may take place on the Stanislaus River at a wide range of flow volumes with suitable equipment and skills. Personal or professional preferences, along with recreational styles and objectives, favor certain flow ranges for skill levels and types of equipment. With variable flow volumes, outfitted and guided boaters may wait for the preferred flow volume, adapt the trip as needed, or choose not to boat. Some permittees expressed preferences for 1,000 to 2,000 cfs for typical rafting trips on the Stanislaus River, but recognized good opportunities to adapt trips for other conditions. Boaters can also practice paddling or other activities while waiting for preferred flow volumes.

3.4.2. Environmental Consequences

No Action

Under the No Action Alternative, there would be no special event permits issued for the Camp Nine Whitewater Events. There would be no effect on hydrology or operations from the No Action Alternative as there would be no change to conditions.

Proposed Action

Under the PA, special event permits would be issued for the Camp Nine Whitewater Events. No effects to hydrology or the operations of the New Melones Dam or other facilities will occur as a result of the whitewater boating. There would be no effect to hydrology or any dam or powerhouse operations because no such operations will take potential boating into account.

3.5. Land Use

3.5.1. Affected Environment

Reclamation administers approximately 15,168 acres of land above the gross pool reservoir level (1,088 feet above mean sea level) surrounding the New Melones Lake. Approximately 5,405 acres of the surrounding lands are designated for recreation and wildlife purposes, and 4,065 acres are held as operations or open space lands (Reclamation 2010).

All PA boating and related activities would occur only on Reclamation lands (Figure 5). Roads used for vehicle access cross both public and private lands, which is typical of roads in the foothills of the Sierra. The Camp Nine Road is open to the public.

The put-in would be at the location commonly used for noncommercial boating at the existing Camp Nine Road, which has wide shoulders, large pullouts, a foot trail, and a three-rail raft slide to the river bank below the former bridge site (Photos 1-4). Alternate put-in sites upstream were rejected from further consideration as too steep and inconvenient for regular use for commercially outfitted boating access, although these sites may occasionally be used for access by noncommercial boaters.

Duck Bar would be a designated lunch stop along the rafting route (Figure 5). Some cattle grazing extends from nearby private lands to the river and lake bed at Duck Bar. Mother's Camp, about 1/4 mile upstream from Duck Bar on river right, has also been used for lunch by commercial outfitters and would also be a designated lunch stop for commercial whitewater events.

