

RECLAMATION

Managing Water in the West

New Melones Lake Area Final Resource Management Plan and Environmental Impact Statement



**U.S. Department of the Interior
Bureau of Reclamation
Central California Area Office**

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Executive Summary

Introduction

The US Department of the Interior, Bureau of Reclamation (Reclamation) has prepared this resource management plan (RMP) and environmental impact statement (EIS) for the New Melones Lake Area. The RMP provides a range of alternatives for managing Reclamation-administered lands within the New Melones Lake Area in Tuolumne and Calaveras Counties, California, and the EIS is an analysis of the environmental effects that could result from implementing the actions defined in the RMP.

Located in the foothills of the Sierra Nevada, New Melones Lake is the fifth largest reservoir in California and the most recent major project incorporated into the Central Valley Project. Completed in 1979, New Melones dam holds water from the Stanislaus River and other tributaries within a 980-square-mile watershed. The plan area encompasses approximately 30,000 acres, including New Melones Lake (12,500 acres) and surrounding project lands. 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.

Current and past decisions directing the management of Reclamation-administered lands in the planning area are based on the New Melones Lake Area Master Plan (Master Plan) approved in 1976 (USACE and Reclamation 1976), on subsequent amendments to that plan, and on applicable federal, state, and local regulations. The Master Plan provides a set of land use allocations, development recommendations and objectives, and constraints to guide the management of each resource.

A new RMP, which will replace the Master Plan, will disclose to the public the decisions being made and their impact on the environment. It will help the public understand the constraints and legal requirements that provide the framework within which Reclamation must manage these lands. It also will provide consistent and integrated decisions for managing Reclamation-administered lands in the planning area.

This RMP/EIS is the result of a collaboration involving Reclamation, interested members of the public, stakeholders in the outcome of the plan, and relevant resource agencies. Input provided by these sources has been combined with guidance provided in Reclamation's *Resource Management Plan Guidebook* (Reclamation 2003) in order to determine, and continue, the most appropriate uses of Reclamation lands within the study area. Other purposes are to explore methods to enhance and protect the resources found on those lands, to identify or propose long-term resource protection programs, and to identify financially feasible opportunities or partnerships to help decision makers manage lands and resources within the study area.

The guidance provided in this RMP will help New Melones managers fulfill Reclamation's mission, which is "to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public." An EIS is incorporated into this document to meet the requirements of the National Environmental Policy Act of 1969 (NEPA) and Council on Environmental Quality regulations for implementing NEPA (40 Code of Federal Regulations 1500-1508).

This RMP/EIS addresses the interrelationships among the various resources at the New Melones Lake Area and provides management options to balance resource management in accordance with Reclamation's mission and authority with the needs of the public to use these lands.

Purpose and Need

The purpose of this RMP/EIS is to establish a conceptual plan detailing the management framework for the conservation, protection, enhancement, development, and use of the physical and biological resources in the New Melones Lake Area. Resource management and recreation interest and the types and level of use have changed over the last several decades. The Reclamation Recreation Management Act (RRMA) of 1992 (Public Law [PL] 102-575, Title 28 [2805(c)(1)(A)]) directs Reclamation to "provide for the development, use, conservation, enhancement, and management of resources on Reclamation lands." These changes, combined with requirements under the RRMA, have created a need for Reclamation to evaluate the contemporary resource and recreation management for the New Melones Lake Area.

The purposes of the New Melones RMP/EIS are as follows:

- Provide a framework to ensure that Reclamation plans and activities comply with all appropriate federal, state, and local laws, rules, regulations, and policies;
- Provide for the protection and management of natural and cultural resources and for public health and safety;
- Provide for recreation management and development and other uses, consistent with contemporary and professional resource management and protection theories, concepts, and practices;
- Ensure that management of quality recreational facilities and opportunities is compatible with other environmental resources and that management planning is based on expressed public need and the ability of the land and water resources to accommodate improved facilities and increased visitor use;
- Be consistent with Reclamation fiscal goals and objectives; and
- Support Reclamation's core mission of delivering water and generating power.

Planning Issues

The following issues were identified by the public during the scoping process and by Reclamation during project planning. Reclamation addressed these issues when creating the goals and management actions identified in Chapter 3:

- Improving access to the management area while protecting resources and addressing logistical and financial challenges;
- Protecting sensitive resources while accommodating increasing numbers of visitors with an expanding range of interests;
- Enhancing fish and wildlife habitats and other natural resources;
- Determining the types of recreational activities Reclamation will manage in the New Melones Lake Area;
- Providing recreation opportunities and services without diminishing the quality of the resources;
- Optimizing a fee program in order to enhance visitor services and protect the resources;
- Providing adequate law enforcement to increase visitor safety and reduce illegal activities;
- Identifying and implementing necessary changes in facilities or infrastructure;
- Protecting public health and safety; and
- Fostering positive relationships with neighboring landowners and communities while meeting Reclamation's management commitments.

Public Involvement

Reclamation held several public scoping meetings and alternatives development workshops to solicit issues and concerns and to develop alternatives to be analyzed in the RMP. In addition, Reclamation developed a mailing list (and accompanying database), produced and distributed newsletters, and developed a New Melones Lake Area Web site to help disseminate both New Melones Lake Area-related and RMP-related information.

In order to educate the public about the RMP process for the New Melones Lake Area and to solicit its input, Reclamation held public scoping meetings in three locations within the project planning area during the last week of January 2007. Most comments focused on access, biological resources, facilities, and recreation. In late September 2007, Reclamation held two alternatives development workshops to obtain further input on possible management actions and opportunities for the New Melones Lake Area. Open house meetings were held in September 2008 to solicit public input on Draft RMP/EIS Chapters 1-3 (currently Chapters 1-5). Reclamation used the information collected from

these gatherings, along with additional comments submitted during the planning process, to develop the draft planning proposals.

Open house meetings were also held in December 2009 to obtain public input on the Draft RMP/EIS. The public comment period for this document was from October 30, 2009 through January 4, 2010. All comments received during this period were considered when revising the Draft RMP/EIS.

Management Alternatives

The basic goal of developing alternatives is to prepare different combinations of resource uses to address issues and to resolve conflicts among uses. Alternatives must meet the purpose and need, must be reasonable, must provide a mix of resource protection, management use, and development, must be responsive to the issues (each issue must be addressed in at least one alternative), must meet the established planning criteria, and must meet federal laws, regulations, policies, and standards.

Four management alternatives were developed to address the major planning issues. Each alternative provides direction for resource programs based on the development of specific goals and management actions. Each alternative describes specific issues influencing land management and emphasizes a different combination of resource uses, allocations, and restoration measures to address issues and resolve conflicts among users. Resource program goals are met in varying degrees across alternatives. Management scenarios for programs not tied to major planning issues or mandated by laws and regulations often contain few or no differences in management between alternatives.

Alternative A, the No Action Alternative, is a continuation of the current management and is based on existing planning decisions and amendments. Alternative B, the Increased Use Alternative, emphasizes development of recreational resources and infrastructure, with a goal of encouraging and accommodating increasing numbers of visitors while protecting natural and cultural resources, as required by law. Alternative C, the Conservation Alternative, emphasizes active management of natural and cultural resources and places less emphasis on resource use than under Alternative A. Alternative D, the Multiple Use Alternative, seeks to balance the projected increases in visitors and demand for an array of user opportunities with the need to protect, enhance, and conserve the natural and cultural resources that are found in the planning area.

Management Actions Common to All Alternatives

Each of the alternatives has different components and management actions that would attain the direction of that alternative. However, several components and management actions are common to the No Action and action alternatives.

Under all alternatives, Reclamation would comply with all applicable laws and regulations, including those relating to air and water quality, hazardous materials, fish and wildlife, special status species, trespass, health and safety, transportation, recreation, cultural resources, social and economic resources, and environmental justice.

Reclamation would continue to work with appropriate agencies and entities to adequately manage the New Melones Lake Area. Further, the New Melones Lake Project would continue to be designated and managed as a Special Use Area, pursuant to 43 CFR, Part 423.

Alternative A (No Action—Continue Current Management)

Alternative A is the continuation of current management and would continue present management practices based on the existing land use plan and plan amendments. Valid and feasible decisions contained in the 1976 Master Plan would be implemented, if they are not already completed. Direction contained in existing laws, regulations, policies, and standards would also continue to be implemented, sometimes superseding provisions of the 1976 Master Plan. The current levels, methods, and mix of multiple use management of public lands in the New Melones Lake Area would continue, and resource values would generally receive attention at present levels. Existing facilities, roads, and trails would not be expanded or updated unless it were done under the direction of specific health and safety or Americans with Disabilities Act guidelines. Best management practices would continue to be used to address fire response at New Melones Lake. Land management would also comply with land allocation identified in the 1976 Master Plan.

Alternative B (Increased Use)

Alternative B emphasizes active management for access and recreation. Protecting other resources would be secondary to accommodating recreational interests, although all resources would be managed, at minimum, to the levels required by law. This alternative also emphasizes opportunities for developed and motorized recreation. Alternative B would focus on increasing access (roads and trails) and expanding facilities (such as concessions and fish cleaning stations). The key components of this alternative are evaluating the addition of recreation facilities at Glory Hole, Tuttle town, Bowie Flat, Westside, French Flat, Bear Creek, Parrotts Ferry, Mark Twain, and Greenhorn Green Management Areas; allowing increased levels of houseboat, water vessel, and equestrian use; and relocating the equestrian staging area. Prescriptive grazing may be allowed to assist in invasive weed removal and fire protection. WROS categories would change certain management areas from Rural Natural to Rural Developed, or from Semi Primitive to Rural Natural.

Alternative C (Conservation)

Alternative C deemphasizes recreational goals and facilities in favor of natural resource values. There would be less active management of recreational resources and facilities than under the other alternatives. Alternative C emphasizes tighter controls on motorized recreation. The key components of this alternative include potentially decreasing the level of houseboat use and minimizing development of recreation areas in Rural Natural and Rural Developed Management Areas, in addition to relocating the equestrian staging area. New trails would not be developed unless needed to protect sensitive species and habitats. Access to caves and rock climbing routes would also be restricted to protect unique and special status species habitats. This alternative would allow the use of chemical, biological, and mechanical controls to help eradicate invasive species. WROS categories would change slightly to less developed uses.

