# DRAFT ENVIRONMENTAL ASSESSMENT

## Martis Creek Lake and Dam Project
## Master Plan Update

## Truckee River and Tributaries, California and Nevada

November 2014

US Army Corps of Engineers ®
Sacramento District

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**CONTENTS**


**1 INTRODUCTION ..... 1**

1.1 PROPOSED ACTION ..... 1
1.2 LOCATION OF PROJECT AREA ..... 1
1.3 BACKGROUND ..... 1
*1.3.1 Project Authorities ..... 1*
*1.3.2 History of Operation ..... 1*
*1.3.3 Need for Action ..... 2*
1.4 PURPOSE OF ENVIRONMENTAL ASSESSMENT ..... 3

**2 ALTERNATIVES ..... 3**

2.1 NO ACTION ALTERNATIVE ..... 3
2.2 MASTER PLAN UPDATE AND PROPOSED DEVELOPMENT ..... 3
*2.2.1 MU #1 – Dam Operations Management ..... 5*
*2.2.2 MU #2 - Lake ..... 6*
*2.2.3 MU #3 – Park/Headquarters Operations ..... 7*
*2.2.4 MU #4 – Martis Creek Recreation Area ..... 8*
*2.2.5 MU #5 – Sierra View Day-Use Area ..... 10*
*2.2.6 MU #6 – Sagebrush Day-Use Area ..... 12*
*2.2.7 MU #7 – Black Bear ..... 13*
*2.2.8 MU #8 – Transportation Corridor ..... 15*
*2.2.9 MU #9 – Wel-mel-ti Wildlife Area ..... 16*

**3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES ..... 18**

3.1 ENVIRONMENTAL RESOURCES NOT EVALUATED IN DETAIL ..... 18
3.2 ENVIRONMENTAL RESOURCES EVALUATED IN DETAIL ..... 18
*3.2.1 Recreation ..... 18*
*3.2.2 Wildlife ..... 22*
*3.2.3 Water Quality ..... 26*
*3.2.4 Vegetation and Wetlands ..... 29*
*3.2.5 Fisheries ..... 35*
*3.2.6 Special-Status Species ..... 37*
*3.2.7 Forestry Resources and Management ..... 44*
*3.2.8 Air Quality ..... 46*
*3.2.9 Soils and Erosion ..... 49*
*3.2.10 Noise ..... 51*
*3.2.11 Aesthetics ..... 53*
*3.2.12 Cultural Resources ..... 57*

**4 GROWTH-INDUCING EFFECTS ..... 64**

**5 CUMULATIVE EFFECTS ..... 64**

5.1 LOCAL RELATED PROJECTS ..... 65
*5.1.1 Martis Valley Trail ..... 65*
*5.1.2 Truckee Tahoe Airport Master Plan Update ..... 66*
*5.1.3 California Public Electricity Company 625 and 650 Electrical Line Upgrade Project ..... 66*

5.2 DISCUSSION OF EFFECTS ..... 66

**6 COMPLIANCE WITH FEDERAL LAWS AND EXECUTIVE ORDERS ..... 68**

6.1 AVIATION SAFETY ..... 68
6.2 CLEAN AIR ACT ..... 69
6.3 CLEAN WATER ACT ..... 69
6.4 ENDANGERED SPECIES ACT ..... 69
6.5 EXECUTIVE ORDER 12898 ..... 70
6.6 NATIONAL ENVIRONMENTAL POLICY ACT ..... 70
6.7 NATIONAL HISTORIC PRESERVATION ACT ..... 71

**7 PUBLIC INVOLVEMENT ..... 72**

7.1 AGENCIES AND TRIBAL GOVERNMENT ..... 72

**8 COORDINATION AND REVIEW OF THE DRAFT EA ..... 73**

**9 CONCLUSION ..... 73**

**10 LIST OF PREPARERS AND REVIEWERS ..... 73**

**11 REFERENCES ..... 74**

FIGURES

Figure 1 - Project Area Showing Management Units ..... 4
Figure 2 - MU #1 – Dam Operations and Management ..... 6
Figure 3 - MU #2 - Martis Creek Lake ..... 7
Figure 4 - MU #3 - Park Operations ..... 8
Figure 5 - MU #4 - Martis Creek Recreation Area ..... 10
Figure 6 - MU # 5 - Sierra View Day-Use Area ..... 11
Figure 7 – MU #6 – Sagebrush Day-Use Area ..... 13
Figure 8 - MU #7 - Black Bear ..... 14
Figure 9 - MU #8 - Transportation Corridor ..... 15
Figure 10 - MU #9 - Wel-Mel-Ti Wildlife Viewing Area ..... 17
Figure 11 - Delineation of Wetlands and Other Waters of the US for Martis Creek ..... 33
Figure 12 - Special Status Fauna Species in Martis Creek Area ..... 39
Figure 13 - Special Status Flora Species in Martis Creek Area ..... 40
Figure 14 - Key View Points (USACE 2011) ..... 54
Figure 15 - Martis Valley Regional Trail (Northstar Community Services District 2010) ..... 66

TABLES

Table 1 - Fiscal Year 2012 Monthly Visits to Martis Creek Lake ..... 20
Table 2 - Martis Creek Lake Yearly Visitation Trends ..... 20
Table 3 - Martis Creek Lake Yearly Activity Trends ..... 20

Table 4 - Summary of Annual Ambient Air Quality Data (2007 -2009)..... 47
Table 5- Viewer Groups, Viewer Awareness and Viewer Sensitivity (USACE 2011)..... 55
Table 6 - Archaeological Sites Within the Martis Creek Lake and Dam Property..... 59

APPENDICIES

Appendix A – CNDDB Results

Appendix B – Corps Regulation 36 C.F.R. § 327.11

Appendix C – Cultural Resources

# 1 Introduction

## 1.1 Proposed Action

The U.S. Army Corps of Engineers, Sacramento District (Corps) proposes to update the existing Martis Creek Master Plan dated 1977 for the overall management of the project lands and associated resources within the boundaries of the Corps' Martis Creek Lake and Dam Project. The Master Plan Update (MPU) would meet the requirements of updated Corps policies related to master plans, as well as consider changes in regional needs, resource capabilities and suitability, and expressed public interests consistent with authorized project purposes. The MPU would be used as the basis for design and implementation of specific improvements and other actions at the Martis Creek project in the future. It will allow for projects described in the MPU to be constructed as funding becomes available.

## 1.2 Location of Project Area

The Martis Creek Lake and Dam Project area is located in the Martis Valley on the east side of the Sierra Nevada crest immediately north of Lake Tahoe and 2.3 miles southeast of the Town of Truckee, California. The valley is surrounded on three sides by rugged mountains that rise to heights of about 8,500 feet. The dam is located at about 5,700 feet. Martis Creek flows north from the dam outlet and joins the Truckee River about 3 miles downstream of Truckee. The creek is located within the boundaries of the Tahoe National Forest.

## 1.3 Background

### 1.3.1 Project Authorities

The Martis Creek dam and reservoir were constructed as part of the Truckee River and Tributaries Project, Nevada and California, which was authorized by the Flood Control Act of 1962 (P.L. 87-874), substantially in accordance with the recommendations of the Chief of Engineers in House Document Number 435, 87th Congress, 2$^{nd}$ Session. The purposes of the Martis Creek project were flood control and potential water supply.

The improvement and management of the land and water resources at Martis were authorized by Section 4 of the Flood Control Act of 1944 (P.L. 78-534), as amended. Section 4 was subsequently modified by the Federal Water Project Recreation Act of 1965 (P.L. 89-72), as amended, to provide for Federal and non-Federal cost sharing of recreation and fish and wildlife development at reservoir projects authorized after January 1, 1965.

### 1.3.2 History of Operation

The Martis Creek project was completed in 1972 to provide storage for flood control, recreation, and potential water supply. The reservoir was authorized for a gross pool of 20,400 acre-feet (elevation 5,838 feet). Shortly after construction, seepage was observed in the dam,

posing a significant risk of dam failure. As a result, the reservoir has never been filled to capacity and is now maintained at a minimum pool of 800 acre-feet (elevation 5,780 feet).

Screening-level Portfolio Risk Assessments of Martis Creek Dam were completed by the Corps in July 2005. Based on the results, the dam was classified as a Dam Safety Action Classification I dam (the highest risk category) due to seismic issues, hydrologic deficiency (inadequate spillway capacity), and seepage concerns. Compounding these hazards is the large population downstream within the inundation zone, specifically the Reno-Sparks Metropolitan Area (RSMA). Separate studies and remediation efforts related to these dam safety deficiencies are ongoing.

Pending the outcome of the Corps Dam Safety Modification studies, there are three possible future conditions for the reservoir. The water level could be increased to gross pool elevation, remain at minimum pool elevation, or the dam could be recommended for removal. Because the MPU does not evaluate the operation of water management at the dam, it will need to be revised if the dam safety study results in a change in current conditions. At that time, this Environmental Assessment (EA) would be revised as well. This EA evaluates the effects of the proposed MPU given current reservoir conditions at minimum pool elevation.

### 1.3.3 Need for Action

The Master Plan for a Corps project guides and articulates Corps responsibilities pursuant to Federal laws to preserve, conserve, restore, maintain, manage, and develop the project lands, waters, and associated resources. The Master Plan is a dynamic programmatic document discussing what could and should happen over the life of the project and is flexible based upon changing conditions. The Master Plan deals in concepts, not details, of design or administration. An Operational Management Plan implements the concepts of the Master Plan into actions.

The original Master Plan for the Martis Creek project has not been updated since 1977. Since its initial publication, the Corps has updated its policies directing the development and implementation of master plans. Specific master plan requirements are included in Engineer Pamphlet (EP) 1130-2-550, “Project Operations – Recreation Operations and Maintenance Guidance and Procedures,” which was last updated on January 30, 2013. Therefore, the Master Plan needs to be updated to comply with current applicable Corps policy.

Although not originally an authorized purpose, development of recreational facilities are authorized for the Martis Creek Lake and Dam Project under provisions of the 1944 Flood Control act as amended, and use have always been associated with the Martis Creek project. Recreational use has been increasing significantly in recent years and is projected to continue to increase with population growth. When the original Master Plan was developed in 1977, Martis Creek Lake recorded 24,000 visits during that year. In 2004, Martis Creek Lake received 44,147 visits. As of 2012, the number of annual visits had increased to 124,980. Because of this

growth, the MPU identifies several potential projects to increase or enhance recreational opportunities that can accommodate the increased visitation.

### 1.4 Purpose of Environmental Assessment

This EA describes the environmental resources in the project area and discusses the potential short-term, long-term, direct, indirect, and cumulative effects of the proposed MPU and potential actions for the various Management Units (MU's) of the Martis Creek Lake area on the resources. Due to the programmatic nature of the MPU, this EA is limited to a qualitative assessment of the types and significance of the effects of improvements that could be implemented to meet the specific objectives for the MU's. Subsequent National Environmental Protection Act (NEPA) documentation will need to be prepared prior to implementation of specific MPU projects. Selection, design, and implementation of specific projects would be determined as funding becomes available.

## 2 Alternatives

### 2.1 No Action Alternative

Under the No-Action Alternative, the Martis Creek Lake Master Plan would not be updated, and the Corps would continue to use the outdated Master Plan dated 1977 to guide future projects. While this alternative would allow existing operations to continue at Martis Creek Lake in accordance with the 1977 Master Plan, no new improvements or types of projects not included in the 1977 Master Plan would be implemented within the MU's.

### 2.2 Master Plan Update and Proposed Development

For this MPU, the Martis Creek project area has been divided into nine MU's: Dam Operations Management, Lake, Park/Headquarters Operations, Martis Lake Recreational Area, Sierra View Day-Use Area, Sagebrush Day-Use Area, Black Bear, Transportation Corridor, and Wel-mel-ti Wildlife Area. The boundaries of the management units are based on physical, administrative, and/or operational characteristics. This approach facilitates identification of the most appropriate land and resource uses for each of the nine areas. Proposed development projects are described based on the MU they would occur in.

The following categories of resource objectives have been identified for the improvements in the MU's: Recreation, Natural Resource Management, Environmental Compliance, Visitor Information, Education and Outreach, Economic Impacts, General Management, and Cultural Resources Management. A detailed list of these objectives is included in the Master Plan.

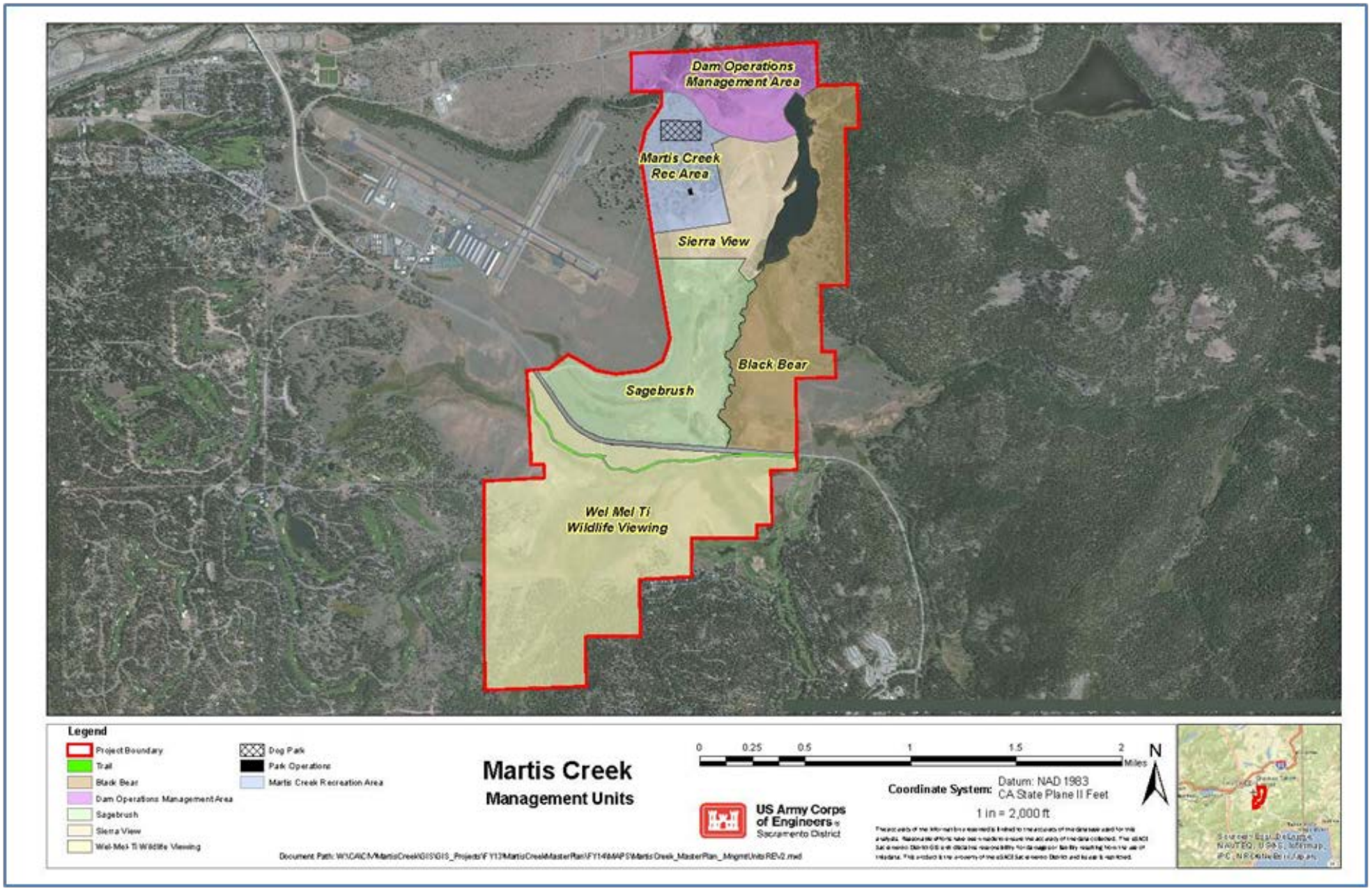


**Figure 1 - Project Area Showing Management Units**

### 2.2.1 MU #1 – Dam Operations Management

MU #1 consists of the dam and associated facilities, including the spillway, as well as surrounding areas. The predominant vegetation in MU#1 is sagebrush, rabbit brush, and bitter brush. Vegetation types include barren or ruderal, wet montane meadow, dry montane meadow, and ponderosa pine. Wetlands in MU #1 consist of wet meadow, open water, scrub/shrub wetland and seasonal wetland. A riparian corridor exists around the upper forks of Martis Creek.

This MU is located within Nevada County and includes the northern portion of the project area. Although this area is used for project operations and is subject to closure, this MU is a popular recreational area because the trailhead to the Waddle Ranch conservation easement can be accessed from this MU. The primary purpose of Martis Dam road is for operation and maintenance of the dam, but the road is also used for walking and wildlife viewing.