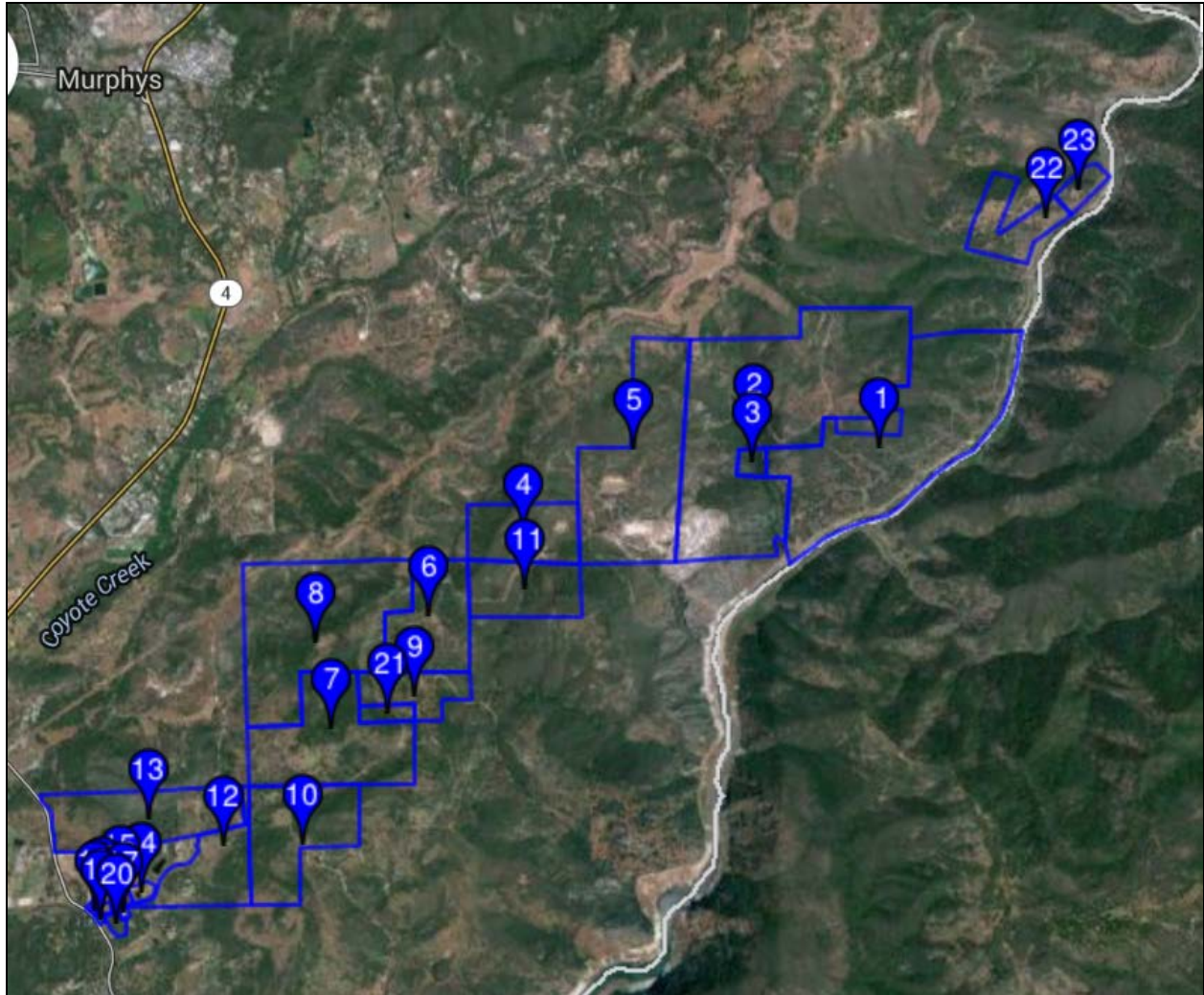
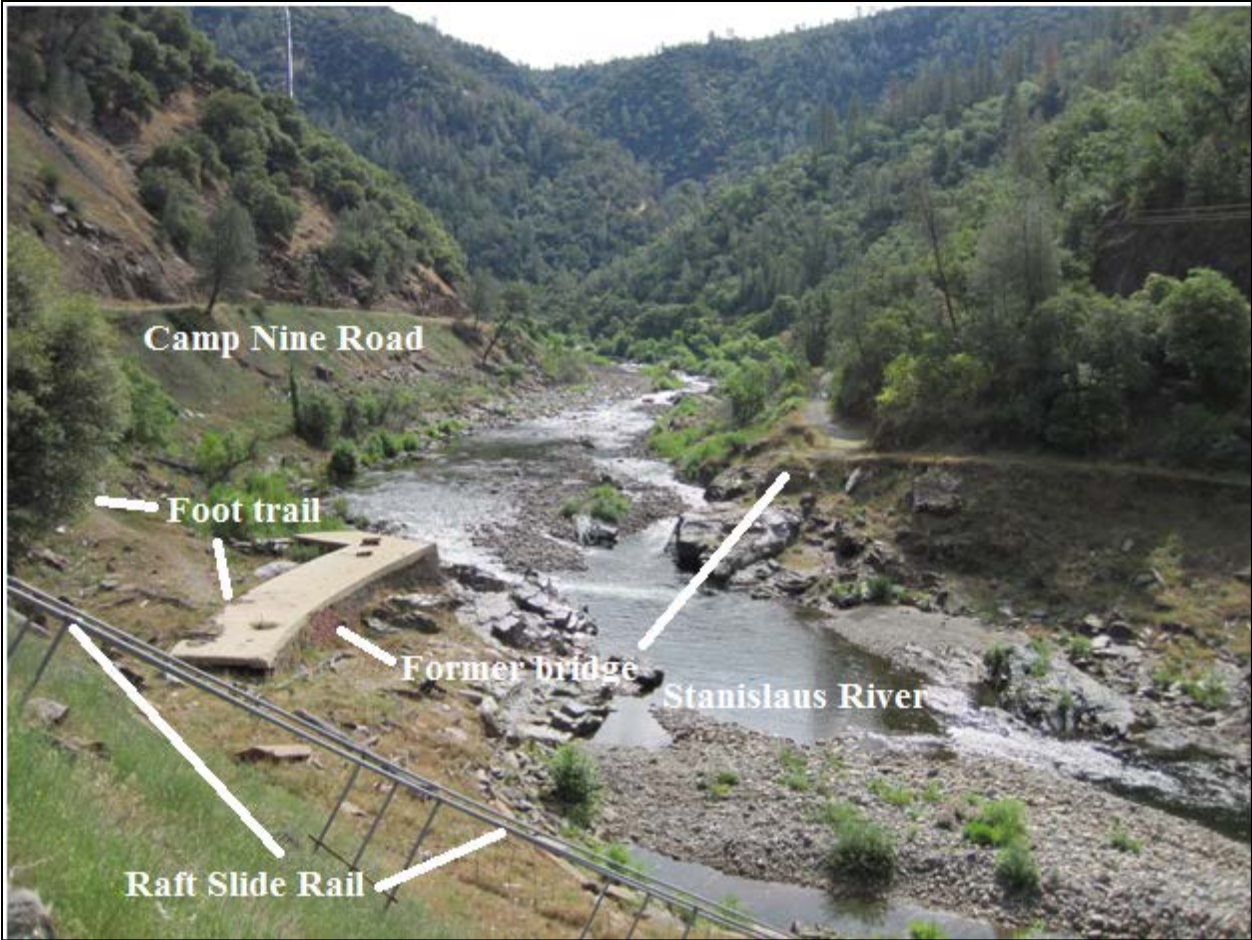


Figure 5: Land ownership along Camp Nine Road, Calaveras County

Source: ParcelQuest (Retrieved April 20, 2015)

Parcels 1, 21-23 are federal public lands; the other 19 parcels are owned by 13 private parties. One other parcel near the Stanislaus River/Lake, unidentified in Parcel Quest, is federal land.



Picture 1: Raft slide rail and trail at put-in below former bridge site.



Picture 2: Bottom of raft slide rail and Stanislaus River at put-in.



Picture 3: Stanislaus River at put-in from near raft slide rail, low lake level.



Picture 4: New Melones Lake at put-in from near raft slide rail, full lake level

3.5.2. Environmental Consequences

No Action

Under the No Action Alternative, there would be no special event permits issued for the Camp Nine Whitewater Events. Existing boating would continue to occur on a noncommercial basis on the Stanislaus River and fishing tournaments and other recreational boating would occur on New Melones Lake. There would be no change to land use from the No Action Alternative.

Proposed Action

Under the PA Alternative, special event permits would be issued for the Camp Nine Whitewater Events. Parking and transportation of rafts from vehicles to the water would occur using existing parking areas and trails. Facilities would not require any repairs or upgrades to facilitate increased or resumed use. No improvements would need to be made to accommodate put-in and takeout of the commercial rafts and customers. Existing whitewater boating would continue to occur on a noncommercial basis on the Stanislaus River, with fishing tournaments

and other recreational boating on New Melones Lake, with the addition of occasional commercial boating on the river and lake. Permittees would have the equipment to carry out all wastes. There would be minimal effects to land use from implementation of the PA.