Alternative D (Multiple Use)

Alternative D is intended to balance management of recreational uses and resources with management of natural and cultural resources. This alternative was developed by combining those aspects of Alternatives A, B, and C that provide the most balanced outcome for managing public lands within the New Melones Lake Area. Alternative D incorporates many management objectives and actions from the first three alternatives and may include new management direction as necessary. This alternative also generally allows for more uses and active resource management than under Alternative C but less than under Alternative B. The key components of this alternative include allowing increased watercraft use with new lake use zones and term limits for houseboats, minimizing development of recreation areas in Rural Natural Areas, and relocating the equestrian staging area. Reclamation would fully implement a project-wide Fire Management Plan. In addition, the PWMA Interim Management Plan would be fully implemented by being adopted into the New Melones RMP. Alternative D would call for a moderate amount of updating and modernizing of roads, access areas, and facilities. Alternative D, like Alternatives B and C, would update land use allocations based on input from the public and results of the visitor use survey, Water Recreation Opportunity Spectrum, and the commercial services plan. Under Alternative D, Reclamation would develop and implement a long-term strategy for managing hunting as visitation and urban development increase. Reclamation would also expand environmental constraints on recreation activities. Trail improvements would focus on allowing a diversity of uses. WROS categories would change slightly, to more developed uses.

Environmental Consequences

Alternative A (No Action Alternative) would be a continuation of current management. Alternative B offers the greatest potential for recreational use and development but the greatest potential impact on the physical and biological environment. Conversely, Alternative C would have a lesser impact on physical and biological resources but a greater impact on the potential for development and recreation in the New Melones Lake Area. Alternative D would allow for many uses to continue but could constrain certain activities in order to maintain or improve natural and cultural resources. Impacts under Alternative D tend to be within the range of Alternatives B and C. Taking no action would prohibit Reclamation from implementing management measures needed to both protect resources and to address concerns related to recreation pressure. Detailed descriptions of impacts of the four alternatives are provided in Chapter 6, along with a discussion of the cumulative impacts, irretrievable and irreversible commitments of resources, and unavoidable adverse impacts of the alternatives.

Rationale for Identifying the Preferred Alternative

Alternative D is Reclamation's preferred alternative and the proposed action alternative. Reclamation selected the preferred alternative based on interdisciplinary team recommendations, environmental consequences analysis of the alternatives, and public input during scoping. Alternative D has received the most public support; comments

received have indicated the public's desire to continue conservation, while providing for increased recreation opportunities.

Alternative A, the No Action Alternative, minimally addresses current and relevant issues identified through public scoping and required components of the land use planning document. Alternative A was not the preferred alternative because it does not adequately address issues and concerns identified by the public or required planning components and concerns of the planning team.

Alternatives B and C both address the identified relevant issues and required components necessary in a land use planning document focusing on conservation and uses of the public land. Alternatives B and C also address the public's issues and concerns through identified management direction, as well as the purpose and need, but they lack a balance between resource conservation and resource use allocations.

At this time, Alternative D, the preferred alternative, provides the most reasonable and practical approach to managing the project land resources and uses, while addressing the relevant issues and purpose and need. This alternative incorporates many management objectives and actions from the other alternatives and may include new management direction as necessary. Alternative D balances project lands management with an appropriate level of flexibility to meet the overall needs of the resources and use allocations. This alternative represents management that is proactive and provides flexibility to adjust to changing conditions over the life of the plan, while emphasizing a level of protection, enhancement, and use of the resources into the future.

Comparison and Summary of Alternatives and Environmental Consequences

This section is a summary of key differences in environmental effects among the alternatives. (Not all effects from proposed management actions are discussed.)

Air Quality

The major sources of air pollutant emissions at or near the New Melones Lake Area are boating and personal watercraft use, wildland fires, agricultural burns on private lands, vehicle traffic on paved and unpaved roads, campfires and camp stoves used in campgrounds, internal combustion engine equipment (such as portable generators) used in campgrounds, and mining and mineral development activities.

Alternative A includes programs and actions to maintain facilities but does not include actions for constructing large facilities. Consequently, Alternative A would have limited air quality effects from construction. Recreational use levels and resulting air pollutant emissions would increase in proportion to regional population growth. Under Alternative A, there would be lower recreation-related emissions of air pollutants than under Alternatives B, C, or D.

Alternative B includes actions to construct various new recreation facilities, including an off-highway vehicle park, campgrounds, marina facilities, wave attenuators, and floating campsites. Construction activities for these facilities would result in temporary air pollutant and greenhouse gas emissions. Increased visitor levels related to the availability of these new facilities would be an ongoing source of additional air pollutant and greenhouse gas emissions. Similar impacts would occur under Alternatives C and D, but the effects would be less because less development and use would occur. Overall, recreation use and new recreation facilities, and therefore the potential for recreation management to affect air quality, would be greatest under Alternative B, followed by D, C, and A.

Noise

The highest overall noise levels are expected to be in the vicinity of the campgrounds, the marina, the boat launch facilities, and occupied day use areas. In general, noise conditions in the New Melones Lake Area would not interfere with recreational activities and experiences. Overall, recreation use and new recreation facilities, and therefore the potential for recreation management to affect noise levels, would be greatest under Alternative B, followed by D, C, and A. Alternative C calls for enforceable noise management regulations for boating activities and other recreation activities. Due to mandatory compliance with noise regulations, Alternative C would have greater potential to minimize noise impacts than would Alternatives A, B, and D, under which compliance with noise management regulations would be voluntary.

Geological Resources

Impacts on geologic resources occur from large-scale surface disturbance, erosion, excavation, and vandalism. Alternatives B, C, and D include requirements that fuel breaks and firebreaks would be designed to take soil stabilization into consideration, indirectly decreasing the potential for subsequent erosion, as compared to Alternative A.

Recreational users affect soils directly by disturbing unstable soils and compacting soil. These affects lead indirectly to increased erosion and reduced quality of biological crusts. Groups of horses may also disturb soil in areas where they are tethered. Overall, recreation use and new recreation facilities, and therefore the potential for recreation management to affect geologic resources, would be greatest under Alternative B, followed by D, C, and A.

Under Alternative C, access to caves would be controlled to reduce disturbance and vandalism. The restrictions would be greater than those under Alternatives A, B, and D.

Water Resources

Reclamation would construct additional recreation facilities, would provide additional services, and would allow additional recreation activities under Alternatives B, C, and D. Some of the facilities, services, and activities would be in undeveloped areas, and would increase the amount of impervious surface. This would change erosion and drainage patterns, resulting in changes in water turbidity and groundwater infiltration. As the incidental use of developing areas increases, the potential degradation of water quality would increase. Conversely, providing facilities and receptacles for proper disposal of

waste would preserve water quality. Alternative B would have more new facilities, services, and activities than under Alternatives C and D, and therefore the greatest effects are under this alternative.

Effects on water resources from integrated pest management would be less under Alternative C, as compared to Alternatives A, B, and D. Under Alternative C, Reclamation would use target-specific herbicides. Therefore, the use of chemicals capable of contaminating water would decrease.

Visual Resources

Effects on visual resources result from actions that would change the visual resources by either introducing intrusions into the landscape or, conversely, protecting the landscape from such visual intrusions. Reclamation may construct additional recreation facilities, provide additional services, and allow additional recreation activities under Alternatives B, C, and D. Some of the facilities, services, and activities would be in undeveloped areas, resulting in loss of the natural landscape and open space and the creation of nighttime light and glare. Alternative B would have more new facilities, services, and activities than Alternatives C and D, so the greatest effects would be under this alternative.

Vegetation, Fish and Wildlife, and Special Status Species

Alternative C would best protect native vegetation communities and habitat to maintain biological diversity of wildlife, while Alternatives A and B allow for some compromise to plant and wildlife species and their habitat conditions. Alternative D combines aspects of the other alternatives to provide a flexible approach to achieving other management objectives while protecting these resources.

Implementing the Fire Management Plan under Alternatives B, C, and D would provide a clear direction for fire management at New Melones and would be the most effective way to manage fire while improving vegetative communities and protecting fish and wildlife and their habitats. Alternative C would be the most effective in protecting fish and wildlife and restoring habitats by requiring rehabilitation of all burn areas, protecting sensitive sites from damage by heavy equipment, retaining vegetation within fuel breaks, and using buffer zones to protect riparian and wetland areas.

Invasive species prevention and treatment would be most effective under Alternative C by using herbicides during appropriate times, by requiring reseeding with native seed, and by restricting activities in certain areas. This would reduce weeds and increase native plant cover, which would lead to improved wildlife habitats.

Recreation could disrupt the normal behavior pattern of wildlife as well and could degrade the habitat by altering the vegetation or soil. Reclamation would construct additional recreation facilities, would allow additional access, would provide additional services, and would allow additional recreation activities under Alternatives B, C, and D. Alternative B would allow more new facilities, services, and activities than under Alternatives C and D, so the most effects would be under this alternative.

General Land Management

Under Alternatives B, C, and D, Reclamation would update land use allocation at New Melones Lake to reflect updated information, currently used management areas, and potential management from such sources as the Water Recreation Opportunity Spectrum, carrying capacity study, and commercial services plan. This would convert land from its current use to more appropriate uses based on recreation studies and planning. It would also increase and decrease land use activities in certain areas. Land management would be improved, compared to Alternative A.

Reclamation would construct additional recreation facilities, would provide additional services, and would allow additional recreation activities under Alternatives B, C, and D. Some of the facilities, services, and activities would be in undeveloped areas. Alternative B would allow more new facilities, services, and activities than under Alternatives C and D, so the most effects would be under this alternative. Because the specific locations and feasibility of some of the proposed facilities, services, and activities have not been identified, the potential impacts on land use changes could vary in intensity. For example, land use designation may change, facilities and utilities infrastructure may increase, flora and fauna management plans may need revising, and recreation management areas may increase or decrease.