The resource objectives for MU #1 include Economic Impact, Natural Resource Management, Environmental Compliance, and Cultural Resource Management. Possible actions (improvements) to meet these objectives are listed below:

- Install informational signs about the purpose of the dam;
- Conserve wetland habitat;
- Develop a Wetlands Management Plan;
- Develop an Invasive Species Management Plan to control and prevent non-native invasive species; and
- Implement ecosystem management principles to actively manage and conserve fish and wildlife resources, including special status species.

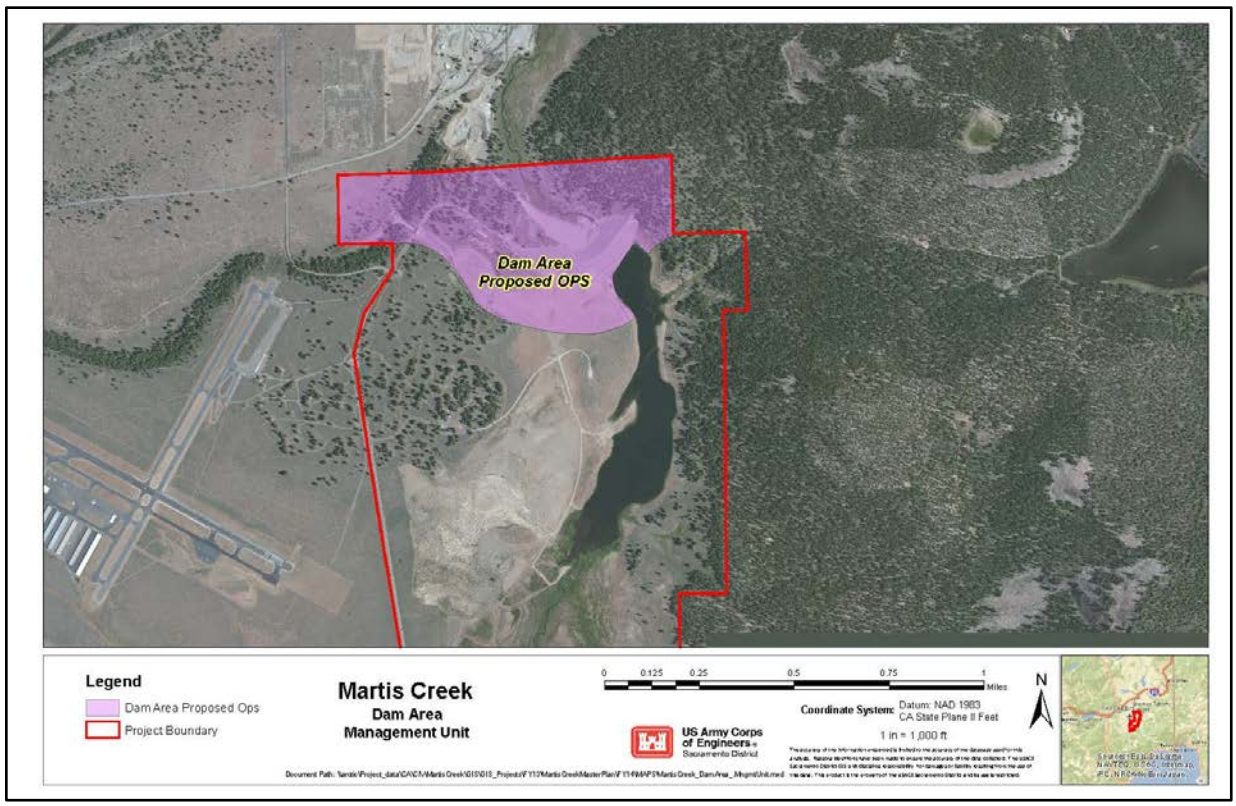


**Figure 2 - MU #1 – Dam Operations and Management**

### 2.2.2 MU #2 - Lake

MU #2 consists of the Martis Creek Lake. Three forks of Martis Creek converge to create Martis Creek Lake. At its lowest level, the lake lies primarily in Nevada County. At its maximum level, the lake can extend into Placer County. The maximum pool water surface of the lake extends from the dam south to the wildlife area. At its maximum pool level, the wetlands in this MU consist of scrub/shrub, seasonal wetlands, intermittent drainage, open water, and wet meadow (USACE 2014).

The lake is used for low-density recreation and is managed as a catch-and-release fishery by the California Department of Fish and Wildlife. The fishing season is defined under California Department of Fish and Wildlife regulations. Currently, the fishing season is from the last Saturday in April until November 15. It is also classified as a restricted water surface for non-motorized boats only. The waters have been designated to protect environmentally sensitive species and ensure public safety.

The resource objectives for this MU include Recreation, Economic Impact, Natural Resource Management, Environmental Compliance, Cultural Resource Management, and Visitor Information and Education. Possible improvements to meet these objectives are listed below:

- Install an ADA compliant fishing pier;
- Develop an Invasive Species Management Plan to control and prevent non-native, invasive species;
- Develop a Fisheries Management Plan to improve fish habitat; and
- Continue catch and release policy.

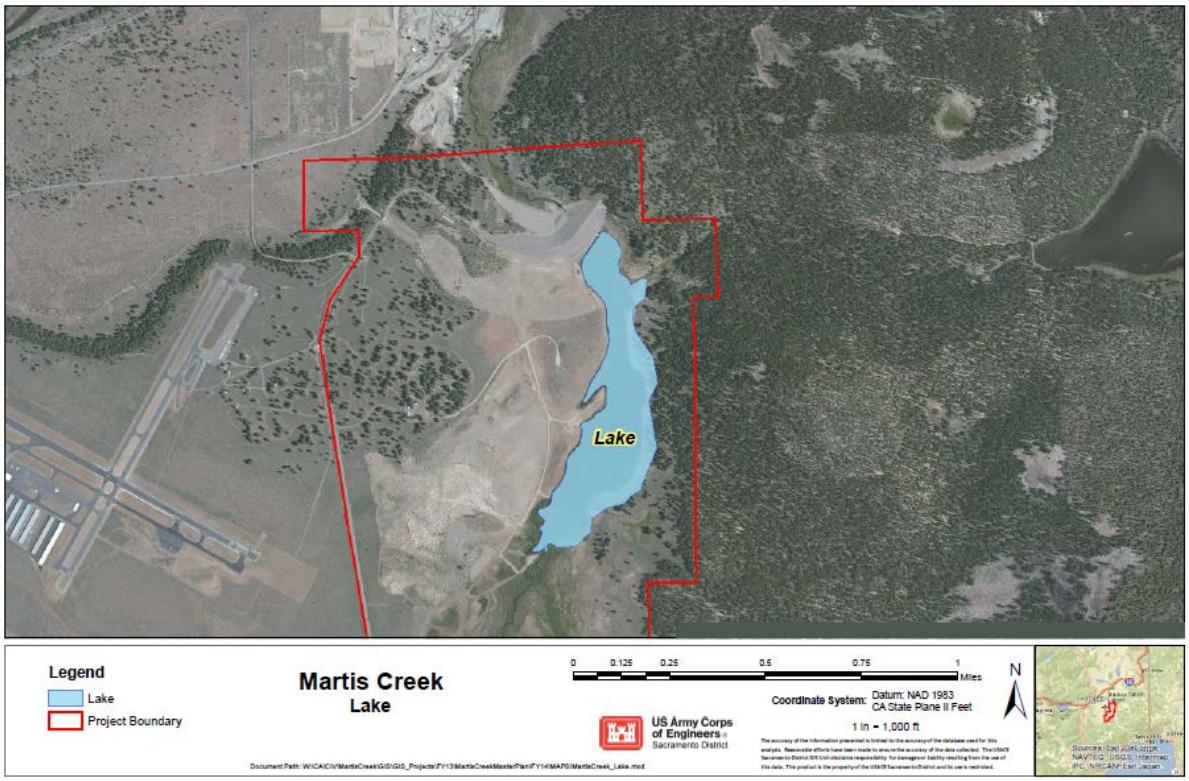


**Figure 3 - MU #2 - Martis Creek Lake**

### 2.2.3 MU #3 – Park/Headquarters Operations

MU #3 includes those lands required for the dam, spillway, levees, offices, maintenance facilities, and other areas that are used solely for the operation and maintenance of the Martis Creek project. Facilities consist of a maintenance compound, headquarters office, maintenance shop, storage area, and parking area.

The MU is located in Nevada County north of Highway 267, along the entrance road to the Martis Creek Recreation Area, and immediately adjacent to the Alpine Meadow Campground. There are no wetlands or other significant habitat in this MU.

The resource objectives for this MU include Economic Impact, Natural Resource Management, Environmental Compliance, Cultural Resource Management, and Visitor Information and Education. Possible improvements to meet these objectives are listed below:

- Construct a storage building for large equipment;
- Improve sewer connectivity;
- Install solar power;
- Increase staffing;
- Implement a year-round water system; and
- Construct a new LEED-certified project headquarters and maintenance facility.

Figure 4 - MU #3 - Park Operations

### 2.2.4 MU #4 – Martis Creek Recreation Area

MU #4 includes lands intended to be developed or are currently developed for intensive recreational activities for the visiting public, including day-use areas and/or campgrounds. This area includes 25 developed campsites, picnic tables, tent pads, barbeque facilities, vault toilets, and an amphitheater.

This MU is located in Nevada County north of Highway 267, along Martis Dam Road, and adjacent to Martis Lake Road. The MU, which surrounds the park headquarters, has

ponderosa pines, sagebrush scrub uplands, sugar pines, and ruderal plants. Understory vegetation consists of a moderate-to-dense stand of bitterbrush, sagebrush, and mules ear. There are no wetlands in this MU.

Resource objectives for this MU include Recreation, Economic Impact, Natural Resource Management, Environmental Compliance, Cultural Resource Management, and Visitor Information and Education. Possible improvements to meet these objectives are listed below:

- Connect MU to septic or public sewer system;
- Develop a group campground and group picnic area with restrooms and shower facilities (solar heating or propane);
- Repair and update campground;
- Expand current campground sites;
- Install new restroom facilities with showers, flush toilets, dishwashing stations, and electrical;
- Provide ADA/ABA-accessible campsites and restrooms;
- Provide limited electrical hookups;
- Install a dump station;
- Plant additional native trees and shrubs;
- Install a playground;
- Develop trail to the playground;
- Implement a Forestry Management Plan to improve forest health;
- Connect trail to the main gate from the group campground and provide ADA/ABA accessibility;
- Develop a designated dog off-leash area with parking spaces in compliance with applicable regulations
    - Develop well water source, benches, picnic tables, trash can with dog waste bags, water features, and other enhancements; and
    - Develop trail from campground to the dog off-leash area.
- Develop a road to the dog off-leash area; and
- Continue rodent control program in the campgrounds to minimize the possibility for plague.

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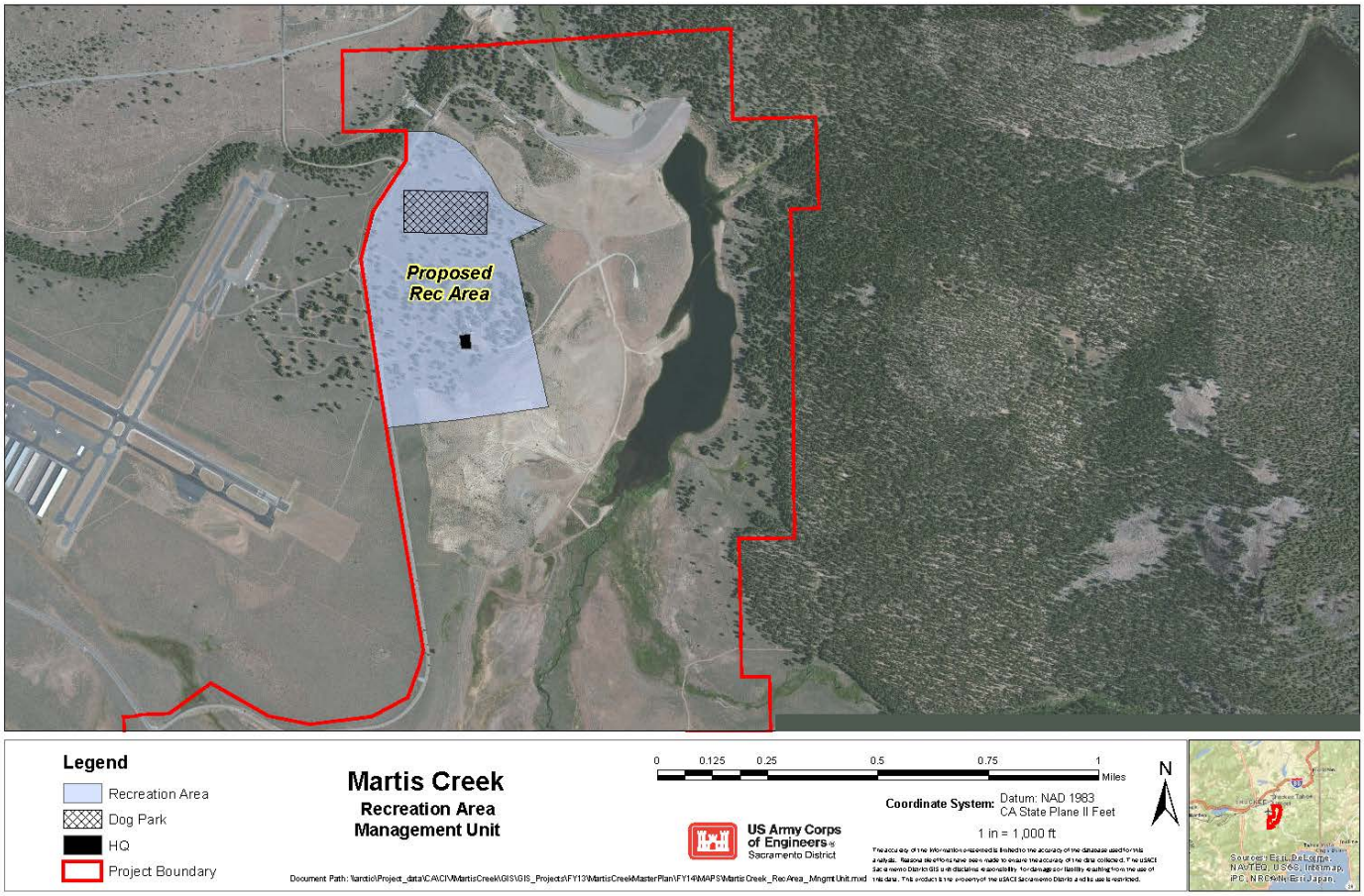


**Figure 5 - MU #4 - Martis Creek Recreation Area**

### 2.2.5 MU #5 – Sierra View Day-Use Area

MU #5 includes lands that are designated for dispersed and/or low-impact recreation use. As a result, development of facilities on these lands is limited. There is currently an emphasis on providing opportunities for non-motorized, low-density, dispersed recreation uses such as walking, fishing, hunting, or nature study. There are two picnic tables with shade shelters, a portable toilet, parking areas, and rock barriers for shoreline protection. Currently, there are no established trails through this MU.

This MU is located north of Highway 267, along Martis Dam Road to Martis Lake Road, The MU borders the west side of Martis Creek Lake. Vegetation in this MU is classified as barren/ruderal, sagebrush scrub/upland, and ponderosa pine. The wetlands in this MU consist of scrub/shrub, seasonal wetlands, intermittent drainage, open water, and wet meadow.

Resource objectives for this MU include Environmental Stewardship, Cultural Resources Management, Recreation, Natural Resource Management, Environmental Compliance, and Visitor Information and Education. Possible improvements to meet these objectives are listed below:

- Install additional picnic shelters, some with barbeques;
- Develop trail segment to larger planned trail around the lake;
- Improve and maintain roads throughout the MU and decommission volunteer trails/roads;
- Design and install interpretive signs regarding biological and cultural resources;
- Develop a radio control airfield area; and
- Install accessible area for fishing.