3.6. Safety

3.6.1. Affected Environment

Opportunities to fish, swim up canyon, hike and enjoy wildlife viewing is abundant for day use only. Camping is prohibited in the Camp 9 Stanislaus River corridor. The corridor affords a unique recreational opportunity suitable for non-commercial uses including whitewater boating. The few rapids in the upper reaches still function as Class II or III attractions for boaters with beginning or intermediate skills, but no major rapids occur below Rose Creek. Former rapids below the limestone cliffs in the area below Cataract Gulch have changed to boulder bars, and all former rapids below the South Fork confluence are fully covered by sediment. The attraction of the river may currently be quite low for boaters due to the low and unpredictable flow volumes. Most boaters would hesitate, for safety (lack of cellular signal) and logistical reasons, to start day trips late in the afternoon or evening when hydropower releases usually occur before flow arrives at the preferred put-ins off Camp Nine Road. Even camping on the river would be impractical when flows would not be expected to come up to fully-boatable levels until the next afternoon. The difficulties of take-out include transport by power boat or tow for about 4.3 miles past old Parrotts Ferry Road bridge to Mark Twain Recreation Area. Circumstances would change when the spring runoff or fall rains contribute more substantial volumes to the river flow. Then, a hydrograph could be based partly on snow melt or runoff, in addition to the hydropower releases, for planning river trips.

Considering how the sport of whitewater boating has largely changed from overnight river touring to play boating by paddlers on day trips, the Stanislaus River is more logistically challenging and somewhat less attractive than other rivers in the region for non-commercial boaters. In comparison for substitutability, the South and Middle Forks of the American River have relatively predictable and timely flows based on FERC licensing requirements for hydropower operations.

3.6.2. Environmental Consequences

No Action

Under the No Action Alternative, there would be no special event permits issued for the Camp Nine Whitewater Events. Existing boating would continue to occur on a noncommercial basis on the river with various amounts of whitewater experience, safety training, and quality of equipment.

Proposed Action

Under the PA, special event permits would be issued for the Camp Nine Whitewater Events. Existing boating would continue to occur on a noncommercial basis on the river, with the occasional addition of professional whitewater outfitters. Permit terms and conditions define the responsibilities of outfitters. Personal flotation devices would be required for each person on the boats and to be worn at all times on the river. Guides would be responsible for directing and operating the boats within industry safety standards. Rescue would be accomplished by responsible agencies if needed and landing zones for possible rescue have been identified within the PA area. Trip reports required from outfitters would identify potential or actual safety issues on the river and lake. Minimal impacts on public safety are anticipated from implementation of the PA.

3.7. Cumulative Impacts

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.

Due to the limited nature of the PA, cumulative impacts are not expected from its implementation. Through enforcement of permit conditions and biological and cultural resources monitoring, cumulative impacts from the PA are expecting to be minimal.

Section 4 Consultation

4.1. Endangered Species Act (16 U.S.C. § 1531 et seq.)

Section 7 of the ESA requires federal agencies, in consultation with the Secretary of the Interior and/or Commerce, 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. An Official Species List was obtained from the designated web page on June 1, 2016.

Section 5 Public Comment Responses

The 30-day public review period for the Draft EA was held from July 6, 2016, through August 5, 2016. Four comment letters were received during public review of the Draft EA, consisting of nine total comments. The following text provides responses to the comments received and notes any resulting revisions made to the EA. Public comments are attached in Appendix C.

Comment 1 Response: The Draft EA describes the historical, current, and projected use of whitewater boating and analyzes the impact of the Proposed Action.

Comment 2 Response: None of the activities mentioned would be displaced by the very limited commercial whitewater boating operations.

Comment 3 Response: The Press Release for the Draft EA was posted in the display area of the New Melones Visitor's Center and on the bulletin board at Camp Nine from July 11, 2016 through August 5, 2016.

Comment 4 Response: Comment noted.

Comment 5 Response: Comment noted.

Comment 6 Response: The three-rail raft slide system is allowed and available for use but not required for site access.

Comment 7 Response: Vehicle traffic is not authorized on Parrott's Ferry Road (below OHWM). Outfitters that attended an on-site tour for the Camp Nine Whitewater Events EA determined that the Mark Twain Recreation Area would be an appropriate takeout location. Mark Twain Recreation Area is available for takeout, and it is 4.3 miles from Parrott's Ferry to Mark Twain.

Comment 8 Response: Reclamation does not control upstream hydrology and releases. The EA does not analyze those impacts.

Comment 9 Response: The current shoreline access at Mark Twain would remain as is.

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EA Revisions in Response to Comments

No revisions to the Draft EA text were necessary in response to the public comments.

Section 6 References

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Appendix A

Indian Trust Assets Concurrence

Indian Trust Assets Request Form (MP Region)

Submit your request to your office's ITA designee **Sarah Perrin** at sperrin@usbr.gov.

Date: October 27, 2015

Requested by (office/program)	CCAO
Fund	15XR0680A2
WBS	RX. 08804994.5000000
Fund Cost Center	RR024720000
Region # (if other than MP)	CCAO-NM
Project Name	Camp Nine Whitewater Events
CEC or EA Number	CCAO-EA-15-13

Project Description

(attach additional sheets if needed and include photos if appropriate)

See attached project description

***Project Location (Township, Range, Section, e.g., T12 R5E S10, or Lat/Long cords, DD-MM-SS or decimal degrees). Include map(s)**

Sections 3, 4, 8, 9, 12, 13, 14, 17, 19, 20, 23, 24, 26, 27, 33, 34 ; Township 3N; Range 14E and Township 2N; Range 14E

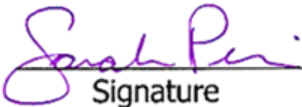
Latitude: 38.07389

Longitude: -120.42408 (Midpoint)

ITA Determination: CCAO-EA-15-13

The closest ITA to the proposed **Camp Nine Whitewater Events** activity is the Sheep Ranch, California Valley Miwok Tribe about 9.66 miles to the north and slightly west (see attached image).

Based on the nature of the planned work it does / 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 / will not have any impacts on ITAs.


Signature

Sarah Perrin
Printed name of approver

15 Oct 2015
Date

Proposed Action Description: Camp Nine Whitewater Events EA

The Proposed Action Alternative is the alternative that assumes action would be taken in order to issue permits through 2016 to evaluate the feasibility and benefits of an intermittent whitewater boating program that was identified in the 2010 New Melones Lake Area RMP/EIS.