Access and Transportation

Alternative B would provide the most access within the New Melones Lake Area and calls for the most improvements to roads and trails, followed by Alternatives D, C, and A. Therefore, the greatest expansion and improvement of the access network would occur under Alternative B.

Recreation use and new recreation facilities would be the greatest under Alternative B. Increased visitation due to new recreation facilities would increase the use of roads and trails and would increase the demand for new routes.

Under Alternative C, seaplane access to New Melones Lake would be restricted. In addition, designated no-fly zones near critical infrastructure would be increased and enforced, except for firefighting, emergency, and military operations. New Melones Lake would remain accessible to seaplanes under Alternatives A, B, and D.

Public Health and Safety

Under Alternatives B, C, and D, Reclamation would implement additional lake zones to protect public safety. For example, Reclamation would designate additional swimming areas and areas appropriate for nonmotorized or no-wake boating and houseboats. This would increase public protection over Alternative A by assessing growing, incompatible aquatic activities and then establishing boundaries to keep the activities apart.

Under Alternatives C and D, Reclamation would develop and implement a long-term strategy for managing hunting as visitation and urban development increase. This policy may include restrictions to meet management goals, such as complying with California Fish and Game code, as well as other applicable regulations, such as Executive Order

13443. Because this action is expected to address conflicts between hunters and nonhunters, public protection would increase, as compared to Alternatives A and B.

Fire Management

Under Alternative A, no fire management plan would be implemented. Instead, Reclamation would continue to implement best management practices and standard operating procedures to reduce fire danger and respond to wildland fire. Using the Fire Management Plan under Alternatives B, C, and D would promote fire safety and management and public awareness and would improve fire planning and fire conditions, as compared to Alternative A. Activities under fire management would be more regulated and less flexible under Alternatives C and D than under Alternatives A and B. This could limit some activities, but not to the extent that it would increase fire danger or limit fire suppression success.

Recreation has the greatest potential to affect fire management because most fires are human caused (either accidental or intentional). Overall, recreation use and new recreation facilities, and therefore the potential for recreation management to affect fire management, would be greatest under Alternative B, followed by Alternatives D, C, and A.

Cultural Resources

The types of effects on cultural resources resulting from many of the proposed resource management actions are the same or similar for each alternative. Because planned actions would be subject to review under the Section 106 of the National Historic Preservation Act, there would be further site-specific consideration of cultural resource impacts. Overall, the emphasis on actions that emphasize resource conservation and protection, minimize development, and restrict incompatible actions under Alternative C would best protect significant cultural resources, followed by Alternatives A, D, and B.

Under Alternatives B, C, and D, a new archaeological storage facility would be constructed that meets federal curation standards.

Indian Trust Assets

There are no Indian Trust Assets identified within the New Melones Lake Area, so no effects under any alternative are anticipated.

Socioeconomic and Environmental Justice

Continuing to provide both land-based and aquatic recreation opportunities would ensure the continued economic contribution of recreation at the New Melones Lake Area in Calaveras and Tuolumne Counties, the levels of which could vary by the amount and types of recreation promoted and allowed under each alternative. Concessionaire agreements with private enterprises would continue to provide business opportunities, the level and type of which could vary by alternative.

Alternative B would provide the most recreation opportunities to accommodate increased visitor use, to draw new types of recreational visitors, and to raise visitor satisfaction by providing recreational amenities. The additional developed recreation areas would be

likely to draw in the most new types of visitor groups and concessionaires, which would generate expenditures in the local economy to support increased incomes and jobs. Additional concessionaire contracts could increase business activity in the local economy, which could indirectly stimulate the local economy. Therefore, the greatest socioeconomic effects from recreation management would occur under Alternative B, followed by Alternatives D, C, and A.

None of the alternatives would result in direct changes in population or changes in the demand for housing, schools, and public facilities and services. No low-income or minority populations would be displaced or separated from community facilities, nor would minority businesses be disrupted; therefore, low-income and minority groups (environmental justice populations) would not be disproportionately affected by these actions.

Recreation

Recreation experiences and the potential attainment of a variety of beneficial outcomes are vulnerable to any management action that would alter the settings and opportunities in a particular area. Recreation settings are based on a variety of attributes, such as remoteness, the amount of human modification in the natural environment, evidence of other users, restrictions, and controls, and the level of motorized vehicle use. Management actions that greatly alter such features within a particular portion of the planning area could affect the capacity of that landscape to produce appropriate recreation opportunities and beneficial outcomes.

Alternative A would continue to provide the commercial services and concessions that are currently available, which would serve the existing level of visitor use. The level of services available under Alternative A could become less adequate in meeting visitor needs and could result in reduced visitor satisfaction as recreation demand increases.

Alternative B would provide the most recreation opportunities to accommodate increased visitor use, draw new types of recreation visitors, and raise visitor satisfaction by providing recreation amenities because Alternative B would provide a range of opportunities, such as new marina facilities, additional marina amenities, protected floating swim docks, additional radio-controlled flying facilities, retail stores for camping supplies, floating or other overnight lodging facilities, seasonal scenic cruises, restaurants or cafes, a new recreational vehicle park, new special event facilities, equestrian trail riding, a mountain biking course, camping facilities in a rural natural management area, an off-highway vehicle park, additional water courses, skeet or target shooting, and seaplane training. Permits would be offered for businesses to provide adventure guide services and rental equipment. These types of recreational opportunities would be likely to draw in and satisfy visitors who desire more developed types of recreation but could decrease the satisfaction of visitors who desire a more primitive setting, such as wildlife watching, hiking, and fishing. Providing additional developed facilities and services, with an associated increase in recreational visitors, also could increase the level of user conflicts on project lands.

Alternative C would be oriented more toward more passive uses and would tend to draw more day use visitors and satisfy those visitors desiring a more primitive setting and quieter experience. Because fewer developed facilities would be constructed under Alternative C than under Alternative B, user conflicts generated by increased visitation and competing developed uses would be less likely under Alternative C. Alternative C also would be the more limiting to recreational opportunities than under Alternatives B and D because it places the most protections on sensitive resources that could be affected by recreation.

Alternative D would provide increased recreational opportunities beyond what is proposed under Alternatives A and C but would limit development more than under Alternative B, satisfying users that prefer developed areas more than under Alternatives A and C but potentially limiting the level of competing uses than under Alternative B. Table ES-1 summarizes key differences in effects on visitor use opportunities among the alternatives.

Table ES-1: Alternatives Comparison of Effects on Visitor Use Opportunities

Resource [Management Action(s)]	Alternative A	Alternative B	Alternative C	Alternative D
Noise (N1, N2)	- Voluntary compliance with boat and visitor noise regulations	- Same as Alternative A	- Mandatory compliance with boat and visitor noise regulations	- Same as Alternative A
Caves (C4, C5)	- Manage cave access to comply with laws and regulations; maintains current management of caves	- Expand cave access and provide interpretive opportunities	- Control cave access and close caves to interpretive activities	- Should funding become available, Reclamation may develop an updated cave management plan by coordinating with other agencies to strengthen and protect cave resources. - Provide interpretive opportunities as in Alternative B.
Water Resources (WR 28)	- Close former roadways in Rural Developed Management Areas when necessary for public health and safety (would limit visitor access)	- Update/improve former roadways for lake access in Rural Developed Management Areas, if funded (would improve visitor access)	- Close former roadways as in Alternative A. - Restrict vehicle use in Semi Primitive Management Areas.	- Update/improve select roads in Rural Developed Management Areas, if funded. - Restrict vehicle use in Semi Primitive Management Areas.
Fish and Wildlife - Peoria Wildlife Management Area (FW 13)	- Restrict vehicles year-round - Build trails - Allow group camping	- Restrict vehicles from December to May - Build trails - Allow group camping	- No public vehicle access - Close trails - No camping allowed	- Same as Alternative A
Fisheries and Fishing (FW 22, FW 23, AR 16, AR 17)	- Restrict/minimize disturbance of trout and warm water fish spawning areas (may limit fishing opportunities)	- Same as Alternative A	- Increased restrictions of trout and warm water fish spawning areas compared with Alternative A	- Increased use restrictions of trout spawning areas compared with Alternative A - Same use restrictions of warm water fish spawning areas compared with Alternative A

Resource [Management Action(s)]	Alternative A	Alternative B	Alternative C	Alternative D
Special Status Species (SSS 1, SSS 3, SSS 5)	- Implement a climbing management plan if effects on sensitive species are identified (may limit climbing opportunities)	- Same as Alternative A	- Consider visitor use restrictions to protect special status species, including raptors and bats (may limit recreation opportunities)	- Same as Alternative A
Land Management (LM 13, LM 19)	- Do not allow OHV use - Continue closure of overlook facilities at Peoria Flat	- Allow OHV use in a designated OHV park - Reopen overlook facilities at Peoria Flat	- Same as Alternative A	- Same as Alternative A, but allow public access to the dam overlook at Peoria Flat through guided tours
Access and Transportation (General) (TA 4, TA 5)	- Close identified roads to public vehicles - Operate/maintain substandard lake access routes/facilities	- Close the fewest roads compared with Alternative A - Update/modernize lake access routes/facilities	- Same as Alternative A	- Close roads: fewer than Alternative A, more than Alternative B - Update/modernize lake access routes/facilities
Aircraft Use (TA 12, TA 13, AR 26, AR 27)	- Continue to implement the New Melones seaplane policy	- Same as Alternative A	- Restrict access to New Melones for seaplanes - Enforce additional zoning for all aircraft	- Same as Alternative A
Access to Westside and Bowie Flat (TA 14, TA 16, TA 17)	- Operate/maintain the existing trail system - Manage Bowie Flat, while emphasizing conservation	- Consider allowing development of an access road to Westside - Optimize trail connectivity in the Westside - Increase use of Bowie Flat (multiuse trails)	- Allow access to the Westside by trails or boat - Optimize trail connectivity in the Westside - Increase use of Bowie Flat (hiking/equestrian)	- Allow access to the Westside by trails or boat; should vehicle access be needed for recreation use or other project purposes, transportation routes may be considered. - Optimize trail connectivity in the Westside - Increase use of Bowie Flat (multiuse)
Public Health and Safety (PHS 10)	- Hunting would be allowed, except in restricted areas	- Shotgun-only hunting would be allowed, except in restricted areas	- Develop/implement a strategy to manage hunting, which may include restrictions	- Same as Alternative C, but shotgun-only hunting would be allowed