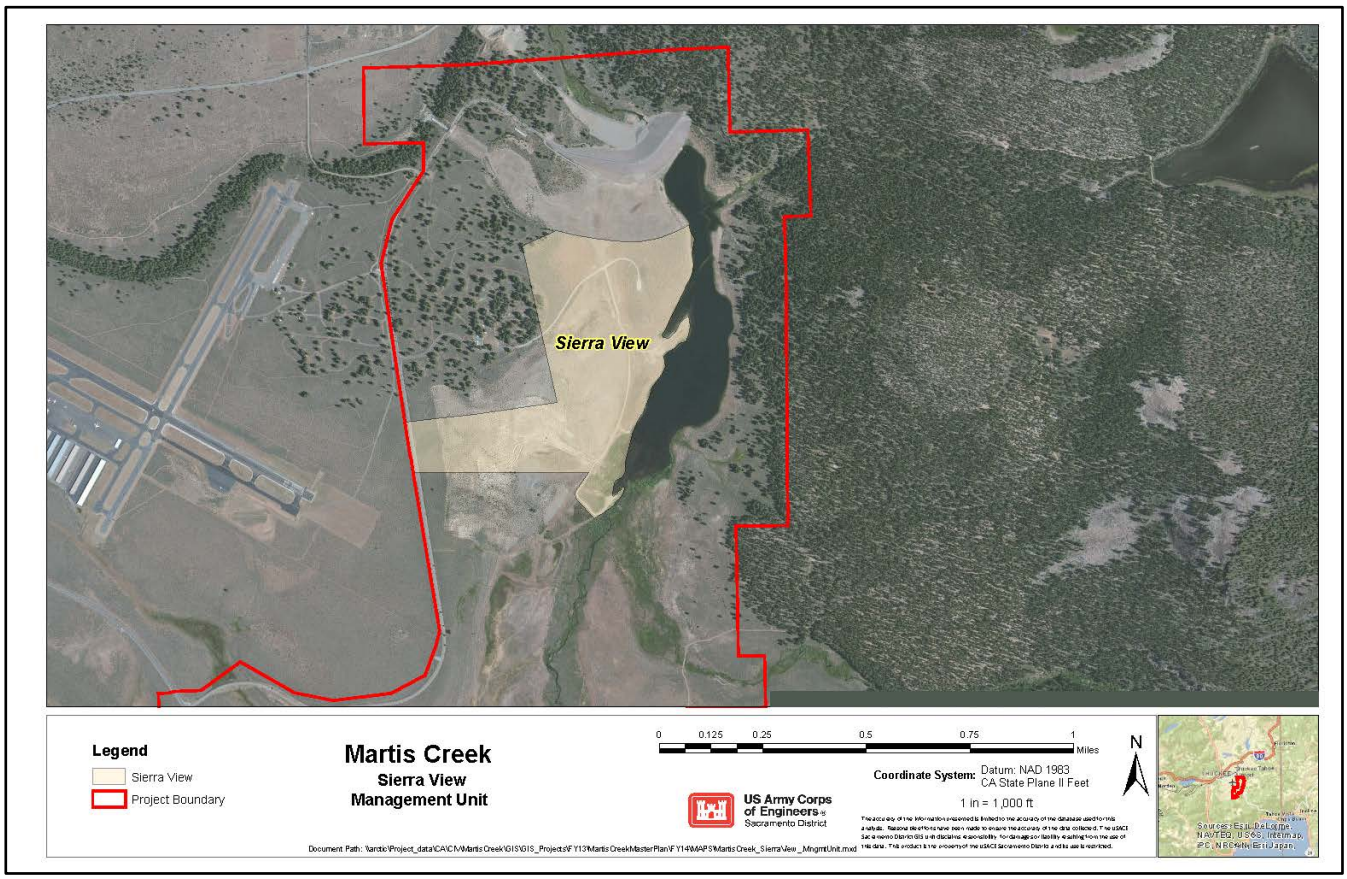


**Figure 6 - MU # 5 - Sierra View Day-Use Area**

### 2.2.6 MU #6 – Sagebrush Day-Use Area

MU #6 includes lands that are designated for dispersed and/or low-impact recreation use. As a result, development of facilities on these lands is currently limited. The MU is used for hunting, hiking, and other low-impact and dispersed recreational activities.

This MU is located Placer County, adjacent to Martis Dam Road, north of Highway 267, and along Martis Creek to the east. The MU also contains a diversity of habitat types and wildlife species, including upland game birds. The topographical relief of this MU is rolling and generally sloping to the east towards Martis Creek. This MU has been greatly impacted throughout time due to the fact it was the used as the primary borrow for construction of the Martis Creek Dam. The vegetation in this MU consists of barren/ ruderal and sagebrush scrub. Wetlands include: open water, shrub/scrub, wet meadow, seasonal wetland, and intermittent drainage. A historic railroad bed is still apparent in the southern portion of this MU.

Resource objectives for this MU include Recreation, Natural Resource Management, Environmental Compliance, Cultural Resource Management, and Visitor Information and Education. Possible improvements to meet these objectives are listed below:

- Construct a bridge across the creek to connect trail around lake;
- Develop a trail from the main parking lot to Waddle Ranch;
- Develop a trail in partnership with the Truckee-Donner Land Trust along the east side of lake to connect with Glenshire and Waddle Ranch;
- Expand the parking lot along Martis Dam Road and install a vault toilet;
- Install picnic area and shade structure;
- Develop trail segment to larger planned trail around the lake;
- Design and install interpretive signs about biological and cultural resources;
- Develop an archery range;
- Protect and maintain habitat by increasing/improving forage, and identify and remove invasive species;
- Study, design, and implement erosion control measures to restore dam borrow area;
- Protect and preserve cultural resources; and
- Rehabilitate the snowmelt drainage system from Martis Dam Road near the junction of Martis Dam Road and Highway 267.

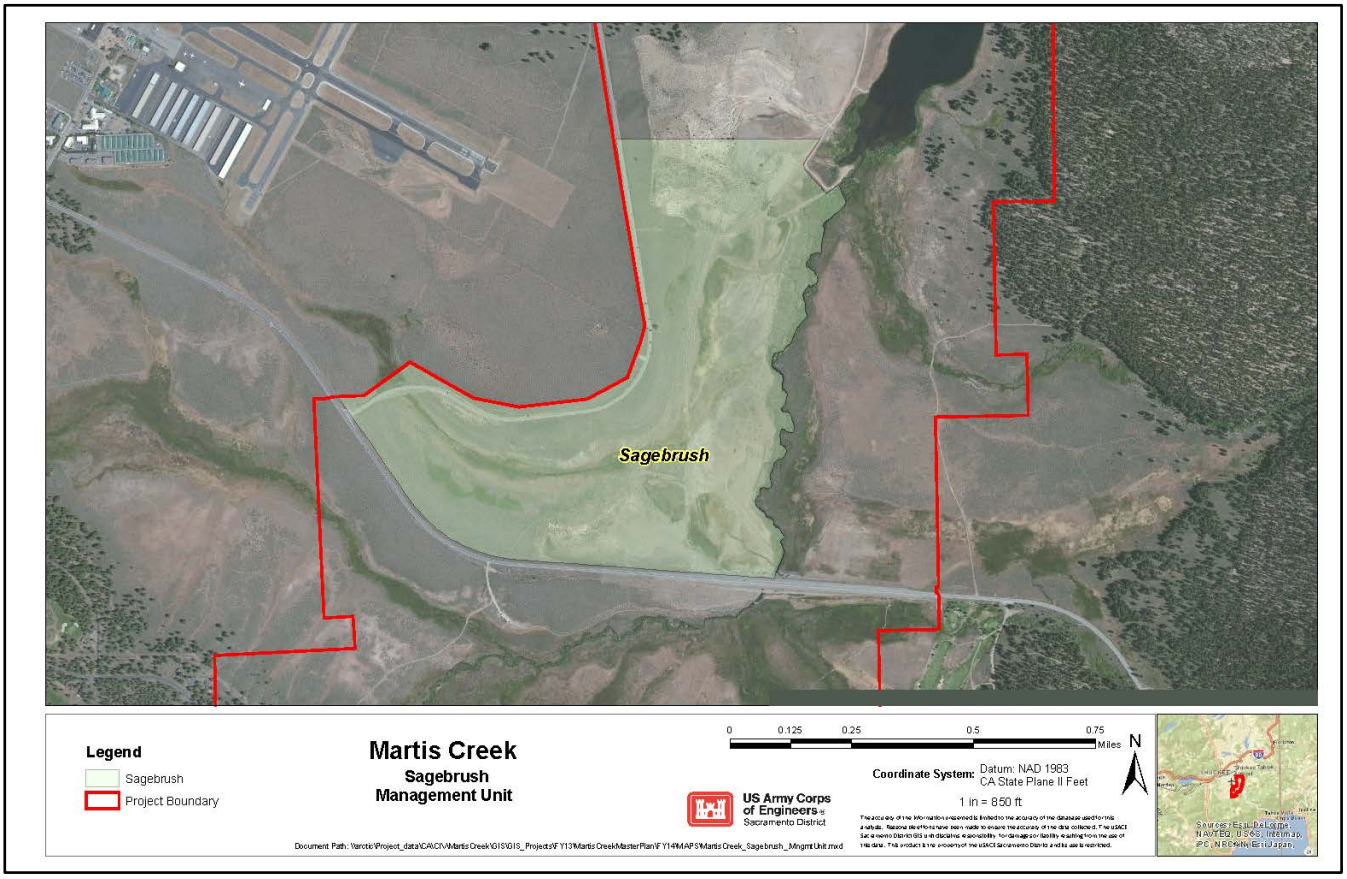


Figure 7 – MU #6 – Sagebrush Day-Use Area

### 2.2.7 MU #7 – Black Bear

MU #7 has limited access and is primarily used for multi-resource and vegetation management. Low density recreation includes hiking, bird and wildlife viewing, and unauthorized mountain biking. This MU is open for the hunting season after the main gate closes at the end of fishing season, in accordance with the California Department of Fish and Wildlife hunting and fishing regulations. This season may be subject to change based on California Department of Fish and Wildlife Regulations. Hunting is prohibited for the rest of the year due to public safety concerns.

This MU is located in both Nevada and Placer Counties. The MU abuts the eastern edge of the Lake and is adjacent to the Waddle Ranch Preserve. Understory vegetation consists of a moderate-to-dense stand of bitterbrush, moderate amounts of sagebrush and Mules ear, and also includes less amounts of lupine, and currant. The MU has several types of wetland, including open water (at restricted pool), shrub/scrub, wet meadow, seasonal wetland, and intermittent drainage.

Resource objectives for this MU include Recreation, Natural Resource Management, Environmental Compliance, and Cultural Resource Management. Possible improvements to meet these objectives are listed below:

- Construct a bridge across the creek to connect the trail around the lake;
- Construct a trail in partnership with the Truckee-Donner Land Trust and any other applicable partners along the east side of lake to connect with Glenshire and Waddle Ranch;
- Install interpretive panels describing native flora and fauna species and their habitat needs;
- Protect cultural and natural resources at Ratchet Cave;
- Conduct trail surveys of unauthorized trails;
- Incorporate unauthorized trails into official trail system, or decommission trails if determined necessary;
- Restore decommissioned trails with native vegetation, and deter future unauthorized use through outreach/education and enforcement of Title 36;
- Install signs informing the public of seasonal closures for mountain bike trails; and
- Create an archery range.

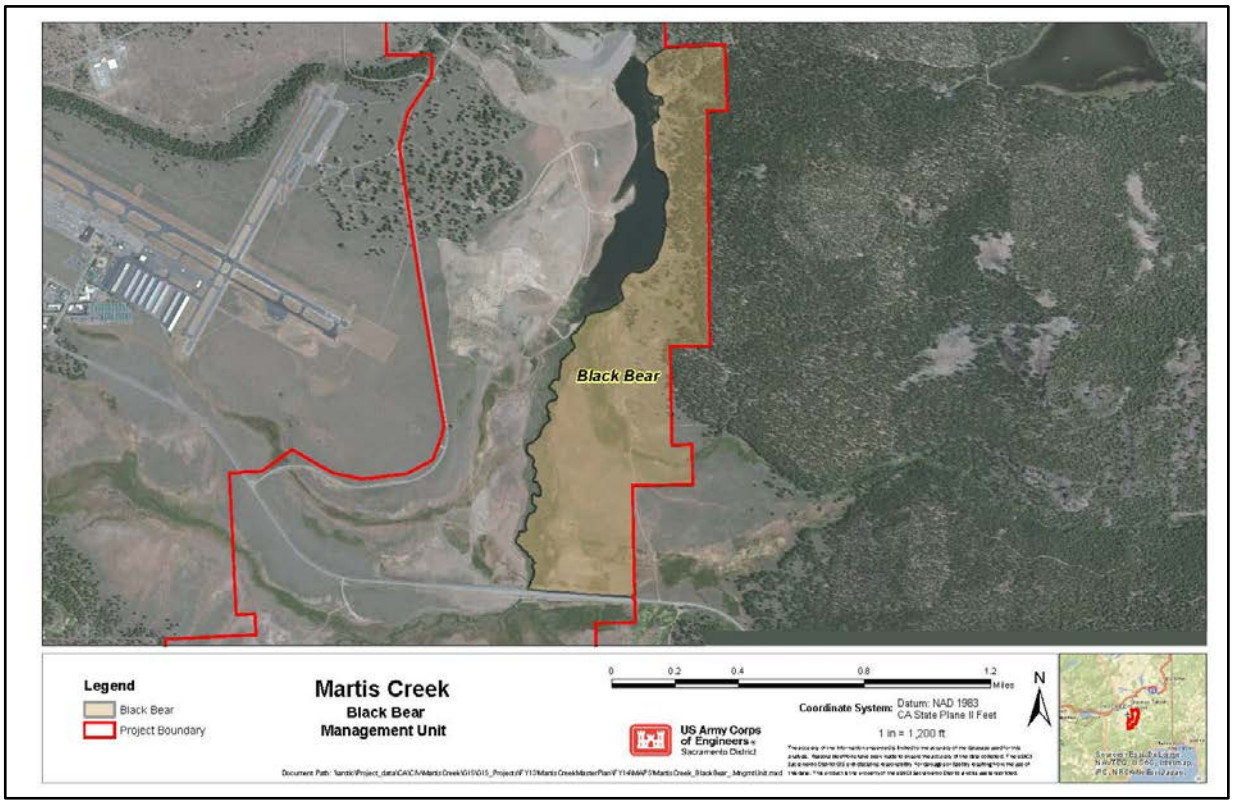


Figure 8 - MU #7 - Black Bear

### 2.2.8 MU #8 – Transportation Corridor

MU#8 is a transportation corridor that includes a section of Highway 267 and a CalTrans road easement as well as portions of other public utility easements. The MU also serves as a multi-use recreation pedestrian trail that parallels Highway 267, south of the CalTrans road easement.

The MU is located just to the south of and parallel to Highway 267. In addition to the highway and trails, the MU has wetlands, including scrub/shrub and open water.

Resource objectives for this MU include Recreation, Natural Resource Management, Environmental Compliance, Cultural Resource Management, and Visitor Information and Education. A possible improvement to meet these objectives is to construct a paved, hardened, or raised multi-use trail that would connect to other trails in the local area.

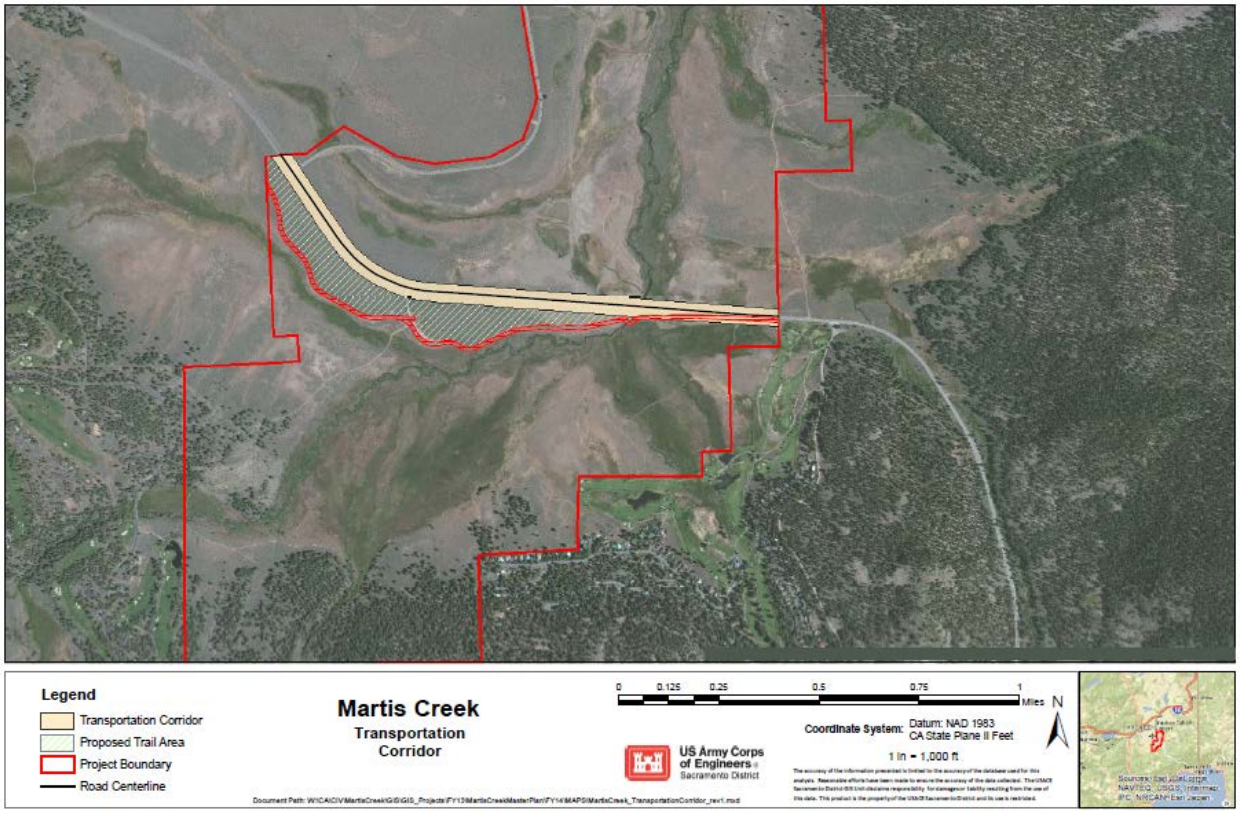


Figure 9 - MU #8 - Transportation Corridor

### 2.2.9 MU #9 – Wel-mel-ti Wildlife Area

MU #9 is located in an environmentally sensitive area. Low density recreation involves use of trails through the MU and includes activities such as on-leash dog walking and running, hiking, mountain biking, and wildlife viewing.