The project is comprised of Reclamation's issuance of a Special Event Permit (SEP) for up to four local outfitter companies (permittees) to conduct commercial whitewater boating operations on the main stem Stanislaus River between the Camp Nine area and Mark Twain Day Use Area at New Melones Lake.

The Proposed Action would use existing roads to transport customers, outfitter staff, and equipment along Highways 4 and 49, Parrotts Ferry Road, and Camp Nine Road, including the access route to Mark Twain Recreation Area on former Highway 49 (Figure X). The Camp Nine Road extends about nine miles from Parrotts Ferry Road to the Collierville Powerplant.

The put-in would be located below Camp Nine Road near Mile 8 and the former Camp Nine Bridge. The former bridge and an adjacent weir were removed in 2008.

Proposed operations would involve putting boats into the river at the existing three-rail raft slide just downstream from the remaining concrete abutment of the former Camp Nine Road Bridge.

Customers would typically be transported in vans or small buses with no more than 30 customers per trip. Guides and equipment may be transported separately by truck and/or trailer to the wide shoulders near the put-in.

An existing foot trail provides access for customers, guides and equipment to the river bank. Guides and customers may also slide rafts down the rails or carry them to the shoreline or river to tie them off while rigging and loading.

The boats would navigate the river downstream to New Melones Lake. Stops may be made where desired along the route along the shorelines of the river and lake for lunch or relaxing on the day trips. No camping or open flames would be allowed as part of the trips.

The boats would continue on the lake to contact motor boat services arranged to tow the boats to Mark Twain Recreation Area where they would take out on the paved surface of former Highway 49.

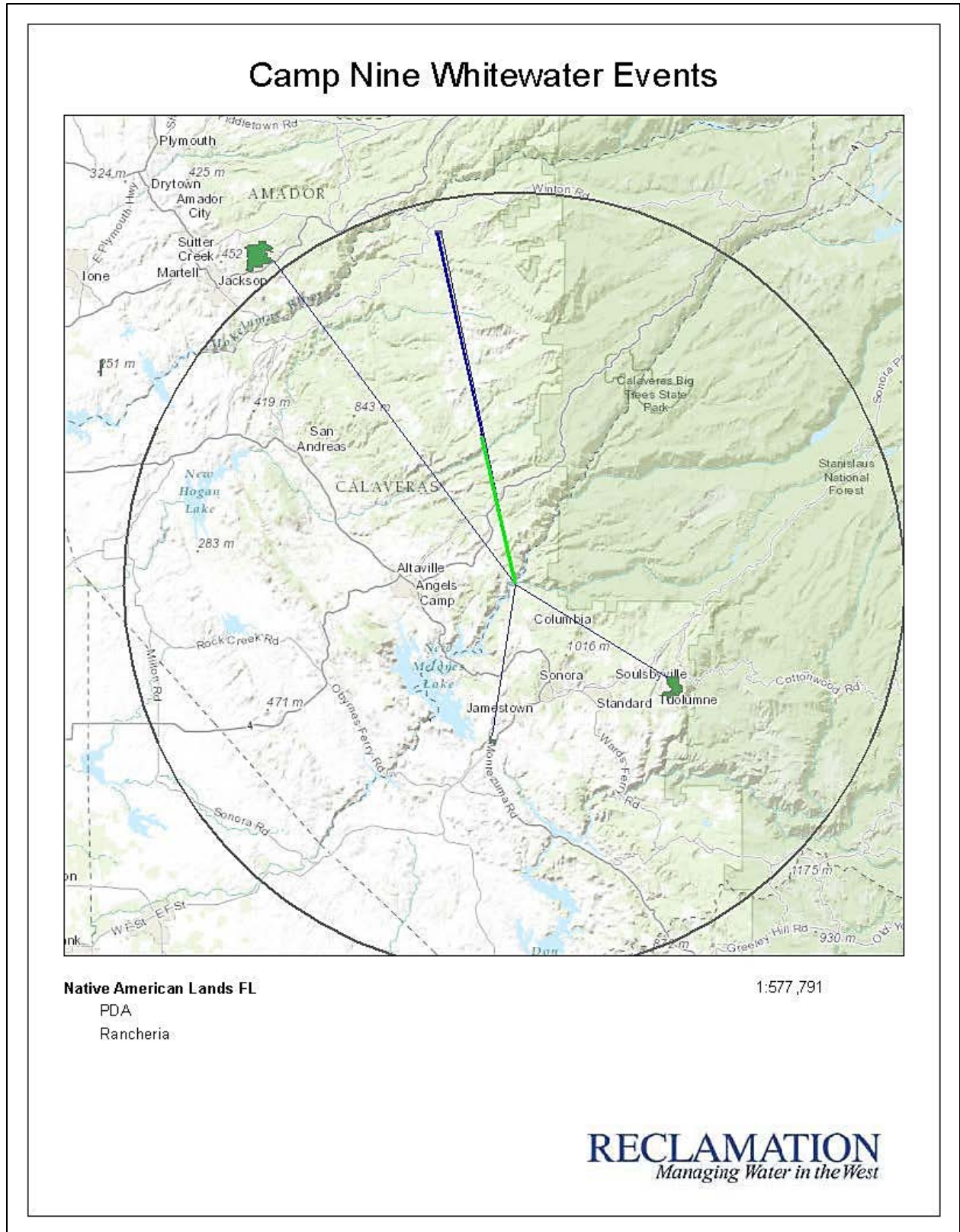


Figure 6: Camp Nine Whitewater Events

Appendix B

Cultural Resources Concurrence



United States Department of the Interior

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

IN REPLY REFER TO:

MP-153
ENV-3.00

MAR 30 2016

CERTIFIED – RETURN RECEIPT REQUESTED

Ms. Julianne Polanco
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Subject: National Historic Preservation Act (NHPA) Section 106 Consultation for the Camp Nine Commercial Whitewater Permitting, Calaveras and Tuolumne Counties, California (Project #15-CCAO-142)

Dear Ms. Polanco:

The Bureau of Reclamation is initiating consultation under Title 54 USC § 306108, commonly known as Section 106 of the NHPA, and its implementing regulations found at 36 CFR Part 800, for the issuance of permits to commercial whitewater outfitters to conduct guided rafting excursions on an approximately 9.0-mile-long reach of the Stanislaus River, located on Reclamation land associated with New Melones Dam, Tuolumne and Calaveras Counties, California (Appendix A of enclosure). Reclamation determined that issuance of the proposed permits constitutes an undertaking as defined in 36 CFR § 800.16(y) and involves the type of activity with the potential to cause effects on historic properties under 36 CFR § 800.3(a). We are entering into consultation with you regarding this undertaking and requesting your concurrence with our finding of no adverse effect, pursuant to 36 CFR § 800.5(b).