Resource [Management Action(s)]	Alternative A	Alternative B	Alternative C	Alternative D
Recreation - Commercial services/concessions (R 15, 16, 17, 18, 20, 23, 24, 25, 28, 29, 31, 32, 36, 38, 39, 40)	<ul style="list-style-type: none"> - Continue to operate a marina and marina-based store at Glory Hole - Continue to issue Special Event permits - Reclamation would operate/maintain New Melones facilities and provide services with a combination of Reclamation staff, service contracts, concession agreements, and MOU or MOA with other entities for maximum flexibility and resource protection - Do not permit a seaplane school - Continue to operate/maintain the existing water-ski course - Do not allow skeet/target shooting - Continue to operate/maintain a radio-controlled flying facility in Peoria Flat 	<ul style="list-style-type: none"> - Construct additional marina(s) and provide additional marina amenities - Construct floating and land-based overnight lodging facilities - Issue permits for rental operations - Construct a new RV park - Construct/operate a mountain bike course through a managing partner/concession agreement - If feasible, assign operation/management of developed recreation areas to another entity - Issue permits to allow seaplane training - Allow another entity to construct/operate an equestrian trail riding business and/or skeet/target shooting range - Develop an additional water sports course - Develop additional radio-controlled flying facilities 	<ul style="list-style-type: none"> - Provide additional marina services - Construct eco-friendly land-based lodging - Reclamation would operate/maintain New Melones facilities and provide services with a combination of Reclamation staff, service contracts, concession agreements, and MOU or MOA with other entities for maximum flexibility and resource protection; resource conservation would be emphasized in decisions regarding commercial services - Do not permit a seaplane school - Allow another entity to construct/operate an equestrian trail riding business, though with less development than Alternative B - Continue to operate/maintain the existing water-ski course - Do not allow skeet/target shooting - Continue to operate/maintain a radio-controlled flying facility in 	<ul style="list-style-type: none"> - Provide more additional marina services compared with Alternative C - Construct floating campsites and land-based overnight lodging facilities - Issue permits for rental operations - Construct a new RV park - Construct/operate a mountain bike course through a managing partner/concession agreement - Reclamation would operate/maintain New Melones facilities and provide services with a combination of Reclamation staff, service contracts, concession agreements, and MOU or MOA with other entities for maximum flexibility and resource protection - Do not permit a seaplane school - Allow another entity to construct/operate an equestrian trail riding business - Continue to operate/maintain the existing water-ski course

Resource [Management Action(s)]	Alternative A	Alternative B	Alternative C	Alternative D
			Peoria Flat	- Do not allow skeet/target shooting - Continue to operate/maintain a radio-controlled flying facility in Peoria Flat
Aquatic Recreation (General) (AR 5, AR 15, AR 24)	- Continue to implement lake zones to address ongoing safety concerns	- Implement additional lake zones to promote safety and protect the public by reducing user conflicts (would restrict some aquatic recreation activities in designated areas)	- Same as Alternative B, but including more restrictive zones	- Implement more restrictive lake zones compared with Alternative B, but less than Alternative C
Boating, water-skiing, wake boarding, and rafting (AR 21, AR 22, AR 23, AR 25)	- Continue operation of a water-ski course in the current location - Allow the current level of watercraft use - Continue status quo management of houseboats - Continue to issue Special Event permits	- Relocate the water-ski course to Carson Creek Cove - Allow an increased level of watercraft use - Prepare/implement a moored vessel plan - Issue permits for white-water rafting services in Camp Nine	- Continue operation of a water-ski course in the current location; do not relocate the water-ski course until a more suitable location is identified - Decrease the level of watercraft use - Prepare/implement a moored vessel plan - Do not issue permits for white-water rafting services	- Continue operation of a water-ski course in the current location; do not relocate the water-ski course until a more suitable location is identified - Allow an increased level of watercraft use - Prepare/implement a moored vessel plan - Issue permits for white-water rafting services in Camp Nine
Land-Based Recreation (General) (LR 17, LR 18, LR 21, LR 22)	- Operate/maintain the existing trail system	- Optimize connectivity between trail systems - Develop new trails - Provide for multiuse trail activities	- Optimize connectivity between trail systems - Do not develop new trails - Encourage hiking and low-impact recreation	- Same as Alternative B

Resource [Management Action(s)]	Alternative A	Alternative B	Alternative C	Alternative D
Hunting (LR 33, LR 34)	-Maintain existing hunting closure areas	-Maintain existing hunting closure areas -Shotgun-only hunting would be allowed - Develop agreements to allow special hunting events	-Maintain existing hunting closure areas - Develop and implement long-term strategy for managing hunting (may increase restrictions)	-Maintain existing hunting closure areas - Develop and implement long-term strategy for managing hunting (may increase restrictions) -Shotgun-only hunting would be allowed -Hunting would be restricted within 150 yards of the Reclamation boundary at French Flat and Bear Creek - Develop agreements to allow special hunting events

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LIST OF ACRONYMS

Acronym or Abbreviation	Full Phrase
AADT.....	annual average daily traffic
ACEC.....	area of critical environmental concern
ACHP.....	Advisory Council on Historic Preservation
ADA.....	Americans with Disabilities Act
APCD.....	air pollution control district
ARPA.....	Archaeological Resources Protection Act
BIA.....	Bureau of Indian Affairs
BLM.....	US Bureau of Land Management
BMP.....	best management practice
CAA.....	Clear Air Act
CAL FIRE.....	California Department of Forestry and Fire Protection
CARB.....	California Air Resources Board
CCAO.....	US Bureau of Reclamation, Central California Area Office
CDFG.....	California Department of Fish and Game
CEQ.....	Council on Environmental Quality
CESA.....	California Endangered Species Act
CFR.....	Code of Federal Regulations
CNDDDB.....	California Natural Diversity Database
CNPS.....	California Native Plant Society
CRLF.....	California red-legged frog
CSP.....	commercial services plan
CVP.....	Central Valley Project
CWA.....	Clean Water Act
dba.....	A-weighted decibels
draft FMP.....	draft fire management plan
EA.....	environmental assessment
EIS.....	environmental impact statement
EO.....	executive order
EPA.....	Environmental Protection Agency
ESA.....	Endangered Species Act
FAA.....	Federal Aviation Administration
FERC.....	Federal Energy Regulatory Commission
FLREA.....	Federal Lands Recreation Enhancement Act
FMB.....	Foothills Metamorphic Belt
FMU.....	fire management unit
FR.....	Federal Register
FRCC.....	fire regime condition class
HazMat.....	hazardous waste/materials
ITA.....	Indian Trust Asset
LEPN.....	Lands Excess to Project Needs
Master Plan.....	New Melones Lake Area Master Plan of 1976
MBTA.....	Migratory Bird Treaty Act
MOA.....	memorandum of agreement
MOU.....	memorandum of understanding
msl.....	mean sea level

LIST OF ACRONYMS *(continued)*

Acronym or Abbreviation	Full Phrase
NAAQS.....	National Ambient Air Quality Standards
NAGPRA.....	Native American Graves Protection and Repatriation Act
NCPA.....	Northern California Power Authority
NEPA.....	National Environmental Policy Act
NHPA.....	National Historic Preservation Act of 1966
NOAA.....	National Ocean and Atmospheric Administration
NOAA Fisheries Service.....	NOAA's National Marine Fisheries Service
NRHP.....	National Register of Historic Places
O&M.....	operations and maintenance
OHV.....	off-highway vehicle
ORIU.....	Operations Recreation - Intensive Use
ORLU.....	Operations Recreation – Low-Density Use
PG&E.....	Pacific Gas and Electric Company
PILT.....	payment in lieu of taxes
PL.....	Public Law
PM2.5.....	particulate matter less than 2.5 microns in equivalent aerodynamic diameter
PM10.....	particulate matter less than 10 microns in equivalent aerodynamic diameter
PO.....	Project Operations
PWMA.....	Peoria Wildlife Management Area
RCRA.....	Resource Conservation and Recovery Act
Reclamation.....	US Bureau of Reclamation
RIR.....	Resource Inventory Report
RLIU.....	Recreation Lands Intensive Use
RLLU.....	Recreation Lands Low-Density Use
RMP.....	resource management plan
RRMA.....	Reclamation Recreation Management Act
RV.....	recreational vehicle
SHPO.....	State Historic Preservation Office
SIP.....	state implementation plan
SOP.....	standard operating procedure
SR.....	state route
SWRCB.....	State Water Resources Control Board
TCID.....	Tuolumne County Irrigation District
TMDL.....	total maximum daily load
USACE.....	US Army Corps of Engineers
USC.....	US Code
USFS.....	US Forest Service
USFWS.....	US Fish and Wildlife Service
USGS.....	US Geological Survey
WRCC.....	Western Regional Climate Center
WROS.....	Water Recreation Opportunity Spectrum
WUI.....	wildland-urban interface

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1. Introduction

1.1 Introduction

The US Department of the Interior, Bureau of Reclamation (Reclamation) has prepared this resource management plan (RMP) and environmental impact statement (EIS) for the New Melones Lake Area (Figure 1-1). The RMP provides a range of alternatives for managing Reclamation-administered lands within the New Melones Lake Area in Tuolumne and Calaveras Counties, California, and the EIS is an analysis of the environmental effects that could result from implementing the actions defined in the RMP.

Current and past decisions directing the management of Reclamation-administered lands in the planning area are based on the New Melones Lake Area Master Plan (Master Plan) approved in 1976 (USACE and Reclamation 1976), subsequent amendments to that plan, and by applicable federal, state, and local regulations. The Master Plan is a land use plan that provides a set of land use allocations, development recommendations and objectives, and constraints to guide the management of each resource.