The MU is located in Placer County, south of Highway 267 and 3 miles south of Truckee. The MU contains a parking area located one-fourth mile east of the main entrance to Martis Creek Lake. There are several wetland areas in this MU, including open water, scrub/shrub, wet meadow and intermittent drainage areas.

The resource objectives for this MU include Recreation, Natural Resource Management, Environmental Compliance, Cultural Resource Management, and Visitor Information and Education. Possible improvements to meet the objectives are listed below:

*Environmentally Sensitive Areas*

- Protect and preserve scientific, ecological, cultural, or aesthetic resource sites while meeting other project resource objectives;
- Ensure that no degradation or net loss of wetland areas occurs;
- Preserve and/or restore wildlife habitat;
- Provide a resource-oriented recreation opportunity in as natural an environment as possible;
- Rehabilitate and restore the borrow pits used for the construction of the dam;
- Continue creek restoration projects in accordance with Section 404(b)(1) guidelines and in coordination with local water district;
- Implement a Forest Management Plan for forest health and fuels reduction; and
- Preserve and protect cultural resources

*Low-Density Recreation Areas*

- Maintain low density recreation;
- Develop and implement a Trails Management Plan and manage erosion;
- Create GPS database of all trails, and decommission/rehabilitate unauthorized trails;
- Officially mark the trails with signs and document in a MPU supplement;
- Decommission volunteer trails;
- Decommission unauthorized entry points onto project lands from adjacent properties;
- Ensure authorized trails do not affect wetlands or degrade sensitive habitats;
- Establish agreement with Northstar outlining trail management details;
- Establish agreement with Lahontan and Northstar communities for their access to the project;

- Require dogs on leash at all times to protect aquatic resources and wildlife habitat and to comply with Placer County ordinances and existing Corps regulations (36 C.F.R. § 327.11);
- Develop habitat improvement projects such as raptor perches;
- Develop and implement a non-native invasive species plan; and
- Develop and implement a Cultural Resources Management Plan.

*Other Possible Actions*

- Restore borrow site areas and revegetate with native species;
- Conduct a trail use survey to determine if additional picnic shelters and other improvements are needed;
- Decommission unauthorized or volunteer trails to minimize effects to habitat and species, and discourage continued use and/or creation of these trails through public outreach and education;
- Conduct surveys to determine legal boundaries and verify border fencing, and work to resolve boundary encroachment issues;
- Remove barbed wire from all fencing and replace with smooth wire for human and wildlife safety, and remove any fencing that is not serving a function;
- Move parking lot close to main entrance for safety and increased parking capacity;
- Install a vault restroom in the new parking lot;
- Provide year-round staff; and
- Install interpretive displays for natural, historic and cultural resources.

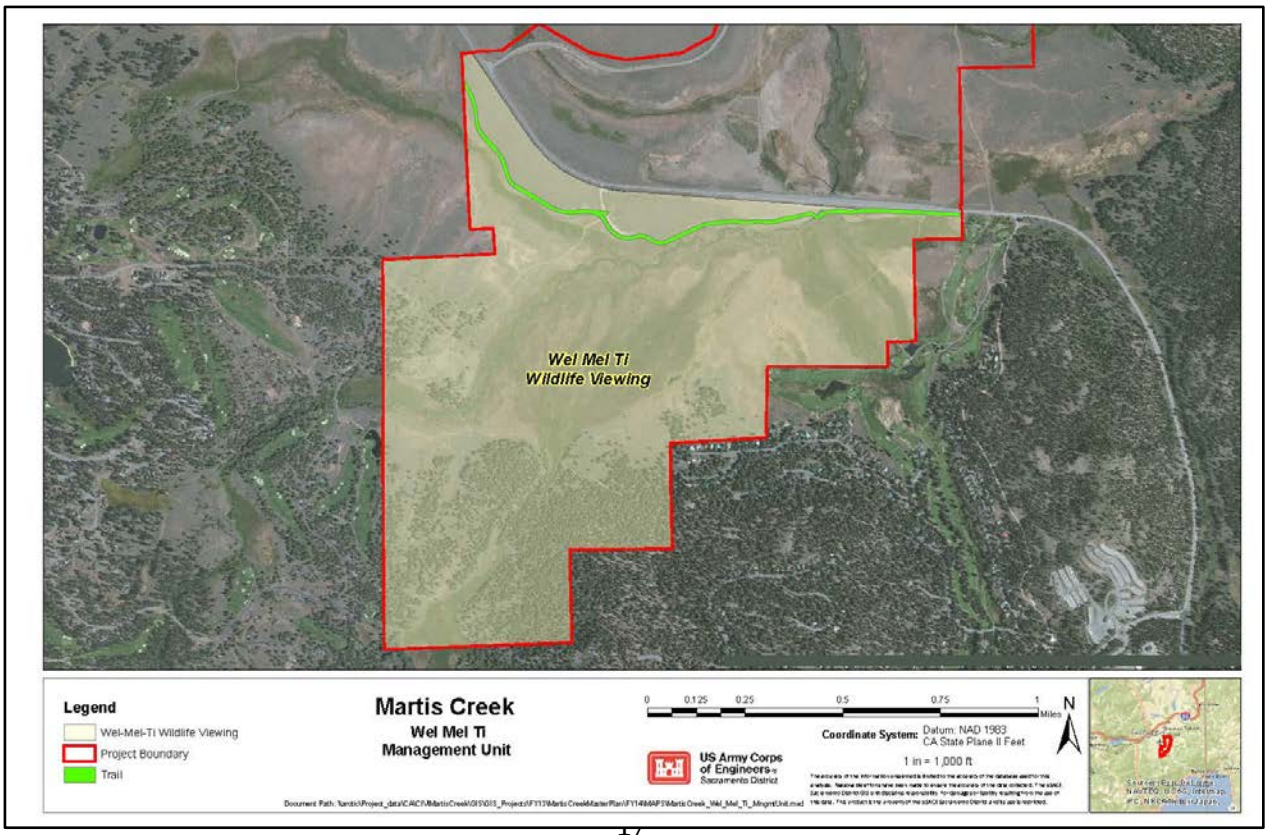


Figure 10 - MU #9 - Wel-Mel-Ti Wildlife Viewing Area

# 3 Affected Environment and Environmental Consequences

This section describes the environmental resources in the project area and evaluates the potential effects of the alternatives on those resources. Those resources not evaluated in detail are identified first and then followed with detailed discussions of those resources evaluated in detail. As noted in Section 1.4, the MPU is programmatic in nature and serves as a guide for future projects. As a result, the evaluation is limited to a qualitative assessment of the types and significance of the effects of potential improvement projects that are described in the MPU that could be implemented to meet the specific objectives identified for the MU's. Subsequent environmental documentation will be needed prior to implementation of specific MPU projects.

## 3.1 Environmental Resources Not Evaluated in Detail

Initial evaluation of the potential effects of the MPU and type of possible improvements indicated that the alternatives would likely have minimal to no effect on several resources. First, the alternatives would not affect any regional resources, including climate change, geology and seismicity, surface topography, and soil formations, because of the small scope of the improvements.

In addition, the socioeconomic conditions in Nevada and Placer Counties would continue to depend on factors such as social trends and overall economic conditions. There would be no socioeconomic impacts on nearby communities associated with this project. There would be no disproportionate adverse effects on any minority or low-income groups because all visitors could benefit equally from improvements to the extent possible.

Finally, no hazardous, toxic, or radiological waste sites have been identified in the project area, and there would be no effects on hydrology and hydraulics because no changes would be made to the operation of the Martis Creek project. As a result, these resources are not evaluated in detail in this EA, but could be evaluated in detail in subsequent environmental documents for proposed specific improvements.

## 3.2 Environmental Resources Evaluated in Detail

### 3.2.1 Recreation

**Existing Conditions**

Martis Creek Lake and Dam is located in the Sierra Nevada Mountains near Lake Tahoe. The area extends up the Martis Creek corridor and consists of approximately 1,891 acres. This

large open space area, along with additional adjacent public and privately owned lands, provides the most prominent feature of the valley.

Due to winter weather conditions, the park is closed from mid-November through late April. The park office, located at Englebright Lake, is open all year. The following recreational opportunities are offered at Martis Creek Lake:

- Ranger Programs: Campfire programs are presented in the amphitheatre from July through Labor Day. The amphitheatre is located in the center of the campground, and parking is available just outside of the campground.
- Camping: 25 campsites are currently available on a first come, first serve basis at the Alpine Meadows Campground, however, they may be put on the National Recreation Reservation Service in the future. Campsites have a paved parking space, picnic table, tent pad(s), fire ring, and a barbecue grill.. Water faucets and vault restrooms with running water are also provided. No electricity is available. A public pay telephone is available.
- Boating: Non-motorized vessels such as canoes and kayaks are allowed in the lake. No motorized (gas or electric) boats are permitted.
- Fishing: Martis Creek Lake was the first "catch and release trophy trout" lake established in California, as well as California's first reservoir to be designated Wild Trout Water. Varieties include rainbow, brown and Lahontan cutthroat trout. Currently, there are self-sustaining populations of rainbow and brown trout in the creek and the reservoir (California Trout, 2013). The watershed remains Wild Trout Water for its angling opportunities.
- Trails: The Martis Creek Wildlife Area, on the west side of Hwy 267, offers a 4.3-mile hiking and biking trail that loops around the valley. The trail goes along Martis Creek, through conifer forests and open meadows. The trailhead for the 1,400-acre Waddle Ranch Conservation Area is at the end of Martis Dam Road.
- Day Use: Picnicking facilities, fishing access, and portable restrooms are available at the Sierra View Recreation Area. Park facilities are closed during the winter months, but cross-country skiing and snowshoeing are permitted. Winter parking space is limited.

In 2012, about 36 percent (%) of total Martis Creek Lake visitation occurred in the summer months, and 17% took place during the winter months (Table 1 - Fiscal Year 2012 Monthly Visits to Martis Creek Lake). Annual visitation trends from 2004 show that 2012 was the most visited year, with 124,980 visits, and that visitation has generally increased over the past 8 years (Table 2 - Martis Creek Lake Yearly Visitation Trends). Yearly activity trends show that winter visits and other types of visitation (e.g., exercise and nature appreciation) have been the most popular activities at the lake, with fishing, picnicking, and sightseeing accounting for approximately 15% to 20% of visits (Table 3 - Martis Creek Lake Yearly Activity Trends). Only 1% of visits are for camping, and there are no records of hunting, swimming, or boating (Table 3

- Martis Creek Lake Yearly Activity Trends). Although park staff are aware of infrequent hunting in the area numerical data have not been obtained for this use. Further, while motorboats are not allowed, non-motorized watercraft can be used, but numerical data has not been obtained for this category.

**Table 1 - Fiscal Year 2012 Monthly Visits to Martis Creek Lake**

| Fiscal Year 2012 Monthly Visits to Martis Creek Lake | |
|---|---|
| **Month** | **Visits** |
| October | 12,262 |
| November | 5,103 |
| December | 7,662 |
| January | 7,963 |
| February | 8,649 |
| March | 9,573 |
| April | 5,975 |
| May | 9,319 |
| June | 11,135 |
| July | 14,404 |
| August | 19,994 |
| September | 12,941 |
| **TOTAL FY 12 VISITS** | 124,980 |

**Table 2 - Martis Creek Lake Yearly Visitation Trends**

| Martis Creek Lake Yearly Visitation Trends | |
|---|---|
| **Year** | **Visits** |
| FY04 | 44,147 |
| FY05 | 66,319 |
| FY06 | 68,714 |
| FY07 | 104,193 |
| FY08 | 101,374 |
| FY09 | 107,623 |
| FY10 | 94,620 |
| FY 11 | 85,357 |
| FY 12 | 124,980 |
| **Totals** | 797,327 |

**Table 3 - Martis Creek Lake Yearly Activity Trends**

| Martis Creek Lake Yearly Activity Trends | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Year** | **Camping** | **Picnic** | **Boating** | **Fishing** | **Hunting** | **Skiing** | **Swimming** | **Other** | **Sight-seeing** | **Winter Visit** |
| FY 12 | 1% | 5% | 0% | 5% | 0% | 0% | 0% | 59% | 9% | 22% |
| FY 11 | 1% | 5% | 0% | 6% | 0% | 0% | 0% | 53% | 8% | 28% |
| FY 10 | 1% | 4% | 0% | 5% | 0% | 0% | 0% | 54% | 7% | 29% |
| FY 09 | 1% | 4% | 0% | 4% | 0% | 0% | 0% | 48% | 7% | 37% |
| FY 08 | 1% | 4% | 0% | 4% | 0% | 0% | 0% | 48% | 7% | 36% |

**Potential Environmental Effects**

Basis of Significance.

Effects to recreational resources are considered significant if the project would; (1) eliminate or severely restrict access to recreational facilities and resources; or (2) result in a substantial long-term disruption of use of an existing recreation facility.

No Action Alternative.

Under this alternative, the Master Plan would not be updated, only existing recreational opportunities would continue, and only the current master plan improvements could be implemented (USACE 1977).

Master Plan Update.

The MPU identifies several ways improve recreation opportunities in all MU's except MU #1 and MU #3. Potential methods of improving recreation opportunities include:

- Improving habitat and fishery health in Martis Creek Lake;
- Installing a new fishing pier;
- Develop new and/or improve existing campgrounds and picnic areas;
- Develop new and/or improve existing trails;
- Installing informational signage;
- Creation of a designated off-leash dog area;
- Creation of an archery range; and
- Creation of a playground.

Implementation of any of these projects would result in greater recreational opportunities in the long term. Construction of these new features could results in temporary short-term closures of recreation areas. Additional effects could include increased noise, dust, and disruption from increased people and activities during construction. Recreation would be temporarily effected by possible closure of parking lots, campgrounds and picnic areas, and generally by increased activity. The effects are expected to be minor and temporary and therefore would be less than significant..

Currently, it is common for dogs to be off leash on trails outside of the campground and other developed areas. However, the Corps regulations (36 C.F.R. § 327.11) only allow dogs to be off-leash in undeveloped areas of any Corps property. Section 327.11 states: "No person shall bring or allow dogs, cats, or other pets into developed recreation areas or adjacent waters

unless penned, caged, on a leash under six feet in length, or otherwise physically restrained." Additionally, Chapter 6 of the Placer County Code also requires that dogs be kept on a leash (with a maximum length of 6 feet) when not within the dog's owner's property. The MPU would require all dogs not in the off-leash dog area, to be on-leash on Corps property as stated in the codes and regulations. This compliance with Corps and County policy would result in a reduction in the area that off-leash dogs are allowed, however dogs would still be permitted in the rest of the project area on-leash, unless there are seasonal closures due to nesting birds or other resource constraints, therefore the effects are expected to be less than significant.

Prior to implementation of any projects, site specific NEPA documentation would be completed to evaluate specific project impacts.

### 3.2.2 Wildlife

**Existing Conditions**

Wildlife Habitat Types

Various land cover types are found in the Martis Valley, providing habitat for a variety of wildlife species. Most of the project area can be grouped into the following primary wildlife habitat types: wet meadow, montane riparian, sagebrush, ponderosa pine, riverine, and lacustrine (DFG 1988). The wildlife associated with each habitat type are summarized below. Special-status wildlife species are discussed under Section 3.2.6.

*Wet Meadow*

Wet meadow habitat in the project areas Valley can provide valuable foraging habitat for waterfowl, shorebirds, and some larger mammals such as mule deer. Wet meadow can also provide valuable foraging and breeding habitat for reptiles and amphibian species, such as mountain garter snake and Pacific chorus frog, and resting and foraging habitat for migrating species, such as sandhill crane.

*Montane Riparian*

Montane riparian habitat in the project area provides cover, forage, and nesting habitat for a number of species, and different species use different aspects of this habitat for their survival. The typically linear nature of montane riparian habitat offers use as migration corridors by mammal species. In addition, the linear quality optimizes edge habitat, which can be highly productive for wildlife.

In general, the montane riparian habitat is valuable for many birds, mammals, reptiles, and amphibians. Some species that may use this habitat in the project area include Wilson's warbler, long-tailed vole, vagrant shrew, Pacific chorus frog, and Sierra gartersnake.