Reclamation proposes to issue a limited number of permits to local commercial whitewater outfitters to guide rafts on the approximately 9.0-mile-long “Camp Nine” whitewater run, as water conditions allow. This particular reach of the Stanislaus River was popular for whitewater boating before the completion of New Melones Dam in 1979, resulting in inundation of much of the river. Recent drought conditions have resulted in unusually low water levels in the New Melones reservoir pool, renewing interest in and opportunities for commercial rafting in this area. Reclamation’s proposed action would implement a permitting system for commercial outfitters to provide excursion services if and when water conditions allow.

Reclamation has determined that the area of potential effects (APE) for the undertaking consists only of the locations where rafts and rafters would be entering the river or exiting the river for extended periods of time. These areas comprise the proposed put in, an anticipated lunch stop, and the take out locations. The put in is located within in the Camp Nine Management Area, adjacent to Camp Nine road, and would be accomplished using extant raft slide rails and an existing footpath

Figure 7: Consultation Initiation Letter Addressed to Ms. Polanco

(see Figure 1a, 2a, and Photos 1–2, in enclosure); a potential lunch stop is located on a sandy beach and gravel bar in the vicinity of Grapevine Gulch (see Figures 1b, 2b, and Photos 3–5, in enclosure); and the take out would occur at the existing boat ramp in the Mark Twain Day Use Area (see Figures 1c, 2c, and Photos 7–8, in enclosure). Customers, guides, and equipment would be transported to the put in and from the take out locations in vans or small buses via existing roads. Other activities associated with the permits would be confined to rafts or motorized watercraft within the river channel or reservoir pool, where the potential to cause effects on historic properties is negligible to non-existent. Permitted outfitters and their customers would be required to follow Leave No Trace or equivalent standards of minimal environmental impacts and no unsupervised exploration would be allowed during lunch and other rest stops. Whitewater permit conditions also would include language prohibiting the disturbance or collection of archaeological materials by the permittees and their customers.

The APE is located in Sections 1, 12, 22, and 23, T. 3 N., R. 14. E., Mount Diablo Meridian, as depicted on the Murphys 7.5' U.S. Geological Survey (USGS) topographic quadrangle (Figures 2a–2b, in enclosure) and Section 25, T. 2 N., R. 13 E., Mount Diablo Meridian, as shown on the Columbia 7.5' USGS topographic quadrangle (Figure 2c, in enclosure). This discontinuous APE amounts to approximately 13.0 acres in total.

In an effort to identify historic properties in the APE, Reclamation reviewed in-house archival records and previous cultural resources inventories associated with the construction of New Melones Dam and, more recently, with the development of the New Melones Lake Area Resources Management Plan (RMP); contacted Indian tribes with a known interest in the New Melones area and requested their assistance in identifying cultural resources of concern; and, on June 17, 2015, conducted a field survey of the APE. These efforts, and their results, are described in the enclosed report titled *Cultural Resources Survey for the Camp Nine Commercial Whitewater Permitting, Calaveras and Tuolumne Counties, California* (Goodsell 2015).

Briefly, extensive inventory efforts in the 1970s and '80s, conducted in conjunction with New Melones Dam construction, identified 261 cultural resources within the New Melones Camp Nine, Stanislaus River Canyon, Parrott's Ferry, Carson, and Mark Twain Management Areas, within which the permitted rafting would take place. These resources include 159 historic-era sites, 92 prehistoric sites, 8 caves, and 2 multi-component sites. All these sites comprise a portion of the more than 600 known cultural resources recorded within the New Melones Management Area, which altogether constitute the New Melones Archaeological District (NMAD). The NMAD, first identified and documented in the 1980s, was determined eligible, by consensus, for inclusion in the National Register of Historic Places (National Register) and nominated to the National Register through a submission to the Keeper in 1988. That nomination, while viewed favorably by the reviewer, was returned for revision due to gaps in supporting data. The nomination has yet to be revised; however, given the history and agreed-upon significance of the NMAD, Reclamation continues to treat the New Melones Management Area under its jurisdiction as part of this National Register eligible district. In practical terms, this means that the potential effects of any undertaking within the New Melones Management Area must be considered for both individual historic properties and at the district level.

During Reclamation's June 17, 2015 field survey, two cultural resources were noted: scattered mine tailings located in the vicinity of Grapevine Gulch, upslope of the lunch stop APE (Figure 2b and Photos 3 and 4, in enclosure), and the old Parrott's Ferry Bridge (Photo 6, in enclosure). The

Figure 8: Consultation Initiation Letter Addressed to Ms. Polanco – Page 2

tailings are likely related to previously recorded site P-05-000910/CA-CAL-582, which is described on its site record as “Dry-laid granite slab retaining walls forming [a] channel between tailing piles of granitic material.” The site record further notes: “Amorphous tailings piles surround site.” Although no rock walls were noted in the area surveyed by Reclamation, several ill-defined tailings piles were observed. Two other sites were previously recorded in this same area: P-05-000672/CA-CAL-342 and P-05-000911/CA-CAL-583, both of which are described as bedrock milling stations. Neither milling station was relocated by Reclamation in June 2015. All three of these previously recorded sites were recommended in 1988 as eligible for the National Register as contributing elements to the NMAD. The old Parrott’s Ferry Bridge, which was partially exposed due to low water conditions, was encountered further downstream during the June 2015 field survey. This bridge was the subject of a recent NHPA Section 106 consultation with your office (Reclamation #15-CCAO-237; SHPO #BUR_2015_1109_004). In that consultation, Reclamation determined, with your consensus, that the old Parrott’s Ferry Bridge is not eligible for listing in the National Register at an individual level, or as a potentially contributing element to the NMAD.