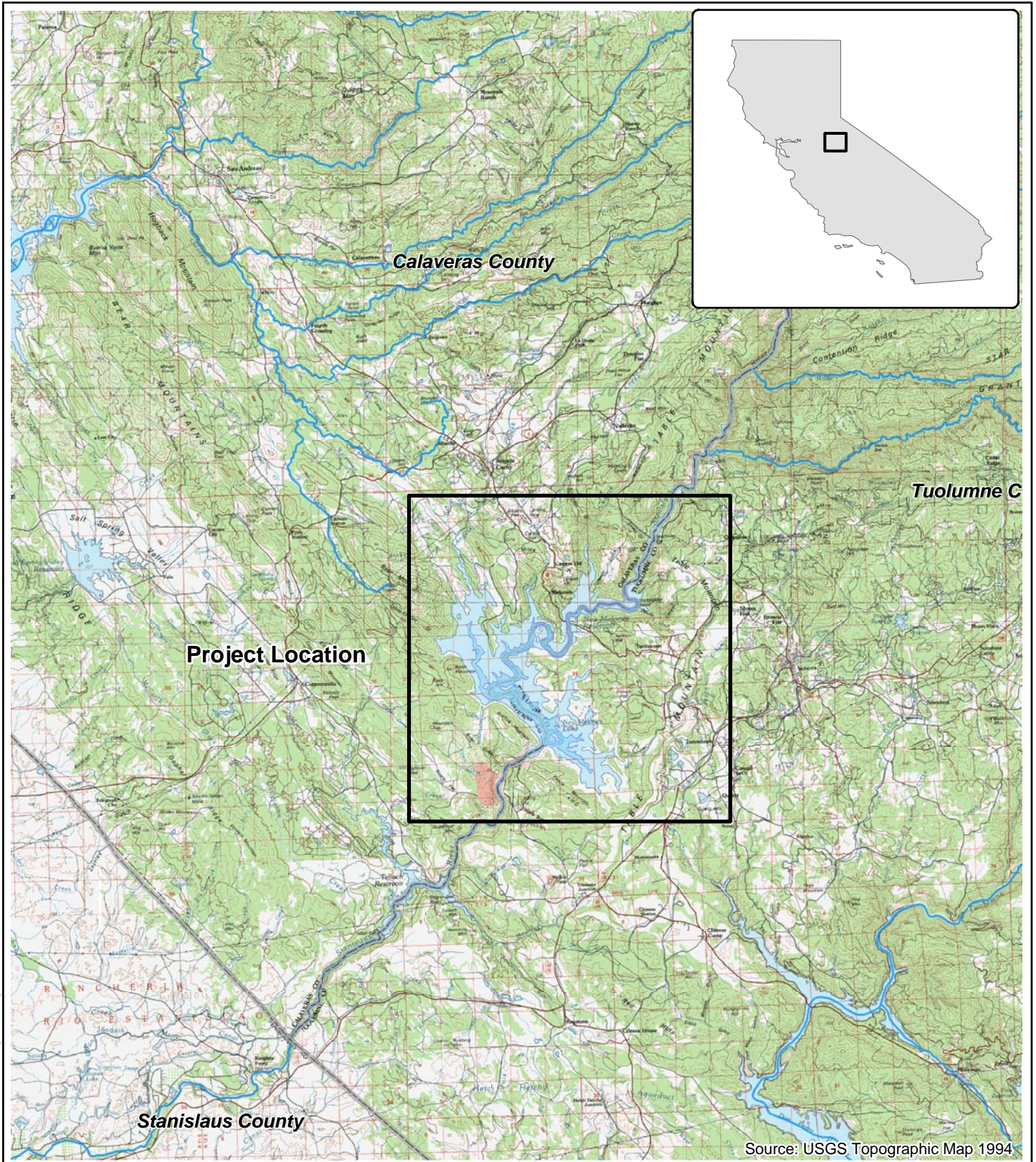
A new RMP/EIS, which will replace the Master Plan, will disclose to the public the decisions being made and their impact on the environment. It also will help the public understand the constraints and legal requirements that provide the framework within which Reclamation must manage these lands and will provide consistent and integrated decisions for managing Reclamation-administered lands in the planning area.

The guidance provided in this RMP/EIS will help New Melones managers fulfill Reclamation's mission, which is "to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public."

This RMP/EIS addresses the interrelationships among the various resources at the New Melones Lake Area and provides management options to balance resource management with Reclamation's mission and authority with the needs of the public to use these lands.

An EIS is incorporated into this document to meet the requirements of the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508) (CEQ 1978), and requirements of Reclamation's Draft NEPA Handbook (Reclamation 2000).

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Source: USGS Topographic Map 1994

Project Location

New Melones Lake Area, California
Central California Area Office

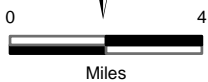


Figure 1-1

1.2 Background Information

1.2.1 Location of the New Melones Lake Area

The New Melones Lake Area is in the foothills of the Sierra Nevada, at approximately 1,100 feet (340 m) above sea level and is bisected by the Tuolumne and Calaveras county line (Figure 1-2).

1.2.2 Access to the New Melones Lake Area

Primary access to the New Melones Lake Area is from Highway 49, which crosses the lake on the Stevenot Stanislaus River Bridge. Connector roads to specific locations at the lake are accessible from Highway 49 and from county roads that intersect the area. The communities of Angel's Camp, Sonora, Columbia, and Copperopolis are connected to the lake either by Highway 49 or by local roads.

1.2.3 New Melones Lake Area Description, Capacity, and Operation

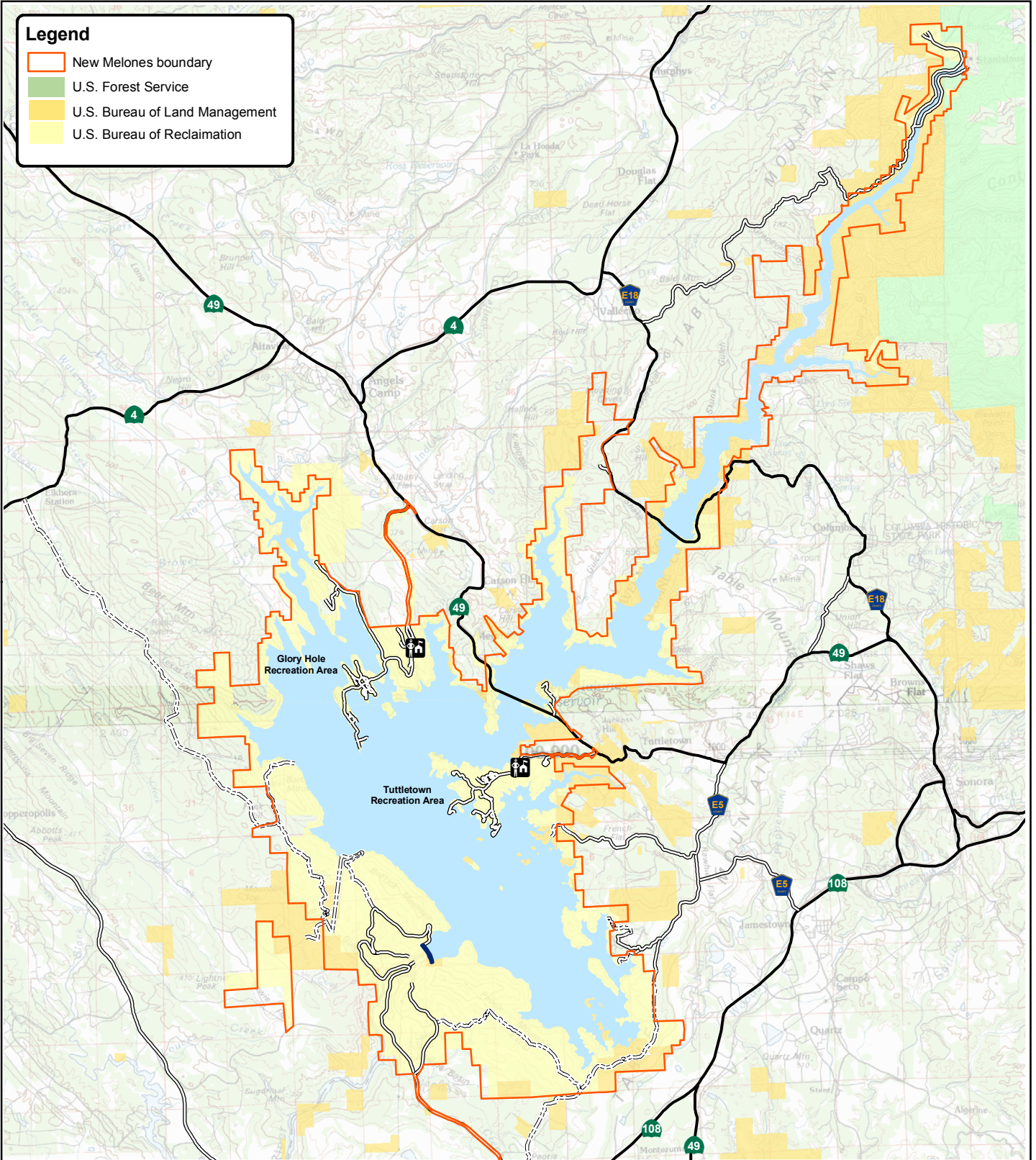
New Melones Lake is the fifth largest reservoir in California and the most recent major project incorporated into the Central Valley Project. Completed in 1979, New Melones dam holds water from the Stanislaus River and other tributaries within a 980-square-mile (250,000 hectare) watershed. When full, the storage capacity is 2.4 million acre-feet (2.9 million megaliters), with 100 miles (160 kilometers) of surrounding shoreline. The surface area of New Melones Lake is 12,500 acres (5,000 hectares), and surrounding project lands are approximately 17,500 acres (7,000 hectares), for a total of 30,000 acres (12,000 hectares). For the purposes of this document, the New Melones Lake Area is defined as New Melones Lake and the surrounding project lands.

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.