*Sagebrush*

Sagebrush habitat represents a mesic to dry shrub community in the Martis Valley. This habitat acts as a transition between wetter meadow/riparian habitats and forested habitat, and includes the silver sagebrush scrub and sagebrush scrub upland vegetation communities. It offers valuable cover, forage, and nesting habitat for a number of wildlife species and is especially important to game animals, including mule deer. Many species of small mammals and songbirds use this habitat for breeding and foraging, including deer mouse, California ground squirrel, and songbirds such as western meadowlark and sage sparrow. This habitat is also valuable for foraging raptors, which include red-tailed hawks and bald eagles. Some amphibian and reptile species also make use of this habitat type (e.g., western fence lizard).

*Ponderosa Pine Forest*

Within the study area, ponderosa pine forest habitat is sparse and consists primarily of isolated stands of mid- to large-sized trees with low canopy cover. Snags, which provide important habitat values for various wildlife species (e.g., nesting birds, resting mammals, and as hunting perches for raptors), are limited throughout the study area.

Ponderosa pine forests provide habitat for a variety of birds, such as woodpeckers, nuthatches, and kinglets. Within the study area, forest habitat has a unique value because of its close proximity to large open meadow habitat. Consequently, ponderosa pine forest habitat within the study area has specific value in providing perch sites for raptors such as red-tailed hawk, great-horned owl, and Cooper's hawk that use meadow areas for foraging. It also may provide suitable nesting habitat for species such as mountain chickadee, white-breasted nuthatch, northern flicker, and white-headed woodpecker.

Ponderosa pine forests also provide suitable forage and denning habitat for a variety of mammal species, such as golden-mantled ground squirrel, California ground squirrel, western gray squirrel, Douglas' squirrel, and yellow-pine chipmunk. Ponderosa pine trees offer potential roosting habitat for common bat species, such as hoary bat and little brown bat and also provide important habitat for larger mammals, such as raccoon, coyote, black bear, and possibly mule deer.

*Riverine*

Riverine habitat within the primary study area consists of Martis Creek and its tributaries, which flow throughout the area. Riverine habitat provides water for a number of wildlife species and also supports foraging habitat for a number of waterbirds as well as bat species that feed on emergent insects supported by stream environments. Shallow, vegetated areas at the stream margin can support a number of aquatic insects as well as amphibians, which provide forage for a variety of waterbirds, such as great blue heron and American dipper. Amphibian species that may be supported by riverine habitat present within the study area include Pacific chorus frog.

Additional habitat values for stream habitat relevant to aquatic species are discussed in Section 3.2.5.

*Lacustrine*

Approximately 56.75 acres of lacustrine (open water) habitat are present within the study area at Martis Creek Lake Reservoir. The predominance of Eurasian milfoil reduces the amount of available nutrients in the water, thus limiting the number of fish and other aquatic life present in the reservoir. However, the reservoir provides foraging habitat for a number of waterfowl and shorebird species, including American coot, mallard, and western grebe. The open water habitat within the study area also holds added value for nesting waterfowl and shorebird species because of its close proximity to wet meadow, montane riparian, and sagebrush habitats. It also may function as a valuable stopover site for migrating birds, such as white pelican, which have been observed by park staff at the reservoir on occasion. Additional habitat values for lacustrine habitat relevant to aquatic species are discussed in Section 3.2.5.

<u>Dogs and Wildlife</u>

These habitat types as described above are also used heavily by recreationists with dogs. When dogs accompany recreationists on trails on-leash, their activity is usually concentrated along a relatively narrow corridor (i.e. trail) within a natural setting and has little impact on the surrounding area, provided that any defecation is picked up. However, the high presence of dogs off-leash on recreational trails can result in altered patterns of habitat utilization by wildlife species. Corps staff has observed between 100-200 dogs a day in the wildlife area on a given weekend. A study by Colorado State University showed that Mule deer activity was significantly lower in proximity to trails in areas that allow dogs, and this effect extended at least 100 m off-trail (Lenth et al., 2006). Small mammals, including squirrels, rabbits, chipmunks, and mice also exhibited reduced levels of activity in proximity to trails in areas with dogs, and this effect extended at least 50 m off-trail.

Additionally, dogs are avid chasers, and through chasing often displace wildlife from their habitats, particularly when certain species, such as deer, perceive dogs as predators and avoid areas where they could be chased (Lenth et al., 2006). Recreational trails with abundant dog scent could appear to carnivores to be linear dog territories, necessitating increased caution and possibly deterring their activity.

For wildlife populations, the greatest consequences from interactions with dogs may come from the role dogs play as a vector for the transmission of disease. In a review, Sime (1999) notes that dogs are a potential vector for canine distemper, rabies, parvovirus, plague, giardia, and muscle cysts.

Abraham, 2001, determined that in California, the presence of dogs along trails correlated with lower detections of raptors and egrets. The annual mid-winter eagle survey conducted in

January of each year at Martis has shown little to no bald eagles, golden eagles, or ospreys in the wildlife area.

Most dogs defecate very soon after arriving at a trail, and many visitors do not walk dogs much beyond the trailhead. However, the dogs that are allowed to continue along the course of the trail continue to urinate and scent-mark areas previously marked by other dogs and carnivores, creating what may seem to native carnivores to be a dog territory. Foxes and other carnivores, especially canids, may be attracted to these areas to patrol, maintain, and possibly defend their territories (Henry 1977).

**Potential Environmental Effects**

Basis of Significance.

A project would significantly affect wildlife if it would: (1) significantly reduce the amount of wildlife in the project area to a point that native wildlife could not live or survive in the project area; or (2) permanently remove or disturb sensitive wildlife communities.

No Action Alternative.

Under the No Action Alternative, wildlife in the Martis Creek Lake area would continue as described under current conditions and only the current master plan improvements could be implemented (USACE 1977). The potential for certain wildlife types to be adversely affected by off-leash dog activities in areas outside of the campground and other developed areas would continue.

Master Plan Update.

The MPU includes several potential projects in all of the MU's that could potentially affect wildlife. These include projects such as:

- Creating Management Plans for resources such as wetlands, invasive species, fisheries, forestry, and trails;
- Building new or improving existing infrastructure such as restrooms, sewer systems, piers and a storage facility;
- Improving habitat and fishery health in Martis Creek Lake;
- Developing new and/or improve existing campgrounds and picnic areas;
- Developing new and/or improve existing trails;
- Developing new and/or improve existing roads;
- Creation of a designated off-leash dog area;
- Creation of an archery range; and
- Creation of a playground.

Direct impacts from the MU projects could include temporary construction-related effects such as noise, increased dust and general disturbance that could affect wildlife and cause them to move from the immediate area. However, these projects are relatively small in extent and would occur over a short time frame, therefore, it is not likely that the effects to wildlife would be significant. Some projects, such as the creation of new campsites or trails, could reduce habitat availability and connectivity in small areas. Indirect effects could include increased human presence and activities that could disrupt wildlife in various areas.

The enforcement of the Corps and Placer County leash requirements in the habitat areas would be a beneficial effect to wildlife. It would provide better protection of native wildlife and their habitat (including reducing potential harassment or disturbance by dogs) and would minimize degradation of vegetation, soil and water resources utilized by wildlife.

Effects are expected to be minor and/or temporary, and therefore would be less than significant. Prior to implementation of any project, site specific NEPA documentation would be completed to evaluate specific project impacts on wildlife.

### 3.2.3 Water Quality

**Existing Conditions**

Surface Water Quality

Surface water within the Truckee River Basin primarily originates as mountain snowmelt of good water quality. However, exposure to pollutants and sedimentation generated from human activity and development has impaired reaches of the River within the vicinity of Truckee. According to the Lahontan Regional Water Quality Control Board (LRWQCB), the Truckee River is on the Clean Water Act Section 303(d) list of impaired water bodies for elevated levels of sedimentation, iron, and phosphorus and the Regional Water Quality Control Board's (RWQCB) "Watch List" for chloride and total dissolved solids (TDS). "Impaired" refers to water bodies that do not or are not expected to meet water quality standards despite compliance with the National Pollutant Discharge Elimination System (NPDES) permit requirements (33 U.S.C §1251).

Generally Martis Creek Lake is considered a mesotrophic lake with low water clarity due to algal blooms and sediments suspended by wind action. Martis Creek Lake is able to maintain aerobic conditions (available dissolved oxygen) throughout the water column during warm late summer months. Martis Creek Lake is usually cool (<20ºC) in the late summer. Due to both the cool late summer temperatures and relatively high dissolved oxygen concentrations in the lake year-round, coldwater fish species could survive in the lake year round.

Under present operation criteria, Martis Creek Lake has the potential for algae blooms every summer and when conditions are right (light penetration, nitrogen, and phosphorus), these blooms may occur. The nutrient–rich waters of the inflow, shallow depth of the lake, which

keeps much of its volume in a euphetic zone, and the cold water nutrients, cause heavy growth of blue-green phytoplankton in the summer. The cause of the nutrient inflows in sufficient quantity to simulate heavy phytoplankton blooms is unknown.

Water Quality Monitoring

Water quality monitoring by the Corps initially began at Martis Creek Lake in 1974, stopped in 1978, then resumed in 1996. There are two sample events a year, spring (April) and late summer (August). Since the start of the monitoring program, a water quality report is produced periodically to list results and address any concerns in the watershed. The 2011 Martis Creek Lake monitoring and sampling results indicated that the lake can continue to successfully support coldwater fish species since its average temperatures is below 20 degree Celsius and dissolved oxygen higher than 8 mg/L. Turbidity, salinity, and specific conductivity results in 2011 did not exceed the water quality objectives in the Basin Plan (LRWQCB 1995). Metals, nutrients, and inorganic analysis with the exception of Total Kjeldahl Nitrogen TKN are in compliance with the water quality regulations. None of the water chemistry results showed water quality concerns. According to temperature profiles taken by the Corps, Martis Creek Lake is a well-mixed shallow lake. In 2011, the lake was semi-stratified in the summer months and the layers disappeared in the spring (May) and the fall (October). The average profile temperature in the summer was $62.2^0$ F. Winter profile was not recorded because Martis Creek Lake freezes in the winter. The average summer temperature from continuous monitoring was $65.5^0$ F. Temperatures are usually higher at the surface of the lake in the summer. From the temperature data, Martis Creek Lake should be able to support coldwater fish species since the average temperature from 2011 data was less than $68^0$ F.

Corps sampling data from in 2011 shows that on average, pH values in the lake were slightly basic (pH average is 8.5) throughout the water column. The continuous monitoring data show that the average pH value was 9.8. The profile and the continuous monitoring data show that the top 1.5 meters of the lake is usually more basic than the rest of the water column in the summer.

The 2011 profiles show turbidity was less than 10 NTU throughout the water column except near the bottom of the lake. The turbidity readings near the bottom were 2 to 50 times higher than the rest of the water column. Continuous monitoring data shows that turbidity was 0 NTU most of the time and turbidity rarely went above 20 NTU. The average turbidity reading from the continuous monitoring data was 0.2 NTU. According to the Basin Plan water quality objectives, turbidity shall not be raised above 3 NTU mean of monthly means. The profiles and the continuous monitoring data show that the turbidity at Martis Creek Lake meets the water quality objective outlined in the Basin Plan.

Additionally, off-leash dogs can increase turbidity and degrade water quality when dogs play or run through aquatic habitats by stirring up sediments into the water column. Dog waste can also increase nutrient levels in aquatic habitats which can alter the growth and type of vegetation in an area, including algal blooms. This affects the ability of wildlife and people to use the area.

**Potential Environmental Effects**

Basis of Significance.

A project would significantly affect water quality if it would: (1) result in the loss of a surface or groundwater resource, or (2) impair or pollute water quality.

No Action Alternative.

Under the No Action Alternative, existing water quality would generally remain as described for existing conditions. The predominance of Eurasian milfoil reduces the amount of available nutrients in the water, thus limiting the number of fish and other aquatic life present in the reservoir.

Master Plan Update.

The MPU includes several potential projects in MU #2, #6, #7, and #9 that could potentially effect water quality. These include projects such as:

- Installing a pier;
- Controlling invasive aquatic plant species, such as European milfoil;
- Installing new bridges;
- Increasing recreation opportunities around the lake, stream, or wetlands; and
- Rehabilitating the snowmelt drainage system.

Direct impacts from projects in the MU's could cause temporary effects to water quality, such as increased sedimentation, if they are near the lake, adjacent streams, or wetlands. BMP's would be implemented during construction to reduce any adverse affects. If applicable, 404 and 401 permits would be obtained and a SWPPP prepared prior to construction.

Indirect impacts could occur due to increased recreation activities associated with projects in the MUs that are near the lake, adjacent streams, or wetlands. These impacts are expected to be avoided or reduced as part of the project implementation. Water quality in the wetland areas is expected to improve with the enforcement of the on-leash dog requirements in the MU's.

Utilization of BMP's would reduce any effects to less than significant. Site specific environmental documentation would be prepared for each project prior to implementation.

### 3.2.4 Vegetation and Wetlands

**Existing Conditions**

Land cover present within the study area includes both vegetated and nonvegetated areas. Vegetation communities include shrub-scrub wetland, seasonal wetland, intermittent drainage, wet meadow, dry montane meadow, sagebrush scrub upland, and ponderosa pine forest; nonvegetated areas include riverine, lacustrine, and barren/ruderal.

Wetland habitats in the study area, including shrub-scrub wetland, seasonal wetland, intermittent drainage, wet meadow, and open water (Martis Creek and Martis Creek Lake Reservoir), would be considered sensitive habitats as defined below Figure 11 - Delineation of Wetlands and Other Waters of the US for Martis Creek shows the location of delineated wetlands in the project area. Most of the areas within these habitats would be designated as Stream Environment Zones. These areas are considered jurisdictional by USACE and the Lahontan RWQCB under Section 404 of the CWA. In addition, CDFW has jurisdiction over activities affecting the beds and banks of drainages traversing the study area and their adjacent riparian vegetation under the Lake and Streambed Alteration Program.

Currently, off-leash dogs in vegetated areas have the potential to degrade natural resources by trampling vegetation. Trampled vegetation results in damage to plants and their root systems. This leads to bare areas that increase the potential for erosion during rain events.

*Shrub-Scrub wetland*

These wetlands are dominated by Lemmon's willow, beaked sedge, widefruit sedge, and Mexican rush. This habitat type is generally located along the channel of Martis Creek. The soil is saturated or sandy in most places, and redox dark surface, loamy gleyed matrix, and depleted below dark surface were observed in some areas. Wetland hydrology indicators observed include saturation, surface water, water table, drift deposits, surface soil cracks, inundation and saturation visible on aerial imagery, drainage patterns, oxidized rhizospheres along living roots, geomorphic position, and FAC-Neutral test. These wetlands may be classified, according to the Cowardin Classification System, as a palustrine scrub-shrub wetland with broad-leaved deciduous overstory. (PSS1) (Cowardin 1979). The U.S. Fish and Wildlife Service (USFWS) classifies some of these areas as such in the National Wetlands Inventory (NWI); the area along Martis Creek downstream of Martis Creek Lake Dam is classified in the NWI as palustrine scrub shrub wetland (USFWS 2010). Approximately 29.32 acres of scrub-shrub wetlands were delineated within the study area.

*Seasonal Wetland*

The seasonal wetlands in the study area are characterized by shorter duration saturation or periodic inundation than the other wetland types in the study area. These areas are characterized by sedges, Lemmon's willow, tall annual willowherb, creeping wildrye,

groundsmoke, and silver sagebrush. Redox dark surface, a primary hydric soil indicator, was observed in all plots. Hydrology indicators observed in the seasonal wetlands include saturation visible on aerial imagery, geomorphic position, and the FAC-neutral test. USFWS includes these wetlands in the NWI within the PEM1 category. Approximately 12.85 acres of seasonal wetlands were delineated within the study area between Martis Creek and wet meadows and uplands.

*Intermittent Drainage*

Intermittent drainages were mapped to their Ordinary High Water Marks (OHWM) and were distinguished from open water and wetland types primarily because they appear to flow or have open water for shorter duration (i.e., they have flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow. Approximately 0.50 acres of these features were delineated.

*Wet Meadow*

The wet meadow in the study area is dominated by Lemmon's willow, widefruit sedge, beaked sedge, annual hairgrass, meadow barley, and spike bentgrass in the wetter areas, and goldenrod, Kentucky bluegrass near navarretia (*Navarretia intertexta* ssp. *propinqua*), and Mexican rush were observed in the transitional areas. Redox dark surface, a primary hydric soil indicator, was observed in all sample points. Other hydrology indicators observed include surface soil cracks, oxidized rhizospheres along living roots, drainage patterns, geomorphic position, and the FAC-neutral test. Several secondary channels meander through the wet meadow; these are tributaries to the main channel of Martis Creek and likely change position from season to season and year to year. These wetlands may be classified, according to the Cowardin Classification System, as a palustrine emergent wetland with persistent vegetation (also PEM1) Approximately 394.48 acres of wet meadow were delineated within the study area.