Through correspondence dated June 30, 2015, Reclamation invited the California Valley Miwok Tribe, Chicken Ranch Rancheria of Me-Wuk, and the Tuolumne Band of Me-Wuk Indians to participate in the Section 106 process. In those letters, we requested the tribes’ assistance in the identification of sites of religious and cultural significance pursuant to 36 CFR § 800.4(a)(4) and sites of a sacred nature pursuant to Executive Order 13007. To date, no responses have been received. If any concerns are subsequently expressed, Reclamation will work to address them and notify your office as appropriate.

Based on the results of the identification efforts discussed above and in the enclosed report, and in consideration of the limited nature of the proposed undertaking, Reclamation has reached a finding of no adverse effect on historic properties, pursuant to 36 CFR § 800.5(b). Approval of the undertaking would permit whitewater rafting within the National Register eligible NMAD, under conditions prohibiting the disturbance or collection of all archaeological materials. Reclamation has determined that such permitting would not alter any of the characteristics of the NMAD that qualify it, or its contributing elements, for National Register inclusion. We further find no adverse effect on individual historic properties within the NMAD.

Reclamation invites your comments on the delineation of the APE and the appropriateness of the historic properties identification efforts for the undertaking. We also request your concurrence with our finding of no adverse effect. If you have any questions regarding this submission, please contact Ms. Joanne Goodsell, Archaeologist, at 916-978-4694 or jgoodsell@usbr.gov.

Sincerely,

Anastasia T. Leigh
Regional Environmental Officer

Enclosure

Figure 9: Consultation Initiation Letter Addressed to Ms. Polanco –Signed by Anastasia T. Leigh

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



April 28, 2016

Reply in Reference To: BUR_2016_0406_001

Anastasia T. Leigh
Regional Environmental Officer
United States Department of the Interior
Bureau of Reclamation, Mid-Pacific Regional Office
2800 Cottage Way, Sacramento, CA 95825-1898

Re: National Historic Preservation Act (NHPA) Section 106 Consultation for the Camp Nine Commercial Whitewater Permitting, Calaveras and Tuolumne Counties, CA (Project #15-CCAO-142)

Dear Ms. Leigh:

On April 06, 2016 the Office of Historic Preservation received your letter requesting to initiate consultation for the above-referenced undertaking. The Bureau of Reclamation (Reclamation) is consulting pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800 (as amended). Along with the consultation letter, the following documents were provided:

- *Cultural Resources Survey for the Camp Nine Commercial Whitewater Permitting, Calaveras and Tuolumne Counties, California: New Melones Dam and Lake, East Side Division, Central Valley Project, Mid-Pacific Region, Bureau of Reclamation - Project Tracking No: 15-CCAO-142* (J. Goodsell, February, 2016) (*Cultural Resources Survey*).
- Appendix A: Figures 1, 1a, 1b, 1c, Project Location Maps; Figures 2, 2a, 2b, 2c, APE Maps
- Appendix B: Table 1: Previously Recorded Cultural Resources within the Stanislaus River Canyon: Camp Nine, Stanislaus River Canyon, Parrot's Ferry, Carson, and Mark Twain Management Areas.
- Appendix C: Digital Photographs 1-8.

Reclamation is proposing to issue a limited number of permits to local commercial whitewater outfitters to guide rafts, when conditions allow, on a "Camp Nine" whitewater run of about 9.0 miles along the Stanislaus River. The Commercial outfitters will need "raft put-in," lunch stop," and "raft take-out" locales for their operations. Access for customers, guides and equipment will be by existing roads. Limited supporting facilities are needed like van and bus parking, raft slide rails, equipment staging and storage spots and footpaths to the water's edge. Reasonably level sand banks or gravel bars are preferred to get the rafts and people in and out of the water.

As part of the permit conditions, outfitters and their customers would be required to follow Leave No Trace or equivalent standards of minimal environmental impacts and no unsupervised exploration would be allowed during lunch and any rest stops off the river. Language prohibiting the disturbance or collection of archaeological materials would be included in the permit paperwork.

Reclamation has determined that the area of potential effects (APE) for this undertaking is confined to only the locations where rafts, staff and rafters would be entering or exiting the river in a three-part location pattern of "put-in," lunch stop, and "take-out." The Stanislaus River Canyon has been divided into named Management Areas and those involved are, for put-in, the Camp Nine Management Area, for a potential lunch stop a sandy beach and gravel bar near Grapevine Gulch and the take-out would be at existing boat ramp facilities in the Mark Twain Day Use Area. The included sets of Figures specifically delineate the preferred locations. Overall, no ground-disturbing activities are proposed so there is no vertical APE.

Figure 10: Response to Anastasia T. Leigh's Consultation Initiation Letter

Ms. Leigh
April 28, 2016

BUR_2016_0406_001
Page 2 of 2

The *Cultural Resources Survey* details efforts to identify historic properties. During the 1970s and 1980s construction of the New Melones Dam, the New Melones Archaeological District was identified which encompasses more than 600 known and recorded contributing archaeological resources and of those contributors, 159 historic-era sites, 92 prehistoric sites, 8 caves and two multi-component sites are included in the section of the Stanislaus River that is the location of this undertaking. The larger New Melones Archaeological District was determined eligible, by consensus, in 1988.

Reclamation conducted a field survey on June 17, 2015 along the proposed white water route stopping at all the APE locations. Mining tailings related to recorded site P-05-000910/CA-CAL-582 were relocated just above and along the edge of the APE in the Grapevine Gulch area. An adjacent bedrock milling station, CA-CAL-583, was not relocated. Another resource along the route, the old Parrott's Ferry Bridge was exposed in the low water and will be a portage locale for the rafters. The Parrott's Ferry Bridge has been previously determined not eligible by consensus in 2015. It is concluded that although none of the New Melones Archaeological District eligible sites were identified as being individually within the various APEs the overall undertaking is located within the boundaries of the District and potential effects to the District must be considered as part of the finding. It is determined that requiring inclusion of language prohibiting disturbance or collection of archaeological materials by permittees and customers and requiring notification of any such finds reduces chances of unanticipated significant effects to individual historic properties and to the District as a whole. It is also noted that the proposed trips are staff escorted rafting tours conducted within specific time frames and therefore do not allow for casual exploration by participants.