1.3 Purpose of and Need for the RMP/EIS

The purpose of this RMP/EIS is to establish a conceptual plan detailing the management framework for the conservation, protection, enhancement, development, and use of the physical and biological resources in the New Melones Lake Area. Changes in resource management and recreation interest, changes in the types of use, and changes in the level of use have occurred over the last several decades. The Reclamation Recreation Management Act (RRMA) of 1992 (Public Law [PL] 102-575, Title 28 [2805(c)(1)(A)]) directs Reclamation to “provide for the development, use, conservation, enhancement, and management of resources on Reclamation lands.” These changes, combined with requirements under the RRMA, have created a need for Reclamation to evaluate the contemporary resource and recreation management for the New Melones Lake Area.

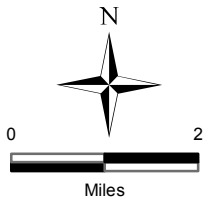
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Legend

- New Melones boundary
- U.S. Forest Service
- U.S. Bureau of Land Management
- U.S. Bureau of Reclamation

New Melones Planning Area Boundary



New Melones Lake Area, California
Central California Area Office

Figure 1-2

The purposes of the New Melones RMP/EIS are as follows:

- Provide a framework to ensure that Reclamation plans and activities comply with all appropriate federal, state, and local laws, rules, regulations, and policies;
- Provide for the protection and management of natural and cultural resources and for public health and safety;
- Provide for recreation management and development and other uses, consistent with contemporary and professional resource management and protection theories, concepts, and practices;
- Ensure that management of quality recreational facilities and opportunities is compatible with other environmental resources and that management planning is based on expressed public need and the ability of the land and water resources to accommodate improved facilities and increased visitor use;
- Be consistent with Reclamation fiscal goals and objectives; and
- Support Reclamation’s core mission of delivering water and generating power.

The land use planning-level decisions that Reclamation will make regarding this RMP are programmatic decisions based on analysis that can only be conducted on a broad scale. Because of the broad scope, impact analysis of planning-level decisions is speculative with respect to projecting specific activities. Subsequent documents tied to this RMP would generally contain a greater level of detail and would be subject to NEPA analysis and compliance.

1.4 Project Authority

Reclamation’s authority to prepare RMPs is derived from the broad authority of the Reclamation Act of 1902 (Chapter 1093, 32 Stat. 388), the Reclamation Project Act of 1939 (Chapter 418, 53 Stat. 1187), the Federal Water Project Recreation Act (PL 89-72, 79 Stat. 213), and, more specifically, from the RRMA of 1992 (PL 102-575, Title 28 [2805(c)(1)(A)]). The RRMA authorized the preparation of RMPs to “provide for the development, use, conservation, protection, enhancement, and management of resources of Reclamation lands in a manner that is compatible with the authorized purpose of the Reclamation Project associated with the Reclamation lands.”

Below is a brief description of important legislation governing the management of the New Melones Lake Area.

1.4.1 Federal Legislation and Guidance

This section lists some of the federal regulations and guidelines that Reclamation complies with during preparation and subsequent implementation of the RMP. Other regulations that may apply to management of lands in the New Melones Lake Area are listed in Appendix A.

Reclamation Act of 1902 (Chapter 1093, 32 Stat. 388)

This act set aside money for the construction and maintenance of irrigation projects. The newly irrigated land would be sold and money would be put into a revolving fund that supported more such projects. This act also established the Bureau of Reclamation to administer the program.

Reclamation Project Act of 1939 (43 US Code [USC], Section 485)

This act provided a feasible and comprehensive plan for the variable payment of construction charges on United States reclamation projects, to protect the investment of the United States in such projects, and for other purposes.

Flood Control Acts of 1944 and 1962 (PL 78-534 and PL 87-874)

These acts authorized construction of New Melones for the purposes of flood control, irrigation, power generation, general recreation, water quality, and fish and wildlife enhancement. In addition, the Flood Control Act of 1962 describes the responsibilities of the Secretary of the Army and the Secretary of the Interior at the New Melones project.

Federal Water Project Recreation Act of 1965 (PL 89-72)

This act requires that recreation and fish and wildlife enhancement be given full consideration in federal water development projects. The act authorizes the use of federal water project funds for land acquisition in order to establish refuges for migratory waterfowl and authorizes the Secretary of the Interior to provide facilities for outdoor recreation and fish and wildlife at all reservoirs under the Secretary's control, except those within National Wildlife Refuges.

Reclamation Recreation Management Act of 1992 (PL 102-575, Title 28 [2805(c)(1)(A)])

This act amends the Federal Water Project Recreation Act of 1965 (PL 89-72) and authorizes the preparation of RMPs to "provide for the development, use, conservation, protection, enhancement, and management of resources of Reclamation lands in a manner that is compatible with the authorized purposes of the Reclamation project associated with the Reclamation lands." This act adds a non-federal partner cost share requirement to enhance accomplishment of Reclamation projects. A non-federal partner is any governmental organization chartered by a state, county, or local government agent. Conversely, all nonprofit organizations or businesses are excluded from a federal cost share under PL 89-72. It is required that the cost share entity have the capability to provide at least 50 percent of the cost of the project and provide up-front funding for

planning activities. In addition, the cost share entity provides services and facilities that are open to the general public; cost sharing will not support private exclusive use on federal lands. The cost share entity also must show the capability to provide at least 50 percent of the costs incurred in long-term operation and maintenance (O&M) of the facilities.

National Environmental Policy Act of 1969 (NEPA) (42 USC, Sections 4321 et seq.)

Under NEPA, federal agencies must consider the environmental consequences of proposed major actions. The spirit and intent of NEPA is to protect and enhance the environment through well-informed federal decisions, based on sound science. NEPA is premised on the assumption that providing timely information to the decision maker and the public concerning the potential environmental consequences of proposed actions would improve the quality of federal decisions. Thus, the NEPA process includes the systematic, interdisciplinary evaluation of potential environmental consequences expected to result from implementing a proposed action. This document is a joint RMP/EIS to fulfill NEPA's requirements.

Clean Water Act (CWA) (33 USC, Sections 1251 et seq.) and Implementing Regulations (33 CFR, Parts 320-330, 335-338, 40 CFR, Parts 104-140, 230-233, 401-471)

The CWA of 1972, PL 92-500, is the law under which most US Army Corps of Engineers (USACE) permits are issued for discharging fill into wetlands. Most of the CWA deals with water pollution, which is the purview of the US Environmental Protection Agency (EPA). Responsibility for disposing of dredged material was delegated to the USACE because of its historic role in that arena, but the EPA still maintains ultimate responsibility for overseeing the program. USACE regulations are published at 33 CFR, Parts 320-384; those of the EPA are published at 40 CFR, Parts 230-233 and are often referred to as Section 404 guidelines.

Section 404 defines dredge and fill responsibilities under the CWA. Exemptions for Section 404 permits are granted for normal agricultural, ranching, and silvicultural activities, as well as for maintaining existing drains, culverts, farm ponds, and roads. The USACE manages the wetland permitting program, but the EPA has veto power over USACE permit decisions, and the US Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NOAA Fisheries Service) have consultation rights. The USACE and the EPA share enforcement authority, although states may adopt administration of parts of the program from the USACE, with EPA oversight. The point of contact for Section 404 permit issues is the USACE.

Clean Air Act (42 USC, Sections 7401 et seq.)

The principal federal law protecting air quality is the Clean Air Act (CAA), which is enforced by the EPA. The CAA regulates air emissions from area, stationary, and mobile sources. Under this law, National Ambient Air Quality Standards (NAAQS) are

established for each state by the EPA in order to protect public health and the environment (EPA 2008). The CAA requires areas with unhealthy levels of ozone, carbon monoxide, nitrogen oxide, sulfur oxide, and inhalable particulate matter to develop State Implementation Plans, describing how they will attain NAAQS in accordance with 40 CFR 52.220. State Implementation Plans are not single documents, but a compilation of new and previously submitted plans, programs, district rules, state regulations, and federal controls (CARB 2003).

Executive Order (EO) 11990: Protection of Wetlands (42 Federal Register [FR] 26961, 5/25/77)

This order requires agencies to minimize destruction of wetlands when managing lands, administering federal programs, or undertaking construction. Agencies are also required to consider the effects of federal actions on the health and quality of wetlands.

EO 11593: Protection and Enhancement of the Cultural Environment (36 FR 8921, 1/15/71)

This order requires federal agencies to inventory historic properties on federal lands and to document historic properties altered or demolished through federal action.

EO 13112: Invasive Species (64 FR 6183, 2/3/99)

This order directs federal agencies to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause. To do this, the order established the National Invasive Species Council.

EO 13443: Facilitation of Hunting Heritage and Wildlife Conservation (72 FR 46537, 8/20/07)

The purpose of this order is to direct federal agencies with programs and activities that have a measurable effect on public land management, outdoor recreation, and wildlife management, including the Department of the Interior and the Department of Agriculture, to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

Federal Bald Eagle Protection Act (16 USC, Sections 668-668d)

This act prohibits persons within the United States (or places subject to US jurisdiction) from “possessing, selling, purchasing, offering to sell, transporting, exporting or importing any bald eagle or any golden eagle, alive or dead, or any part, nest, or egg thereof.”

Fish and Wildlife Coordination Act of 1934

This act requires consultation with USFWS and state agencies whenever the waters or channels of a body of water are modified by a department or agency of the U.S., with a

view to the conservation of wildlife resources. It provides that land, water and interests may be acquired by Federal construction agencies for wildlife conservation and development.

Federal Endangered Species Act (ESA) (16 USC, Sections 1531–1544) and Implementing Regulations (50 CFR, Parts 17, 401-424, 450-453)

Under the ESA of 1973, all federal agencies, in consultation with the Secretary of the Interior, must take all necessary precautions to ensure that their actions do not jeopardize federally listed endangered or threatened species or destroy or degrade their habitats. The ESA provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. It is designed to protect critically imperiled species from extinction due to “the consequences of economic growth and development untempered by adequate concern and conservation.”