*Open Water*

Martis Creek and Martis Lake, were delineated as open water as that was determined to be their general condition under normal climatic conditions. They are characterized by inundation from one to over 6 feet deep and were delineated to their respective OHWM's. Although it fluctuates seasonally, the creek flows through wet meadows, seasonal wetlands and some uplands. Martis Creek is a perennial creek with pool and riffle complexes, that flows into the lake, where water impounded by the dam is released into a portion of the creek below the dam where it then flows into the Truckee River, an interstate water. Vegetation observed along the channel of Martis Creek includes Lemmon's willow, beaked sedge , widefruit sedge, longanther rush and clustered field sedge. The channel varies from approximately 5 to 20 feet wide and flowing water was observed during the fall field investigation. At least one beaver dam was present, just upstream of the lake, where water was impounded to form a wider pond which was also mapped as open water. Approximately 64.95 acres of open water were delineated within the study area.

*Dry Montane Meadow*

Dry montane meadow is present in a few areas between wet montane meadow and upland vegetation communities such as sagebrush scrub upland and ponderosa pine forest. Dry montane meadow in the study area is characterized by pine bluegrass, cheatgrass, Canada goldenrod, and Kentucky bluegrass in the drier areas, and Mexican rush, Baltic rush, slender cinquefoil, widefruit sedge, and Lemmon's willow in the transitional areas along wetland edges. Soils are relatively dry in dry montane meadow compared to those in wet montane wet meadow.

*Sagebrush Scrub Upland*

Sagebrush scrub upland is generally present in transitional areas, between wetter vegetation communities (wet montane meadow, montane riparian scrub, silver sagebrush scrub) and drier vegetation communities (dry montane meadow, ponderosa pine forest). Sagebrush scrub upland is composed of big sagebrush, low sagebrush, antelope bitterbrush, Mexican rush, squirreltail, and tall annual willowherb. Soils are relatively dry in sagebrush scrub upland, compared to wetter vegetation communities.

*Riverine*

Martis Creek is a perennial creek that flows into Martis Creek Lake Reservoir, is released through Martis Creek Dam, and then flows into the Truckee River. The channel varies from approximately 1.5 to 6 meters wide. Several secondary channels meander through the wet montane meadow; these are tributaries to the main channel of Martis Creek and likely change position from season to season and year to year. Vegetation observed along the channel of Martis Creek includes Lemmon's willow, beaked sedge, widefruit sedge, longanther rush, and clustered field sedge.

*Lacustrine*

The lacustrine (open water) community consists of approximately 57 to 65 acres at Martis Creek Lake Reservoir on average. Seasonal variability may cause the reservoir to increase to up to 770 acres; however, this size generally does not persist for longer than a few weeks. It is characterized by open water and is fringed by both upland (barren/ruderal, sagebrush scrub upland) and wetland (wet montane meadow, montane riparian scrub) vegetation communities. Overall, the reservoir is shallow and thus is fairly warm. Eurasian milfoil is the predominant vegetation in the reservoir.

*Ponderosa Pine Forest*

Ponderosa pine forest is located at higher elevations, primarily around the periphery of the study area, although some larger extensions of ponderosa pine forest are present adjacent to the study area, primarily on the southern and eastern edges. The understory is sparse, characterized by sagebrush scrub upland species. Ponderosa pine is the dominant overstory species. The soils are dry and rocky.

*Barren/Ruderal*

The barren/ruderal community is characterized by barren ground or sparse ruderal vegetation, such as tall annual willowherb, cheatgrass, and woolly mullein. This area is mainly within borrow areas, used in the construction of Martis Creek Dam. The soil is intensely disturbed and dry.

Information on forestry resources and management is presented in Section 3.2.7 - Forestry Resources and Management.

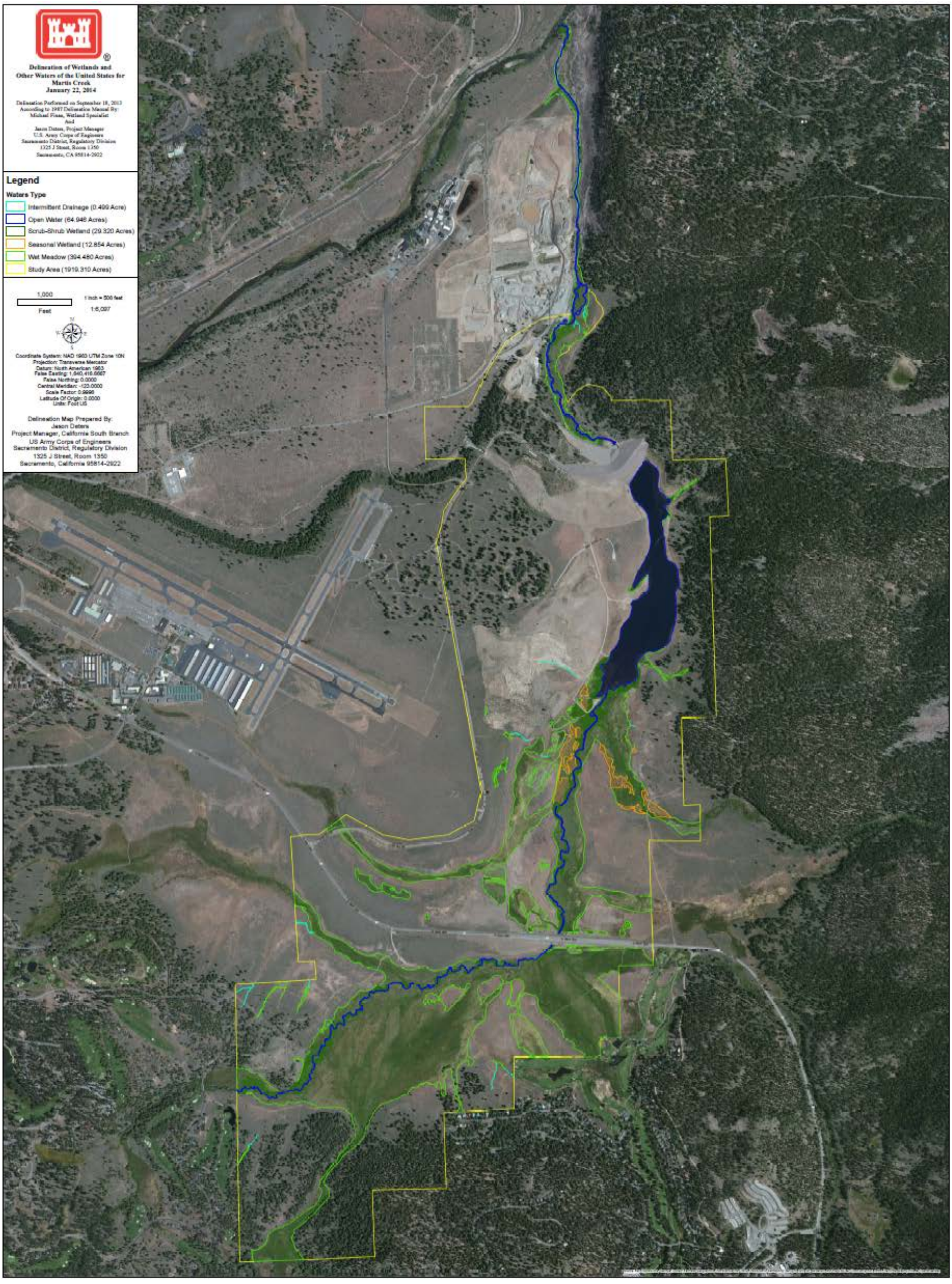


**Figure 11 - Delineation of Wetlands and Other Waters of the US for Martis Creek**

**Potential Environmental Effects**

Basis of Significance.

A project would significantly affect vegetation or wetlands if it would: (1) significantly reduce the amount of native vegetation in the project area to a point that native vegetation or wildlife could not live or survive in the project area; or (2) permanently remove or disturb sensitive native communities.

No Action Alternative.

Under the No Action Alternative, the Master Plan would not be updated and there would be no change to the vegetation in the project area. Native vegetation restoration activities would not occur and vegetation has the potential to degrade further under existing recreational activities including off-leash dogs.

Master Plan Update

The MPU includes several potential projects in all MU's except #2, #3, and #8 that could potentially effect vegetation and wetlands. These include projects such as:

- Creating Management Plans for resources such as wetlands, invasive species, and forestry;
- Developing new and/or improve existing campgrounds and picnic areas;
- Developing new and/or improve existing trails;
- Developing new and/or improve existing roads;
- Creation of a designated off-leash dog area;
- Creation of an archery range;
- Creation of a playground; and
- Plant additional native plants.

Direct impacts from construction related activities could result in removal or trampling of vegetation or wetland areas. Construction equipment would be kept on existing roads as much as possible to reduce this effect. Due to the overall size of the projects, the effects are expected to be minor and temporary.

Indirect effects from implementing the proposed action include damage to grasses shrubs, and wetland plants that are susceptible to trampling from an increased number of people using the recreational or wildlife viewing areas. The damage occurs both through physical disturbance of the plants and through the accelerated erosion around the plants. The bulk of the damage is anticipated to occur around the picnic areas, along trails, and the access paths to the water. However, it is unlikely that full grown trees would be damaged or that trampling of the ground around their roots would cause serious aeration problems in this soil.

The wildlife management area is dedicated to maintain wetlands and wildlife habitat and to accommodate appropriate public use. The impact of people and dogs walking through this area depends on:

- The number of people. The area is highly visible and accessible from the highway.
- The condition of the ground when they travel. During the soggy spring period, large numbers of people might damage the banks of the stream.

The establishment of designated trails would reduce the impact to vegetation in this area. Additionally, enforcement of the on-leash dog policy may reduce current impacts to sensitive vegetation and wetland habitats.

Effects to vegetation and wetlands are expected to be minor and temporary. Sensitive vegetation communities will be avoided. Therefore, effects are expected to be less than significant. Site specific NEPA documentation will be completed prior to implementation of any projects.

### 3.2.5 Fisheries

The following sections summarize the general fish species found in aquatic habitat types within the project area. Special-status fish species are discussed in Section 3.2.6.

*Riverine*

Riverine habitat in the study area includes Martis Creek and the Truckee River. Martis Creek is a perennial stream that is a tributary to the Truckee River. Martis Creek, downstream from Martis Dam, supports Tahoe sucker, Lahontan redside shiners, and speckled dace, but may also have small populations of mountain sucker.

The Truckee River supports strong populations of native mountain whitefish, Paiute sculpin, Lahontan redside shiner, speckled dace, mountain whitefish, Tahoe sucker and mountain sucker. The lower reaches of the Truckee River also support small populations of Lahontan cutthroat trout. Nonnative fishes found in the Truckee River include rainbow, brown and (uncommonly) brook trout, carp, largemouth and smallmouth bass, green sunfish, black crappie, channel catfish, brown bullhead, fathead minnow, and mosquitofish (Reclamation 2008).

A 2012 electrofishing survey performed by CDFW indicated Martis Creek below Highway 267 supports a wild brown trout population that provides recruitment into the Martis Creek Reservoir wild brown trout fishery. However, the survey indicated that the creek does not support a wild LCT or rainbow trout fishery. A wild LCT or rainbow trout population could exist in Martis Creek above Highway 267 and these trout could migrate into the reservoir (Hanson, 2013).

*Lacustrine*

Lacustrine habitat in the study area is limited to Martis Creek Reservior. Martis Creek Reservoir is a designated Wild Trout Lake that is managed as a self- sustaining brown trout (Salmo trutta) and rainbow trout (Onchorhynchus mykiss) fishery (Hanson, 2013). The lake is stocked annually with Lahontan cutthroat trout (Oncorhynchus (=Salmo) clarki henshawi) (LCT) by CDFW in an attempt to establish a self-sustaining LCT fishery. LCT is a special status species and discuss in detail in Section 3.2.6. Martis Creek Lake supports native Tahoe suckers with smaller populations (considered to be uncommon) of Lahontan redside shiner, and speckled dace. It also supports nonnative small populations of green sunfish and smallmouth bass (U.S. Bureau of Reclamation 2008). The predominance of Eurasian milfoil limits the habitat value of the reservoir.

**Potential Environmental Effects**

Basis of Significance

A project would significantly affect fisheries if it would: (1) directly or indirectly reduce growth, survival, or reproductive success of substantial populations of important commercial or game fish species; (2) substantially reduce the quality and quantity of important aquatic habitat or access to such habitats for fish species; or (3) substantially reduce near shore woody vegetation over the life of the project.

No Action Alternative

Under the No Action Alternative, the Master Plan would not be updated and there would be no change to fisheries in the project area. Milfoil would continue to limit habitat quality. The lake would continue to be stocked with LCT by CDFW.

Master Plan Update

The MPU includes several potential projects in MU #2, #6, and #7 that could potentially affect fisheries. These include projects such as:

- Installing a fishing pier;
- Controlling invasive aquatic species;
- Developing Fisheries Management Plans;
- Building bridges across the creek and lake.

Direct construction related impacts include temporary increases in turbidity and temporary disturbance to individual aquatic species in the project footprint. BMPs would be implemented during construction to reduce any adverse affects. If applicable, 404 and 401 permits would be obtained and a SWPPP would be developed prior to construction.

Implementation of the proposed projects may cause increased pressure on fishery resources. The increase in recreational opportunities would likely increase the number fishermen. However, since Martis Creek Lake is catch and release only, this effect is not likely to be significant.

Implementation of an Invasive Species Management Plan may cause a temporary increase in habitat disturbance as invasive species are removed. However, those effects would be minor and temporary and habitat quantity and quality would be improved in the long term.

Water quality impacts are discussed in Section 3.2.3.

### 3.2.6 Special-Status Species

**Existing Conditions**

Special-status species are plants and animals that are legally protected or otherwise considered sensitive by federal, state, or local resource conservation agencies and organizations. In this document, special-status species are defined as:

- Animal or plant species listed, proposed, or considered as candidates for listing as threatened, rare, or endangered under the ESA or CESA
- Plants listed on California Rare Plant Rank as 1A, 1B or 2
- Animal species identified by CDFW as Species of Special Concern
- Animal species fully protected under the California Fish and Wildlife Code

A review of the CNDDB and USFWS website habitat requirements and known distributional ranges of all special-status species that have the potential to occur in the Truckee and Martis Peak quads was performed. The following special status species were found to have the potential to exist in the quadrangles encompassing the project area:

- Lahontan cutthroat trout (Oncorhynchus (=Salmo) clarki henshawi) Federal threatened
- Mountain yellow-legged frog (Rana muscosa) Federal candidate
- Sierra Nevada mountain beaver (Aplodontia rufa californica) CDFW species of special concern
- Fisher (*Martes pennant*) Federal candidate
- Sierra Nevada snowshoe hair (*Lepus americanus tahoensis*) CDFW species of special concern
- Sierra Nevada red fox (*Vulpes vulpes necator*) State threatened
- Northern goshawk (*Accipiter gentilis*) CDFW species of special concern
- Yellow warbler (*Dendroica petechia brewsteri*) CDFW species of special concern
- Willow flycatcher (*Empidonax traillii*) State endangered
- Common moonwort (*Botrychium lunaria*) CNPS listed 'Plants rare, threatened, or endangered in California, but more common elsewhere'

- Donner Pass buckwheat (*Eriogonum umbellatum var. torreyanum*) CNPS listed ‘Plants rare, threatened, or endangered in California, but more common elsewhere’
- Santa Lucia dwarf rush (*Juncus luciensis*) CNPS listed ‘Plants rare, threatened, or endangered in California, but more common elsewhere’
- Plumas ivesia (*Ivesia sericoleuca*) CNPS listed ‘Plants rare, threatened, or endangered in California, but more common elsewhere’
- Alder buckthorn (*Rhamnus alnifolia*) CNPS listed ‘Plants rare, threatened, or endangered in California, but more common elsewhere’
- Tahoe yellow cress (*Rorippa subumbellata*) CNPS listed ‘Plants rare, threatened, or endangered in California, but more common elsewhere’
- Marsh skullcap (*Scutellaria galericulata*) CNPS listed ‘Plants rare, threatened, or endangered in California, but more common elsewhere’

Further, this list of special status species was narrowed down to the immediate project area. According to this map, Lahontan cutthroat trout, Willow flycatcher, Santa Lucia dwarf rush and Plumas ivesia have occurred or have the potential to occur within the immediate study area (Figure 12 - Special Status Fauna Species in Martis Creek Area and Figure 13 - Special Status Flora Species in Martis Creek Area, below).