Pursuant to regulations at 36 CFR §800.3(f)(2) and 36 CFR §800.4(a)(4) Reclamation contacted the California Valley Miwok Tribe, Chicken Rancheria of Me-Wuk, and the Tuolumne Band of Me-Wuk Indians to extend an invitation to participate in providing assistance in identifying sites of cultural and religious significance that may be within the area. It does not appear that concerns currently exist; however Reclamation will take appropriate steps to address any future concerns that might arise and make any needed notifications as necessary.

Reclamation is requesting review and comment on the delineation of the APE, efforts to identify historic properties, and is seeking concurrence with its determination of eligibility and effect finding, both to individual contributing properties and to the overall District for this undertaking. Following staff review of the submitted documentation, I have the following comments:

- Pursuant to 36 CFR 800.4(a)(1), I have no objections to the APE as defined.
- Pursuant to 36 CFR 800.4(b), I find that Reclamation has made a reasonable and good faith effort to identify historic properties within the area of potential effects.
- Reclamation has determined that the proposed undertaking would result in no adverse effects to historic properties. Pursuant to 36 CFR §800.5(b), I concur.

Please be advised that under certain circumstances, such as unanticipated discovery or a change in project description, Reclamation may have additional future responsibilities for this undertaking under 36 CFR Part 800 (as amended). Should you require further information, please contact Jeanette Schulz, Associate State Archaeologist, at desk phone (916) 445-7031 or email at Jeanette.Schulz@parks.ca.gov.

Respectfully,



Julianne Polanco
State Historic Preservation Officer

Figure 11: Response to Anastasia T. Leigh's Consultation Initiation Letter Signed by Ms. Polanco

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

MP-153 Tracking Number: 15-CCAO-142

Project Name: Camp Nine Commercial Whitewater Permitting, Calaveras and Tuolumne Counties, California

NEPA Document: EA

NEPA Contact: Sarah Perrin, Natural Resources Specialist

MP-153 Cultural Resources Reviewer: Joanne Goodsell, Archaeologist

JOANNE GOODSELL

Date: April 29, 2016

Digitally signed by JOANNE GOODSELL
DN: c=US, o=U.S. Government, ou=Department of the Interior, ou=Bureau of
Reclamation, ou=JOANNE GOODSELL, o=20160429124438, ou=1, cn=JOANNE GOODSELL
Date: 2016.04.29 12:44:38 -0700

Reclamation proposes to issue a limited number of permits to local commercial whitewater outfitters to guide rafting trips on the approximately 9.0-mile-long Camp Nine whitewater run, as water conditions allow. Reclamation determined that the issuance of such permits is an undertaking subject to review under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act, and its implementing regulations found at 36 CFR Part 800 and involves the type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a).

In an effort to identify historic properties in the undertaking's area of potential effects (APE), Reclamation reviewed in-house archival materials associated with the construction of New Melones Dam and, more recently, with the development of the New Melones Lake Area Resources Management Plan; contacted Indian tribes with a known interest in the New Melones area and requested their assistance in identifying cultural resources of concern; and, on June 17, 2015, conducted a field survey of accessible portions of the APE. Through these efforts it was determined that the APE is located within the boundaries of the New Melones Archaeological District, which was identified, documented, and determined eligible for, and nominated to the National Register of Historic Places, in the 1980s. Based on this information, we were required to assess the potential effects of the proposed undertaking at both the individual historic properties and district levels.

Following these efforts and assessment, and considering that the permits would specifically prohibit the disturbance or collection of archaeological materials by outfitters and their customers, Reclamation reached a finding of no adverse effect to historic properties pursuant to 36 CFR § 800.5(b). Through correspondence dated April 6, 2016, Reclamation initiated consultation with the State Historic Preservation Officer (SHPO) on this finding; SHPO concurrence was received through correspondence dated April 28, 2016. With receipt of SHPO concurrence, Reclamation's responsibilities under Section 106 are fulfilled.

This document conveys the completion of the Section 106 process and NEPA review for the undertaking. The proposed action will result in no significant impacts to cultural resources. Please retain a copy of this document with the administrative record for this action. Should the proposed action change, additional review under Section 106, including further consultation with the SHPO, may be required.

Figure 12: Cultural Resources Compliance Proposed Letter

Appendix C

Public Comments

8/8/2016

DEPARTMENT OF THE INTERIOR Mail - Fw: Failure Notice



Perrin, Sarah <sperrin@usbr.gov>

Fw: Failure Notice

Bonnie Stevens <bjstevens57@yahoo.com>
Reply-To: Bonnie Stevens <bjstevens57@yahoo.com>
To: "sperrin@usbr.gov" <sperrin@usbr.gov>

Tue, Jul 19, 2016 at 2:56 PM

I just finished looking over the proposal and, perhaps I missed it, but I did not see addressed anywhere the current volume of use of the area. [Comment 1](#)

It is the only paved and free-use area, that I know of, where the water is = easily accessible for; families with young children, dogs, disabled people, = and small raft and kayak launching. It also hosts many bank fishermen/wom= n. There is a steady flow of people using the area everyday, many of which = are seeking relief from the heat and this their only option.

If commercial rafts were to be landing there, all the aforementioned activi= ties would be displaced. [Comment 2](#)

I also noticed a conspicuous absence of public notification regarding the d= raft proposal. There was no posting at the site, the closest office or visi= tor center. I do not believe due diligence has been met in this area. The u= sers I encountered knew nothing of this proposal, nor were they in favor of= it. Can you please see that this=C2=A0information-lack is corrected prior = to the end of the comment period. [Comment 3](#)

I cannot accept this proposal as written. [Comment 4](#)

Respectfully, Bonnie Stevens, Tuolumne County Resident.