Federal Migratory Bird Treaty Act (MBTA) of 1918 and Amendments (16 USC, Sections 703–712)

The MBTA prohibits the take, harm, or trade of any migratory bird species and requires that all agencies must have a policy in place to prevent harm to such species as a result of that agency’s actions. The USFWS is the agency charged with administering and enforcing the MBTA. An amendment to the act was passed in 1972 to include owls, hawks, and other birds of prey.

Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990 and 1995 (ADA) (29 USC, Section 794)

These laws require that access to federal facilities be provided for persons with disabilities.

Law Enforcement Authority: PL 107-69 (2001)

PL 107-69 allows Reclamation to enforce laws on its lands and facilities using law enforcement services with other Department of the Interior agencies or contracting with other federal, state, or local law enforcement organizations.

National Historic Preservation Act of 1966 (NHPA) (16 USC, Sections 470-470x-6)

The NHPA requires federal agencies to consider historic preservation values when planning their activities. Each federal agency must establish a preservation program for identifying, evaluating, and protecting properties under its ownership or control that are eligible for listing on the National Register of Historic Places (NRHP). In the Section 106 process, a federal agency must identify historic properties that may be affected by its actions, must evaluate the proposed action’s effects, and then must explore ways to avoid or mitigate those effects.

The Federal Cave Resources Protection Act of 1988 (16 USC, Sections 4301 – 4309)

This act requires inventory of significant caves on federal lands, implementation of management measures, and provides certain protections of cave resources. It requires that significant caves are considered in the preparation of resource management plans and that the public be invited to participate in planning. It provides for the issuance of permits for collection or removal of cave resources and identifies criminal and civil penalties for prohibited acts.

1.4.2 State and Local Regulation and Guidance

California Endangered Species Act (CESA) (Fish and Game Code, Sections 2050, et seq.)

CESA operates in a similar fashion to the federal ESA but is administered by the California Department of Fish and Game (CDFG). Certain species that are federally listed may not be listed on the CESA or may have different listing status.

State Fish and Game Code

Birds of prey are protected in California under the State Fish and Game Code (Section 3503.5, 1992), which states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Disturbance that causes nest abandonment or loss of reproductive effort is considered “taking” by the CDFG.

California Fish and Game Code 878

The CDFG enforces fishing regulations on all water surfaces.

1.4.3 Operation and Maintenance of New Melones Lake

The US Army Corp of Engineers (USACE) was directed to build New Melones dam by congressional authority. During construction of the dam, a Memorandum of Understanding (MOU) for transfer of the dam and reservoir to Reclamation from the USACE was executed. Though the USACE retained construction responsibility, the MOU granted Reclamation management responsibility for the New Melones project, including operations of the reservoir as part of the Central Valley Project, management of recreation, and enhancement and protection of fish and wildlife resources. Dam construction was completed in 1979.

Reclamation has a staff of both permanent and seasonal employees who are responsible for operations and maintenance of Reclamation lands and facilities, natural resource planning, administration and volunteer management, traffic and crowd control, concession oversight, campground and day use operations, special use permits issuance,

education and outreach, interpretation, fee collection, and patrol. Reclamation rangers perform safety inspections and patrols of project lands, waters, and facilities and encourage lake visitors to comply with state and federal safety laws and regulations and Reclamation policies. Reclamation also has maintenance staff to operate, maintain, and repair the recreation and resource management facilities, as well as provide support to the power plant and dam operations. Separate staff are in charge of the dam and power plant operations.

Reclamation is able to contract with other federal, state, local, or tribal agencies, such as the Bureau of Land Management (BLM) or the National Park Service, for law enforcement. Management of resources on Reclamation land emphasizes interagency coordination with federal, state, and local agencies, including the US Forest Service, Tuolumne County, Calaveras County, USFWS, California Department of Forestry and Fire Protection (CAL FIRE), and CDFG.

State and local laws are enforced by the Sheriff's Offices of Tuolumne and Calaveras Counties in their respective areas of jurisdiction. Tuolumne and Calaveras County Sheriff boat patrols share responsibility for enforcing boating laws at New Melones Lake. The California Highway Patrol is responsible for enforcing the vehicle code.

1.5 Organization of the RMP/EIS

The RMP/EIS provides a conceptual framework for conserving, protecting, enhancing, and managing resources within the New Melones Lake Area. The EIS portion of the RMP/EIS fulfills NEPA requirements by assessing broad impacts that could result from implementing the various alternatives.

Chapter 1 Introduction

Chapter 1 provides an introduction to and overview of the study area and sets forth the purpose of and need for an RMP/EIS, authorities, regulations affecting management of the lake area, and overall objectives. Chapters 1 and 5 of this document and the associated Resource Inventory Report (RIR) provide background information on the New Melones Lake Area, the purpose and need for the RMP and EIS, project authority, history of New Melones Lake, existing management programs, partnerships, and issues to be addressed in the RMP.

Chapter 2 Development of Alternatives

Chapter 2 describes the proposed alternatives that were formulated in response to the issues identified by the public and Reclamation. Included are goals, actions, and specific implementation strategy recommendations. Chapter 2 also contains an explanation of the alternatives development process.

Chapter 3 Comparison of Alternatives

Chapter 3 presents an alternatives matrix that details management goals and actions for each alternative. This alternatives matrix is a comparison of the alternatives and shows details of the management guidance for each alternative.

Chapter 4 Description of the Proposed Action Alternative

Chapter 4 describes the proposed action alternative in detail, organized by resource. Chapter 4 states goals for each resource, as well as actions that Reclamation would undertake to achieve those goals.

Chapter 5 Affected Environment

Chapter 5 contains detailed descriptions of the environmental conditions and resources in the New Melones Lake Area and is organized by resource areas.

Chapter 6 Environmental Consequences

Chapter 6 describes the expected environmental consequences of implementing each of the proposed alternatives on specific resources and resource uses.

Chapter 7 Consultation and Coordination

Chapter 7 describes the process by which Reclamation involved the public, resource agencies, and stakeholders in the RMP/EIS preparation and selection process. It also lists all comments that were received during report preparation, comment responses, and report preparers.

1.6 History of New Melones Lake

Construction of New Melones was authorized by the Flood Control Act of December 22, 1944. The original authorization was subsequently modified by the Flood Control Act of 1962 (PL 87-874). The authorized purposes of the project included flood control, irrigation, power generation, general recreation, water quality, and fish and wildlife enhancement.

In 1972 the USACE wrote an EIS, and in 1976, it developed the Master Plan for the reservoir. This plan proposed thirteen separate management areas, from a walk-in campground at Clarks Flat in the Camp Nine vicinity to large recreation areas at Tuttletown and Glory Hole. These management areas were assigned a land capability status to describe the land use in the project area. The management areas proposed in the Master Plan are presented in Table 1-1.

Table 1-1: Management Areas in the 1976 Master Plan

Management Area	Master Plan Land Capability
Glory Hole	ORIU, ORLU, RLIU, and RLLU
Tuttletown	ORIU, ORLU, RLIU, and RLLU
Coyote Creek	ORIU and ORLU
Skunk Gulch	RLIU, RLLU and ORLU
Grapevine Gulch	RLIU, RLLU and ORLU
Rawhide	ORIU, ORLU, RLIU, and RLLU
Camp Nine	ORLU
Parrotts Ferry	ORLU
Mark Twain	ORIU and ORLU
Bear Creek	ORIU and ORLU
Chaparral	ORIU, ORLU, RLIU, and RLLU
Melones	ORIU, ORLU, and RLIU
Coyote Creek	ORLU, RLIU, and RLLU
Bowie Flat	LEPN
New Melones Dam	PO and FWL
Wildlife Management Area	FWL

Note: The land use allocations used in this table came from the Master Plan Land Use Allocation (p. 45): Fish and Wildlife Lands (FWL), Lands Excess to Project Needs (LEPN), Operations: Recreation - Intensive Use (ORIU), Operations Recreation - Low-Density Use (ORLU), Project Operations (PO), Recreation Lands: Intensive Use (RLIU), and Recreation Lands: Low-Density Use (RLLU).

The building and filling of New Melones Reservoir became controversial and ultimately litigious. During the period between when the Master Plan was completed in 1978 until the reservoir was first filled in the winter of 1982-83, the construction of the recreation facilities was postponed due to the ongoing litigation. At that time, the USACE 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 ultimately were unsuccessful, and only “minimal facilities,” as defined by USACE, were built. In two recreation areas, Glory Hole and Tuttletown, the USACE constructed facilities beyond the “minimum basic facilities” described in PL 89-72, but these were not as extensive as originally described in the Master Plan (these facilities were termed “minimal facilities” by USACE). 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, and have either minimum basic facilities or no facilities, and limited access.

Some of the facilities were to be constructed immediately, with the remainder at some future date. Planned facilities in the 1976 Master Plan included the following:

1.6.1 Tuttletown Recreation Area

- Construct all of Campground E consisting of 60 campground units.

- Construct all of Campground D consisting of 30 campground units, Campground A-30 units, and the Fishing Access Area with a 20-vehicle parking area. The project includes an amphitheater and all support facilities.
- Construct all of Campgrounds B and C consisting of 30 units each, including all support facilities.

1.6.2 Mark Twain Recreation Area

- Construct all of Mark Twain Area consisting of 90 picnic units, including all support facilities.

1.6.3 Glory Hole Recreation Area

- Construct a sewage line from the Angels Creek eight-unit restroom to the main sewage trunk line. Construct all of Campground E consisting of 17 units and the Fishing Access Area No. 1 with a 20-vehicle parking area, including all support facilities.
- Construct all of the Day Use Area consisting of 110 units, an amphitheater, and Fishing Access Area No. 2 with a 30-vehicle parking area.
- Construct all of the Angels Creek Campgrounds consisting of 80 units, the boat ramp restroom, and all support facilities.
- Construct the facilities in the boat launching area, including a parking area for 80 car/trailers, waterlines, sewage line, fish cleaning station, and all support facilities.