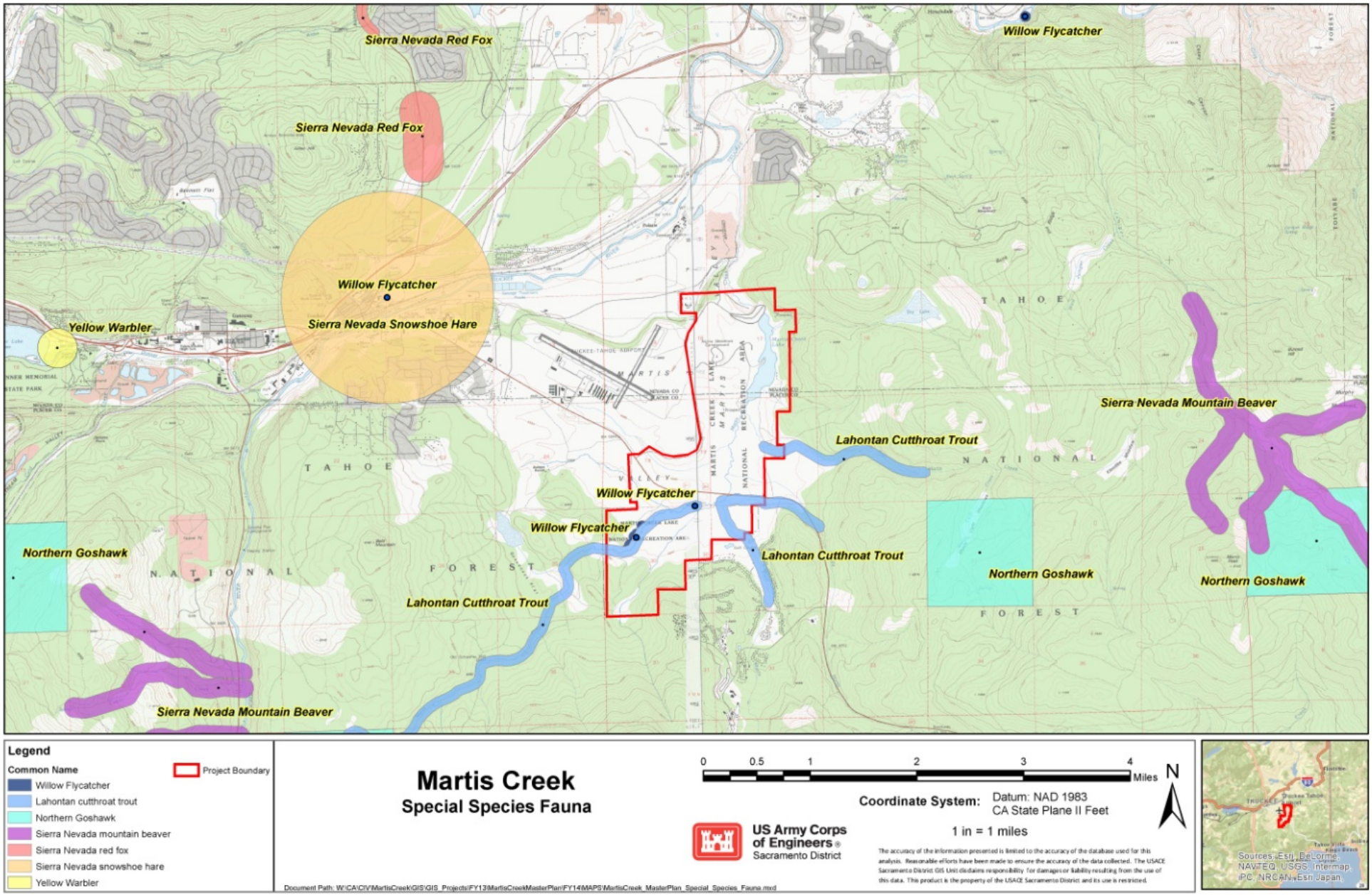


**Figure 12 - Special Status Fauna Species in Martis Creek Area**

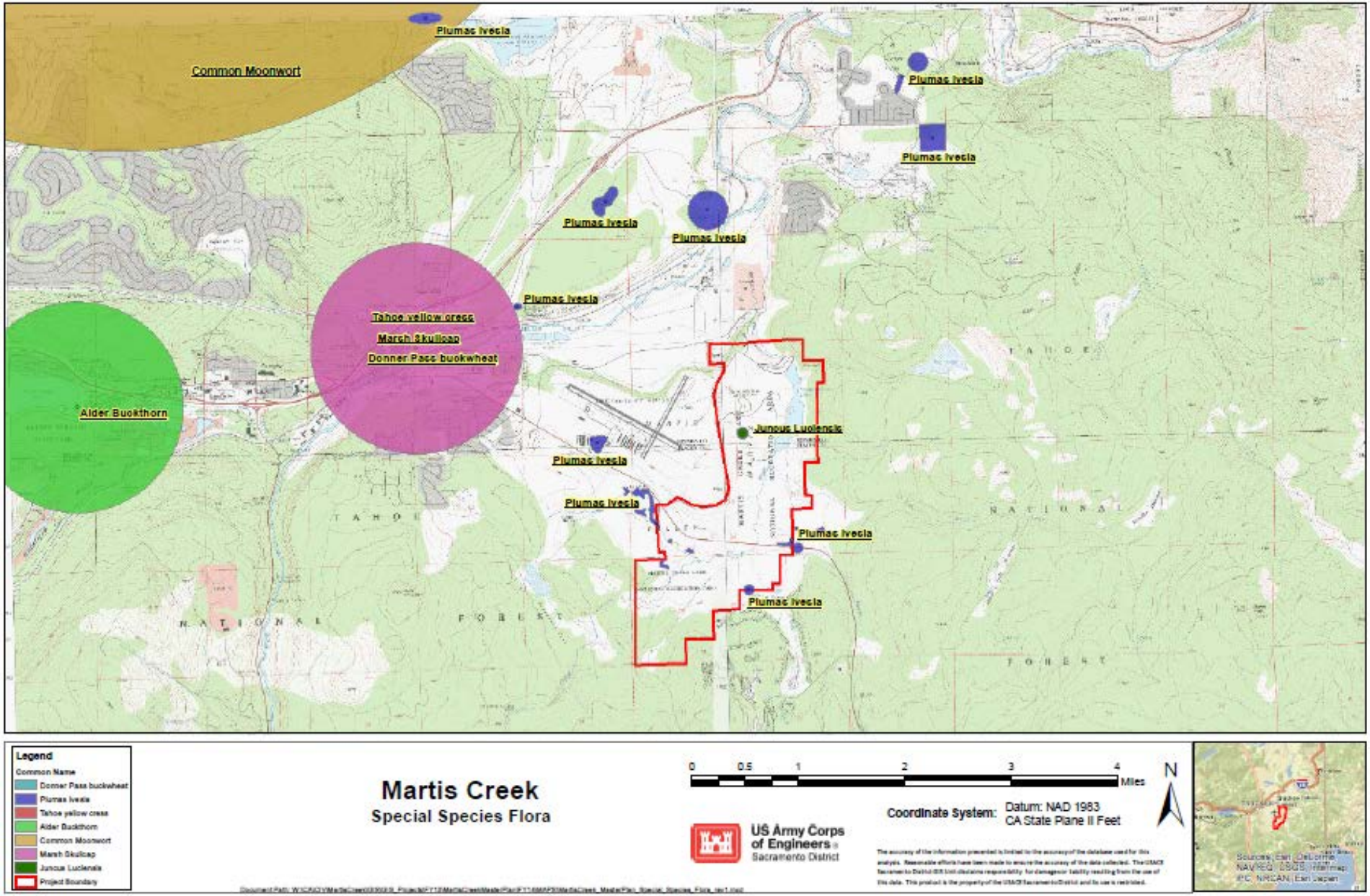


**Figure 13 - Special Status Flora Species in Martis Creek Area**

***Lahontan cutthroat trout.*** Lahontan cutthroat trout (LCT) were introduced into Martis Creek Lake in 1978 by CDFW after populations of other trout species had been reduced or eliminated through the application of piscicides (chemical fish poison) to create a zero-kill fishery (Frank Pisciotta, personal communication, Tahoe-Truckee Fly Fishers). From the late 1970's through the early 1980's the lake provided angling for trophy-size Lahontan Cutthroat Trout (CDFW). However, in the mid to late 1980s, green sunfish and suckers began to invade and reduce the productivity of the fishery. This declining trend continued into the 1990s and this fishery became less popular (Frank Pisciotta, personal communication).

LCT populations are currently low, although rainbow and brown trout currently flourish (Tahoe-Truckee Fly Fishers). The fishery is augmented with the stocking of fingerling LCT. An average of approximately 10,000 fingerling LCT were stocked into the reservoir since 2000 with a high of about 38,000 fingering LCT stocked in 2006 (Hansen, 2013). Presently, CFFW is attempting to establish a self- sustaining trout fishery at the lake with a nearly annual allotment of LCT stocking. Each year, fingerlings and sub-catchables are planted in the lake, depending on fishery production (Bill Summer, CDFW, personal communication).

Specific habitat requirements of LCT vary seasonally and with life stage. Generally, fluvial LCT inhabit small streams characterized by cool water, pools in close proximity to cover and velocity breaks, well vegetated and stable stream banks, and relatively silt-free, rocky substrate in riffle-run areas (USFWS, 1995). Fluvial populations of cutthroat trout including LCT appear to be intolerant of competition or predation by non-native salmonids, and rarely coexist with them (USFWS, 1995).

In contrast, lacustrine LCT have adapted to a wide variety of lake habitats that range from small alpine lakes to large desert waters. LCT are noted for their ability to live in streams where water temperatures during the summer may exceed 27 °C for short periods and fluctuate as much as 14 to 20 °C daily (Dunham et al., 1999; USFWS, 1995). Although LCT can survive prolonged exposure to temperatures of nearly 25 °C, growth ceases when temperatures exceed 22 to 23 °C (Dickerson and Vinyard, 1999).

***Willow flycatcher.*** The Willow Flycatcher (WIFL) is a neo-tropical migratory species that, during the last five decades, was extirpated from most of its range in California. Sierra Nevada montane meadows are some of the few places in the state where this species is now found, and there is concern that the Sierra Nevada population is continuing to decline (Mathewson, et al. 2007). The WIFL was listed by the State of California in 1990 as an Endangered Species. The Pacific Southwest Region of the U.S. Forest Service and Region 1 of the USFWS have designated the WIFL as a Sensitive Species. Willow flycatcher breeding habitat often occurs within and adjacent to forested habitats (CDFW 2013).

WIFLs historically nested throughout much of California where mesic willow thickets were found (CDFW 2013). In the latter half of the 20th century the breeding populations have

drastically declined from lower elevation habitats (CDFW 2013). WIFLs have specific habitat requirements, typically consisting of riparian habitat often dominated by willows (*Salix* spp.), and/or alder (*Alnus* spp.), and permanent water, often in the form of low gradient watercourses, ponds, lakes, wet meadows, marshes, and seeps within and adjacent to forested landscapes (CDFW 2013).

The greatest historical factor in the decline of the WIFL is the extensive loss, fragmentation, and modification of riparian breeding habitat. Large scale losses of wetlands have occurred, especially those associated with riverine systems in both valley and montane habitats (CDFG 2013). Additionally, changes in the hydrology and riparian plant community have reduced, degraded, and eliminated WIFL nesting habitat, also contributing to its decline in distribution and numbers (CDFW 2013).

There are seven known occurrences of the WIFL within the nine-quad area for the Martis Creek DSM Project, all of which are presumed extant (CDFW 2013). However this information is dated and will be verified with in-field reconnaissance prior to implementation of any project.

***Santa Lucia dwarf rush.*** The Santa Lucia dwarf rush is a small annual herb that grows to only a few centimeters tall. It is endemic to California and rarely observed. It exists on wet, sandy soils in riparian habitats, meadows and seeps, and vernal pools within chaparral, sagebrush scrub, and lower montane coniferous forest at an elevation of 1,000-6,700 ft. elev. One occurrence of Santa Lucia dwarf rush has been documented within MU #4 (CNDDB 2014).

***Plumas ivesia.*** Plumas ivesia is a small perennial herb known to exist near the borders of the project area. Habitat includes dry meadowy flats (vernally saturated) & slopes in sagebrush scrub and open pine adjacent to meadows & seeps at an elevation of 4,300 – 6,800 feet (BLM). It is equally likely to occur in wetlands or non-wetlands. Plumas ivesia is native to the northernmost part of the Sierra Nevada and the adjacent Modoc Plateau in California. Is has been documented near the edges of the project area.

**Potential Environmental Effects**

Basis of Significance.

Adverse effects on special status species would be considered significant if an alternative would result in any of the following: (1) direct or indirect reduction in the growth, survival, or reproductive success of species listed or proposed for listing as threatened or endangered under the Federal or State Endangered Species Act (ESA); (2) direct mortality, long-term habitat loss, or lowered reproduction success of Federally or State listed threatened or endangered species or candidates for Federal listing; (3) direct or indirect reduction in the growth, survival, or reproductive success of substantial populations of Federal species of concern, State-listed endangered or threatened species, or species of special concern or regionally important commercial or game species; or (4) an adverse effect on a species critical habitat.

No Action Alternative.

Under the No Action Alternative, the master plan would not be updated, therefore there would be no additional impacts to existing special status species or critical habitat. By not providing a gated dog off-leash area, off-leash dogs would continue to damage sensitive habitat that special status species potentially exist in.

Master Plan Update

The MPU includes several potential projects in MU #2, #4, #6, #7, and #9 that could potentially effect vegetation and wetlands. These include projects such as:

- Installing a fishing pier;
- Removing invasive species;
- Developing new and/or improve existing campgrounds and picnic areas;
- Developing new and/or improve existing trails;
- Developing new and/or improve existing roads;
- Building bridges across the creek and lake; and
- Decommissioning trails.

Implementation of some of the proposed projects in the MPU could potentially increase the number of recreationalists in the project area. Increased foot traffic around the lake could reduce the amount of aquatic vegetation, shade and woody debris that provides habitat for LCT, mountain sucker, and other fish species. Additionally, the increased number of visitors on trails may reduce the amount of wildlife in the surrounding area. Raptors and other birds of prey can be disturbed by human presence and dogs. Enforcement of the Corps regulations regarding on-leash dogs would result in few potential losses of special status species and sensitive habitat.

The two special status plant species may have a higher risk of being trampled from the increased number of recreationalists. However, the MPU proposes additional informational signage and designated trails be established in the project area. This should reduce the potential impact on special status plant species to less than significant.

Development of new trails and campsites could potentially encroach on special status species habitat depending on their location. Prior to the implementation of any new construction, additional NEPA documentation would be prepared to analyze and specific effects to special status species.

### 3.2.7 Forestry Resources and Management

**Existing Conditions**

There are approximately 385 acres of forest stands on the 1,891 acre Martis Creek Lake and Dam property. Tree species represented in the area are typical of most of the high mountain valleys east of the Sierra Nevada crest. Jeffrey pine (*Pinus jeffreyi*), ponderosa pine (*P. ponderosa*), lodgepole pine (*P. contorta*), and quaking aspen (*Populus tremuloides*) are important tree species due to their high habitat value for numerous wildlife species.

*Timber Harvesting*

Timber harvesting has occurred at various times prior to acquisition by the Corps. The forest of Jeffrey pine, ponderosa pine, and lodgepole pine was last selectively logged in the 1930's. Re-establishment of trees on lands previously forested has been spotty. Mostly sagebrush inhabits the non-forested area to the west of the campground where stumps reveal the previous extent of tree cover. Other areas were historically in meadow or sagebrush habitat and did not support trees. Forest management includes planting of native conifers in areas which previously supported this habitat, removal of diseased or insect-infested trees if their presence poses serious threats to the health of neighboring timberland, and maintenance of natural succession patterns towards diversity of vegetative types. Commercial timber harvests are not permitted on project lands.

*Tree Stump Management.*

Timber harvest has occurred at various times on project lands, leaving stumps of various heights from a few feet to over 15 feet above the ground. The taller snags were presumably left during logging operations in deep snow. The climatic conditions occurring in the Martis Creek area do not allow rapid decomposition of these stumps and snags, many over fifty years old. Every spring many species of birds, squirrels and weasels compete for potential nesting sites within these stumps and snags, utilizing nesting holes made by woodpeckers, nut hatches and mountain chickadees. All stumps and snags should be monitored for nesting activities and protected from human disturbances such as firewood collection.

*Prescribed Burns and Fire Suppression*

A prescribed burn plan was developed with the Truckee Fire District in 1996 and test plots burned in dense bitterbrush/sagebrush. The test plots were monitored for two years and results have shown that native grasses and plants would return without the influence of undesirable brush species. A prescribed burn was planned in the Alpine Meadows campground area in Fall 1998. However, earlier rains than expected raised the fuel moisture in the brush to make for an incomplete burn. Due to the fire danger, mechanical removal of sagebrush is an

alternative method that can achieve similar results. In 2003, selected areas in Alpine Campground were treated with a flail mower, and native grass species soon took over the open spaces.