Also- have you looked into the other side of the river where the road comes= up out of the water? It is an excellent take-out location with ample parki= ng, I just don't know what it would take to have the road gate opened up fo= r the rafting companies.

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Figure 13: Public Comments 1 - 4

Environmental Assessment – Camp Nine Whitewater Events

8/8/2016

DEPARTMENT OF THE INTERIOR Mail - Fw: Failure Notice


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Figure 14: Public Comments 1 – 4 – Page 2

Environmental Assessment – Camp Nine Whitewater Events

8/8/2016 DEPARTMENT OF THE INTERIOR Mail - Stanislaus public comment



Perrin, Sarah <sperrin@usbr.gov>

Stanislaus public comment

CORY_R_TURNER@homedepot.com <CORY_R_TURNER@homedepot.com> Fri, Jul 8, 2016 at 2:31 PM
To: sperrin@usbr.gov

I am sending this email to express my wish that commercial rafters are allowed to run the camp 9 section above New Melones as often as possible and as soon as possible. [Comment 5](#)

Thanks

Cory Turner

The information in this Internet Email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this Email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this Email are subject to the terms and conditions expressed in any applicable governing The Home Depot terms of business or client engagement letter. The Home Depot disclaims all responsibility and liability for the accuracy and content of this attachment and for any damages or losses arising from any inaccuracies, errors, viruses, e.g., worms, trojan horses, etc., or other items of a destructive nature, which may be contained in this attachment and shall not be liable for direct, indirect, consequential or special damages in connection with this e-mail message or its attachment.

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Figure 15: Public Comments 5

8/8/2016

DEPARTMENT OF THE INTERIOR Mail - Comments for Project ID=25758



Perrin, Sarah <sperrin@usbr.gov>

Comments for Project ID=25758

Bob Ferguson <raft@zrafting.com>

Tue, Jul 26, 2016 at 8:12 AM

To: sperrin@usbr.gov

Cc: raft@zrafting.com

Sarah Perrin
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630

July 26, 2016

Dear Ms Perrin,

Thank-you for the opportunity to comment on this proposal. My company was one of the original rafting outfitters on the Camp 9 section of the Stanislaus River in the early 1970's. We again started rafting it during the drought of the late 1980's into 1992. I also attended meetings with the Bureau 2 years ago, and had on-site meetings at both Camp 9 and Parrotts Ferry regarding the feasibility of commercial rafting on the Stanislaus River once again.

This resource was one of the most popular and wonderful whitewater recreational rivers in the West. And the economic benefits it provided for local communities were tremendous. It would be wonderful to be able to again offer family rafting trips on the Camp 9 section of the Stanislaus River.

The Draft Environmental Assessment mentioned 3 items that concern me.

1. The proposal to use the existing put in rail system. I was one of the designers of that rail system, and unfortunately the design plans were not followed by the contractor, and the system was never used. It is useless. The original design was for the rails to be no more than 3 feet off the ground, so that guides could walk on either side of the rail helping to move the rafts down the ramp. Instead, the contractor just made a direct line from the road to the river, with the middle section of the ramp at least 10-12 feet off the ground making this ramp useless. It would have to be redesigned and rebuilt in order to be functional. [Comment 6](#)

2. There must be a take out access at Parrotts Ferry. Towing rafts to the Highway 49 bridge is not feasible. It would not take much to make a safe takeout road again using the existing footprint of what used to be there. To expect commercial clients to endure up to a 5 or 8 mile flatwater (potentially with upstream winds) motor tow is not realistic. [Comment 7](#)

3. The condition that upstream water release schedules would not be modified. Existing summer releases from Collierville and Camp 9 powerhouses do not provide raftable water at the launch area until usually after 3-4 pm in the afternoon, and perhaps a bit later. And that is hit or miss. As a result, trips do not get down river until almost dusk. For a viable rafting program to have any chance of success, water releases would have to approach what they were in the 1970's and early 1990's. That is, rafts would need to be able to have raftable water to launch by around 11:00 am, and would need a 3-4 hour window of raftable flows to sustain a trip during the day. [Comment 8](#)

Recreational water releases are in place on many rivers in the West, including the Tuolumne, and both South and Middle forks of the American.

Thanks Sarah, and if you could let me know you received this email that would be appreciated.

Sincerely,


Bob Ferguson, President
Zephyr River Expeditions, Inc
P.O. Box 510
Columbia, Ca 95310
(209) 532-6249
(800) 431-3636
raft@zrafting.com
www.zrafting.com

<https://mail.google.com/mail/u/0/?ui=2&ik=e0df265d5e&view=pt&q=raft%40zrafting.com&qs=true&search=query&msg=15627c39a3b4e32b&siml=15627c39a3b...> 1/2

Figure 16: Public Comments 6 - 8

Environmental Assessment – Camp Nine Whitewater Events

8/8/2016 DEPARTMENT OF THE INTERIOR Mail - EA for C-9 rafting

 Perrin, Sarah <sperrin@usbr.gov>

EA for C-9 rafting

Jim Foust <jfoust@deltacharterbus.com> Wed, Aug 3, 2016 at 12:38 PM
To: sperrin@usbr.gov

Hi Sarah,

I am happy that the Bureau is moving forward on this project, especially in light of the unknown future of climate change and how it might affect reservoir levels and management. I only have one question: Is there a possibility that outfitters will have special access to bring the rafts and equipment from the waters edge @ Mark Twain site to our trailers for loading at the end of a trip. As it is right now, it is too far to hump heavy equipment up a steep grade in 100 degree heat.??

Comment 9

Regards,

Jim Foust
C.E.O
Sunshine Rafting Adventures
Delta Charter Bus
P: 209-649-4771
F: 209-465-7540
Email: jfoust@deltacharterbus.com

Delta Charter Service deltacharterbus.com
Sunshine Rafting raftadventure.com

<https://mail.google.com/mail/u/0/?ui=2&ik=e0df265d5e&view=pt&q=jfoust%40deltacharterbus.com&qs=true&search=query&msg=15651eaa07f6a96c&siml=156...> 1/1

Figure 17: Public Comments 9