In 1979 an MOU transferred management responsibility for New Melones Lake from the USACE to Reclamation. From 1979 to the present, Reclamation has managed the recreation facility at New Melones Lake. Replacement and upkeep of the recreation facilities has been completed on an as-need basis to protect public health and safety and, at times, to realize savings in operations and maintenance through updating the minimal structures. Additionally Reclamation, through the efforts of county legislators and federal representatives, has been successful in obtaining moneys to fund additional piecemeal facilities, including campgrounds, a visitor center, and improvements to potable water and wastewater systems.

1.7 Existing Management Documents

Decision documents that provide management guidance for the New Melones Lake Area are described below.

1.7.1 Reclamation Manual

The Reclamation Manual (RCD TRMR-15) consists of a series of policies, directives, and standards and delegations of authority. Collectively, these assign program responsibility and authority and document Reclamation-wide methods of doing business. All requirements in the Reclamation Manual are mandatory and constitute official Reclamation policy. The Reclamation Manual also serves as a link to Reclamation's supplements to the US Department of the Interior and government-wide regulations, such as the Federal Acquisition Regulations.

1.7.2 New Melones Lake EIS (1972) (USACE 1972)

This document is an analysis of environmental impacts resulting from filling New Melones Lake and associated facilities. The EIS also documents baseline conditions at the time of dam construction.

1.7.3 New Melones Lake Area Master Plan (1976) (USACE and Reclamation 1976)

This document contains decisions concerning land use allocations and basic resource management guidelines for public lands and resources at New Melones Lake. Although no life span was indicated for this document, much of the guidance is outdated and does not reflect current federal policy. For many resource categories, this document does not provide specific management guidance. Instead, it provides a very broad framework from which Reclamation resource managers determine specific management guidance.

1.7.4 Peoria Wildlife Management Area Environmental Assessment (EA) (Reclamation 2007a)

The Peoria Wildlife Management Area lies at the southern end of New Melones Lake and is managed by Reclamation as mitigation for habitat lost when New Melones Dam and Lake were built. The EA discloses environmental impacts from implementing an interim resource management plan for this area as well as a road closure in this area.

Documents that provide management recommendations but that have not been formally adopted are described below.

1.7.5 New Melones Lake Fire Management Plan (Reclamation 2007b)

This document identifies resource values and conditions pertaining to fire management at New Melones Lake. It is included for analysis in the EIS section of this RMP/EIS and will be finalized through the RMP process.

1.7.6 New Melones Lake Draft RMP (Reclamation 1995)

This document proposes sound management practices and principles at the New Melones Lake Area to provide a balanced stewardship of the natural, cultural, and recreational

resources and the economic vitality of the surrounding communities. This document was never completed due to funding constraints.

1.7.7 Draft Vegetation Management Plan (Reclamation 1997)

This document expands on the vegetation element within the RMP (Reclamation 1995) in order to document the plant communities within the plan area. It also recommends specific management of vegetative communities to help Reclamation achieve its vegetation goals at the New Melones Lake Area.

1.7.8 Revised Draft Cave Management Plan (Reclamation 1996)

This document identifies ways to manage and protect caves within the New Melones Lake Area and updates information presented in the Draft Cave Management Plan of 1978 (BLM 1978).

1.8 RMP/EIS Development

This RMP/EIS is the result of a collaborative effort involving Reclamation, interested members of the public, stakeholders in the outcome of the plan, and relevant resource agencies. Input provided by these sources has been combined with guidance provided in Reclamation's *Resource Management Plan Guidebook* (Reclamation 2003) in order to determine, and continue, the most appropriate uses of Reclamation lands within the study area, to explore methods to enhance and protect the resources found on those lands, to identify or propose long-term resource protection programs, and to identify financially feasible opportunities or partnerships to help decision makers manage lands and resources within the study area.

1.9 Management Constraints

Constraints on the management of the New Melones Lake Area come in the form of legislative control/authorization, economic resources, geography, and environmental limitations. Economic and legal constraints for appropriate facility enhancements may be mitigated by establishing agreements, concessions, or cost-share partnerships, if desired. Geographical constraints are identified by the topography of the land and the location of sensitive resources, which increase a need to establish a maximum carrying capacity.

1.9.1 Legislative Authority

Planning upgrades to facilities in the New Melones Lake Area triggers compliance with the Rehabilitation Act of 1973 and the ADA of 1990 and 1995, which state that persons with disabilities will be provided with access to federal government lands and facilities.

Other federal legislation that may be triggered as a result of actions proposed within this RMP includes the CWA, the ESA, the NHPA, and NEPA.

1.9.2 Economic Issues and Partnership Opportunities

Reclamation works to ensure that any public management actions do not conflict with authorized project purposes. Much of Reclamation's budget is dedicated to fulfilling its mission of water storage and delivery; therefore, economic constraints are common in restraining development of public use resources and habitat protection and enhancement on most, if not all, Reclamation lands. The Reclamation Recreation Management Act of 1992, Title 28, which was passed in 1992 as an amendment to PL 89-72, requires a non-federal partner to fund at least 50 percent of the development of recreational facilities or at least 25 percent of fish and wildlife enhancements on Reclamation lands. A non-federal partner must:

- Be a non-federal public entity;
- Be willing and capable of entering into a long-term agreement to develop, operate, and maintain the recreation facilities and uses at the project area;
- Be capable of providing at least 50 percent of the cost of the project;
- Be able to provide up-front funding of 50 percent of the planning cost;
- Be able to provide services and facilities open to general public use; and
- Provide at least 50 percent of operation and maintenance costs.

This would allow Reclamation to partner with a state agency, such as California Boating and Waterways, to develop boat ramps or the CDFG to enhance wetlands, for example.

Reclamation also has the option of considering whether entering into a contractual agreement with one or more private commercial entities would assist it in managing the resource. Such a partnership or concession would usually result in providing desired services that Reclamation could not provide within its authority. A percentage of any funds generated could be returned to Reclamation.

1.9.3 Geographic Challenges

Developing resources in the New Melones Lake Area may be limited by such factors as soils, slope, wetlands, presence of sensitive plant or animal species or populations, or inundation zones. Development should not occur on or near wetlands or sensitive species habitat, in places prone to erosion, where soils cannot accommodate septic systems, or where such development would encourage unauthorized use of sensitive areas.

1.9.4 Environmental Stewardship

Because of regional and geographical variations, each Reclamation study area offers a unique set of opportunities and challenges for resource enhancement and protection and may limit facility expansions or development. In certain areas, a particular resource found on Reclamation land may invite the participation of a particular agency or group as a managing partner or a partner in research or stewardship. In other areas, proximity to a certain user group or institution may provide the impetus for the involvement of that group.

1.10 Public Involvement

Public involvement is a critical element in developing the RMP. Reclamation's goal is to gain input from a cross section of the user public. Reclamation held several public scoping meetings and alternatives development workshops throughout 2007 to solicit issues and concerns and to develop alternatives to be analyzed in the RMP. In addition, Reclamation developed a mailing list (and accompanying database), produced and distributed newsletters, and developed a New Melones Lake Area Web site to help disseminate both New Melones Lake Area- and RMP-related information.

In order to both educate the public about the RMP process for the New Melones Lake Area and to solicit its input, Reclamation held public scoping meetings in three locations within the project planning area during the last week of January 2007. Most comments focused on access, biological resources, facilities, and recreation. In late September 2007, Reclamation held two alternatives development workshops to obtain further input on possible management actions and opportunities for the New Melones Lake Area. Open house meetings were held in September 2008 to solicit public input on Draft RMP/EIS Chapters 1-3 (currently Chapters 1-5). Reclamation used the information collected from these gatherings, along with additional comments submitted during the planning process, to develop the draft planning proposals.

Open house meetings were also held in December 2009 to obtain public input on the Draft RMP/EIS. The public comment period for this document was from October 30, 2009 through January 4, 2010. All comments received during this period were considered when revising the Draft RMP/EIS. Public input and participation helps ensure that the plan will meet the needs of the stakeholders, while providing for development and management of the New Melones Lake Area. Public involvement is discussed in greater detail in Chapter 7 of the EIS.

1.10.1 Planning Issues

Issue identification is the first step of the planning process. A planning issue is a significant concern, need, resource use, or development and protection opportunity relating to resource management or uses on public lands that can be addressed in a variety of ways. The criteria used to identify issues include determining whether the effects would result in the following:

- Approach or exceed standards or a threshold;
- Substantially change a resource;
- Be controversial;
- Offer a wide range of opportunities; or
- Cause disagreement regarding their environmental impact.

These issues drove the formulation of the RMP alternatives, and addressing them has resulted in a range of management options presented in four alternatives (Chapter 2). Each fully developed alternative (Chapter 3) represents a different land use plan that addresses or resolves the identified planning issues in different ways. While other concerns are addressed in the RMP, management related to them may or may not change by alternative.

The following issue statements were developed to summarize the concerns raised by the public during the scoping process and by Reclamation during project planning. The issue statements are designed to state concisely those issues that appear to be of most concern to the public and to Reclamation staff and to encompass the range of scoping comments. The issue statements below reflect planning topics that Reclamation will address when creating the goals and management actions identified in Chapters 2 and 3. (The issues statements are listed in the order in which they were developed, and their position within the list does not reflect priority.)

- 1. How will Reclamation improve access to the management area while protecting resources and addressing logistical and financial challenges?*
- 2. How will Reclamation protect sensitive resources while accommodating increasing numbers of visitors with an expanding range of interests?*
- 3. How will Reclamation enhance fish and wildlife habitats and other natural resources?*
- 4. What types of recreational activities will Reclamation manage for in the New Melones Lake Area?*
- 5. How can Reclamation provide recreation opportunities and services without diminishing the quality of the resources?*
- 6. How can Reclamation optimize a fee program in order to enhance visitor services and protect the resources?*
- 7. How can Reclamation provide adequate law enforcement to increase visitor safety and reduce illegal activities?*

8. What Reclamation management strategies will be used to identify and implement necessary changes in facilities or infrastructure?

9. What Reclamation management strategies will be used to protect public health and safety?

10. How can Reclamation foster positive relationships with neighboring landowners and communities while meeting Reclamation's management commitments?