It is well documented that fire exclusion over the past 60 to 70 years has created higher stand densities in many forests of the Sierra Nevada region. Because of fire suppression efforts, the once frequent (<20 year interval) low-intensity surface fires no longer burn, kill, and remove seedlings and saplings in the understory, or consume fine fuels (< 3" diameter) on the forest floor. As a result, shade tolerant tree species have encroached into the understory. Some forest stands now contain large numbers of suppressed and intermediate trees. Also, there has been an over-accumulation of surface fuels. Natural fire regimes have been substantially altered. The forest stands have changed from a fire-adapted species composition and structure, to a condition more susceptible to catastrophic wildland fire. Past fire suppression has directly affected how the forest stands at Martis Creek Lake and Dam have developed during the last several decades.

**Potential Environmental Effects**

Basis of Significance.

A project would significantly affect forestry resources if it would: (1) significantly reduce the amount of trees in the project area to a point that trees or native wildlife could not live or survive in the project area; or (2) permanently remove or disturb sensitive native communities.

No Action Alternative.

In the No Action Alternative, current forestry resources management would continue . Fire suppression would continue to be the primary management technique. Because natural fire regimes have been substantially altered, the forest stands would continue to be susceptible to catastrophic wildland fire, insects, and disease.

Master Plan Update

Forestry management prescriptions are designated to meet the following objectives within the forested stands of Martis Creek:

- Treat existing vegetation, and forest fuels, to reduce potential wildland fire hazards
- Maintain and/or enhance forest health
- Maintain and/or enhance wildlife habitats

Forest Management Prescriptions proposed in the MPU for the Martis Creek Lake and Dam forest types would be designed to:

- Create a forest stand structure which specifically lacks the "fuel ladder" configuration, and which could then be more resistant to the spread of wildland fires.

- Eliminate, or modify, the heavy concentrations of dead & down woody material in the stand to reduce potential fire intensity.
- Break-up the continuity of existing dense concentrations of bitterbrush (purshia tridentate) and sagebrush (Artemesia tridentate) present in the shrub layer in the understory and forest openings.
- Include provisions to target dead, dying, diseased, and insect infested trees for removal, to maintain and enhance forest health.
- Retain habitat elements, such large down logs > 20”diameter, and dead trees generally > 15” DBH, for the benefit of wildlife.

Forest resources are not likely to experience adverse effects as a result of the potential MPU projects. Minor construction projects, as well as increased traffic from higher visitation rates, have the potential to increase activity in forested areas and may result in minor and temporary effects to small trees or saplings, however larger trees are not expected to be effected. Additional project specific NEPA documents would fully analyze forest resource impacts prior to the implementation of any project.

### 3.2.8 Air Quality

**Existing Conditions**

The proposed project is located within the Mountain Counties Air Basin (MCAB), a mountainous area of California which straddles a portion of the Sierra Nevada Range. These mountains are a substantial barrier, trapping air pollutants in the western portion of the basin. These pollutants are both locally produced and transported from the Sacramento metropolitan area. The basin is prone to atmospheric inversions and high summertime temperatures. These conditions combined with the geological barriers create the potential for air pollution problems.

As noted above, the mountains within the MCAB create a barrier to airflow, which leads to the entrapment of air pollutants when meteorological conditions are unfavorable for transport and dilution. The highest frequency of poor air movement occurs in fall and winter when high-pressure cells exist over the western MCAB. The lack of surface wind during these periods, combined with the reduced vertical flow because of less surface heating, reduces the influx of air and leads to the concentration of air pollutants under stable meteorological conditions. Surface concentrations of air pollutant emissions are highest when these conditions occur in combination with agricultural burning activities or temperature inversions, which hamper dispersion by creating a ceiling over the area and trapping air pollutants near the ground.

ARB and the U.S. Environmental Protection Agency (EPA) focus on the following air pollutants as indicators of ambient air quality:

- Ozone

- CO
- Nitrogen dioxide ($NO_2$)
- Sulfur dioxide ($SO_2$)
- Respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less ($PM_{10}$)
- Fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less (PM2.5)
- Lead

Criteria air pollutants are monitored at several monitoring stations within the MCAB. Table 4 - Summary of Annual Ambient Air Quality Data (2007 -2009), Summary of Annual Ambient Air Quality Data (2007–2009), summarizes the air quality data from the most recent three years for which data is available (2007–2009).

In 2007 the monitoring station registered five days above the state 8-hour ozone standard. The state and federal CO, $NO_2$, and $SO_2$ standards were either not exceeded or there was insufficient data to make a determination in any of the last three years at the monitoring stations. The state 24-hour $PM_{10}$ standard was exceeded on numerous days in all three years. The federal 24-hour PM10 standard was not exceeded in the last three years. The federal and state 24-hour $PM_{2.5}$ standard was exceeded on multiple days during 2008 and not at all in 2007 and 2009.

**Table 4 - Summary of Annual Ambient Air Quality Data (2007 -2009)**

| Summary of Annual Ambient Air Quality Data (2007-2009) | | | |
|---|---|---|---|
| | 2007 | 2008 | 2009 |
| **Ozone: Truckee Fire Station** | | | |
| Maximum concentration (1-hour/8-hour, ppm) | 0.081/0.074 | 0.077/0.068 | -/- |
| Number of days state standard exceeded (1-hour/8-hour) | 0/5 | 0/0 | -/- |
| Number of days national standard exceeded (1-hour/8-hour) | 0/0 | 0/0 | -/- |
| **Carbon Monoxide (CO): Mountain Counties Air Basin** | | | |
| Maximum concentration (8-hour, ppm) | 0.68 | - | - |
| Number of days state standard exceeded | 0 | - | - |
| Number of days national standard exceeded | 0 | - | - |
| **Nitrogen Dioxide ($NO_2$): Mountain Counties Air Basin** | | | |
| Maximum concentration (1-hour, ppm) | 0.010 | 0.048 | 0.026 |
| Number of days state standard exceeded | 0 | 0 | 0 |
| Annual average (ppm)[3] | * | * | * |
| **Sulfur Dioxide ($SO_2$): Mountain Counties Air Basin** | | | |
| Maximum concentration (24-hour, ppm) | - | - | - |
| Number of days state standard exceeded | - | - | - |
| Number of days national standard exceeded | - | - | - |
| **Fine Particulate Matter ($PM_{2.5}$): Truckee Fire Station** | | | |

| | | | |
|---|---|---|---|
| Maximum concentration (3g/m$^3$) (National/California) | 18/30.9 | 102.4/102.4 | 26.6/34.4 |
| Number of days national standard exceeded (measured/calculated) | 0/0 | 5/15 | 0/0 |
| Annual average (3g/m$^3$) (National/California) | 6.0/6.3 | 9.4/– | 5.9/5.9 |
| **Respirable Particulate Matter ($PM_{10}$): Mountain Counties Air Basin** | | | |
| Maximum concentration (3g/m$^3$) (National/California) | 127.0/116.0 | 135.7/118.4 | 90.2/82.2 |
| Number of days state standard exceeded (measured/calculated) | 2/0.0 | 2/6.1 | 3/18.5 |
| Number of days national standard exceeded (measured/calculated) | 0/- | 0/- | 0/- |
| Annual average (3g/m$^3$) (National/California) | 16.2/24.1 | 15.7/23.8 | 23.6/- |
| Source: ARB 2010 | | | |

According to both Nevada County and Placer County's emissions inventories, mobile sources are the largest contributor to the estimated annual average air pollutant levels of ROG, CO, and NOX.

**Potential Environmental Effects**

Basis of Significance.

Adverse effects on air quality would be considered significant if an action would result in any of the following: (1) violate any air quality standard or contribute substantially to an existing or projected air quality violation; (2) result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); (3) expose sensitive receptors to substantial pollutant concentrations; or (4) create objectionable odors affecting a substantial number of people.

No Action.

Under the No Action Alternative, the Master Plan would not be updated, therefore air quality would remain the same as current conditions. No new facilities or campgrounds would be constructed, other than what was identified in the 1977 Master Plan, so there would be no additional visitor or construction related air quality impacts.

Master Plan Update.

All MU's in the MPU have projects that could potentially effect air quality because they would likely increase the number of visitors to the project area. Additionally, several projects in the MU's would require construction activities that could potentially effect air quality during construction. These include projects such as:

- Installing recreation facilities such as fishing piers, picnic areas, campgrounds and trails;

- Building new/improving maintenance facilities and office;
- Building new/improving existing parking lots; and
- Improving, developing, and/or decommissioning trails.

Air quality impacts as a result of the MPU would likely be minimal. Although minor construction projects, as well as increased traffic from higher visitation rates, may have the potential to increase reactive organic gasses (ROG), nitrogen oxide (NOx), carbon monoxide (CO), and particulate matter less than 10 microns in diameter (PM10), the impact to air quality is anticipated to be less than significant due to the nature of construction activities and the seasonal nature of visitation. Additional project specific NEPA documents would fully analyze air quality impacts prior to the implementation of any project.

### 3.2.9 Soils and Erosion

**Existing Conditions**

Soils tend to form in discernible layers called horizons, and a soil profile normally contains "A," "B," and "C" horizons. Although low winter temperatures and short warm seasons have slowed soil development in this alpine location, older soils show a developed textural "B" horizon (a layer of colloid deposition). Younger soils, including those on deposits attributed to Tahoe age glaciations, do not have a definable "B" horizon. At the Martis Creek reservoir site, the soils beneath the grove of trees surrounding the Alpine Meadow campground are formed on older, Donner age deposits.

A lower outwash terrace, located north of the dam site at the base of the spillway structure, has been attributed by to the more recent Tahoe age glaciation. The primary distinctions between this deposit and those on the older Donner age are, first, that stones found in the former are generally fresh, while stones found in the Donner Age deposits tend to be well weathered. Secondly, instead of finding a developed textural "B" horizon shortly below the surface, the surface humic layer is underlain by a layer of oxidized, weathered glacial outwash, characterized by a dearth of clay minerals. These differences between the two soil structures are considered to be a product of the time since deposition of the parent material.

Although no profile description of the Truckee formation soil is available, field examination has shown it to be a brown sandy loam, resembling that found at the Alpine Meadow campground. The development of this soil should be the most complete as it predates the others found at the site.

All three soils found on the site are short of interlocking roots in the surface layer, leaving the finer soil constituents prone to being lifted into the air upon disturbance by motor vehicles or pedestrians during the dry season.

**Potential Environmental Effects**

Basis of Significance

Adverse effects on soils would be considered significant if an action would result in a substantial soil erosion or the loss of topsoil or if a project is located on a soil type that is unstable or that would become unstable as a result of the project.

No Action Alternative

Under the No Action Alternative, the Master Plan would not be updated, therefore soil conditions in the area would remain the same. No new facilities or campgrounds would be constructed outside what was proposed in the old master plan, a Forestry Management Plan would not be implemented, and no areas would be revegetated. Fine soils would continue to be lifted into the air during the dry season.

Master Plan Update.

The MPU includes several potential projects in all MU's except MU #1, #2, and #3 that could potentially affect soils. These include projects such as:

- Developing new campgrounds, picnic and other recreation areas;
- Plant additional native vegetation;
- Develop erosion control in dam borrow areas;
- Develop new and/or improve existing trails;
- Decommission existing trails; and
- Install new or improve existing parking areas or service roads.

The three major impacts of the proposed projects upon soils would be the addition of fine sediments to the reservoir, the production of dust, and damage to surface soil layers. However, the implementation of the Forestry Management Plan may benefit soils in certain areas, as leaving isolated medium-sized down logs undisturbed should promote soil stability.

Increased foot traffic may cause damage to bank vegetation, and bare banks are more vulnerable to erosion than vegetated banks. The degree to which erosion would occur would depend upon the extent of mechanical damage that has occurred to the fragile layer of pebbles which develops on bare soil surfaces, stabilizing them. Field observations have shown that the soil surface below the gross pool is armored by a concentration of larger sand and pebble size particles. This armoring is frequently observed in bare or open soils that are exposed either to strong winds, or to sheet runoff for long periods. Erosive processes remove the finer material, leaving the larger, more stable fragments to protect the surface. If damage to soil surfaces is severe enough, sediment transport and turbidity in the reservoir would occur at times of runoff

until the surface armor is reestablished. Implementation of BMP's such as using water trucks and silt waddles would reduce this effect to less than significant.

Construction vehicles driven over the bare or brush-covered soil surface in areas not protected by aggregate or pavement, clouds of dust would be introduced into the air. Although the impacts of this dust on plants and animals would be minor, the impact upon occupants of the campground could be significant. Implementation of BMP's such as water trucks to minimize dust, would reduce this effect to less than significant.

The combination of the weight of motorized vehicles and the churning action of their driving wheels tend to shift and compress the soil surface. In addition to the destruction to soil armor mentioned above, this process destroys soil air spaces. These spaces form slowly through the action of ice crystal growth in the cold season, and the burrowing movement of small animals in the warmer season. These spaces assist in the percolation of precipitation which helps to minimize surface runoff, a key factor in soil erosion. They also make needed atmospheric and metabolic gases available to the roots of plants. Inhibition of this aeration process would have a detrimental effect upon vegetation growth and the rate at which water percolates into the soil.

The implementation of BMPs, as well as avoidance, minimization, and mitigation measures included in the construction plans in any projects within the project area would be implemented to avoid or reduce these effects to less than significant.

Prior to implementation of any project, site specific NEPA documentation would be prepared to fully analyze effects on soils in the project area.

### 3.2.10 Noise

**Existing Conditions**

Sensitive land uses generally include those uses where exposure to noise and vibration would result in adverse effects and uses where quiet is an essential element of their intended purpose. Land uses near the Martis Creek Lake and Dam Project Site include residential and recreational uses. Sensitive receptors adjacent to the project site include the Martis Dam Campground located on-site, single-family residential dwellings in the rural subdivision located approximately 4,000 feet to the east and northeast of the project site, and single-family residential dwellings and golf course of the Northstar-at-Tahoe subdivision located more than 1.5 miles to the south of the project site. The Lanhotan Golf Course is located approximately 2.5 miles southeast of the Martis Creek Lake.

Existing noise sources near the Martis Creek Dam Lake and Dam Project Site are influenced by surface transportation noise emanating from roadway vehicle traffic on State Route 267 and Joerger Drive vehicle traffic and aircraft flyovers attributable to the Truckee

Tahoe Airport. Noise from train horns north of the project site, in addition to noise from outdoor activities (e.g., people talking, dogs barking, operation of landscaping equipment) also contribute, to a lesser extent, to the existing noise environment.

**Potential Environmental Effects**

Basis of Significance.

An alternative would be considered to have a significant effect on noise if it would (1) substantially increase ambient noise levels or (2) be inconsistent with the Nevada County General Plan and Noise Ordinance.

The significance of increases in ambient noise is evaluated with reference to the distance from the noise source and the number of sensitive receptors affected. The effects of noise decrease as the distance from the source increases due to attenuation of sound. At the same time, the effects increase as the number of sensitive receptors increases.

No Action.

Under the No Action Alternative, the Master Plan would not be updated, therefore there would be no additional impacts on noise. No new facilities or campgrounds would be constructed, therefore there would be no noise associated with construction equipment. Traffic related noise resulting from the current increase in visitation would be expected to continue.

Master Plan Update.

All MU's in the MPU have projects that could potentially effect noise because they would likely increase the number of visitors to the project area and could potentially increase traffic related noise. Additionally, several projects in the MU's would require construction activities that could potentially effect noise. These include projects such as:

- Installing recreation facilities such as fishing piers, picnic areas, campgrounds and trails;
- Building new or improving maintenance/office facilities;
- Building new or improving parking lots;
- Improving existing and developing new trails and
- Decommissioning trails and other revegetation efforts

The primary noise source in Martis Valley is from vehicle traffic and aircraft flyovers. Although updating the Master Plan may increase vehicle traffic in the area due to increased visitation rates, this increase in vehicle noise is not considered significant due to the existing noise levels. The MPU would not significantly increase noise related to aircraft flyovers.

Construction related noise impacts would be minor and temporary. Recreationalists would be the only sensitive receptors to noise. No permanent residents would be impacted.

Additional project specific NEPA documents would fully analyze additional noise impacts prior to the implementation of any project.

### 3.2.11 Aesthetics

**Existing Conditions**

*Viewer Exposure and Sensitivity*

Groups that have views of the Martis Creek Lake and Martis Creek Dam include:

- Travelers to the north of the project site on Glenshire Road and Interstate 80
- Travelers on the SR 267
- Recreational users of the Martis Creek Lake Area
  - People camping and picnicking at Alpine Meadows Campground
  - People fishing at the Lake
  - Passive recreational users of the area surrounding the lake (bird watching, wildlife viewing, hiking)
  - Recreational users of the Northstar Ski Resort (snowsports in the winter, and in the summer mountain bikers, hikers, and sightseers on the gondola and at the restaurant.

*Key View Points*

Figure 14 - Key View Points (USACE 2011) shows the location of 8 publicly accessible Key View Points that were identified for the proposed project site. Table 5- Viewer Groups, Viewer Awareness and Viewer Sensitivity (USACE 2011) describes the view points in more detail.

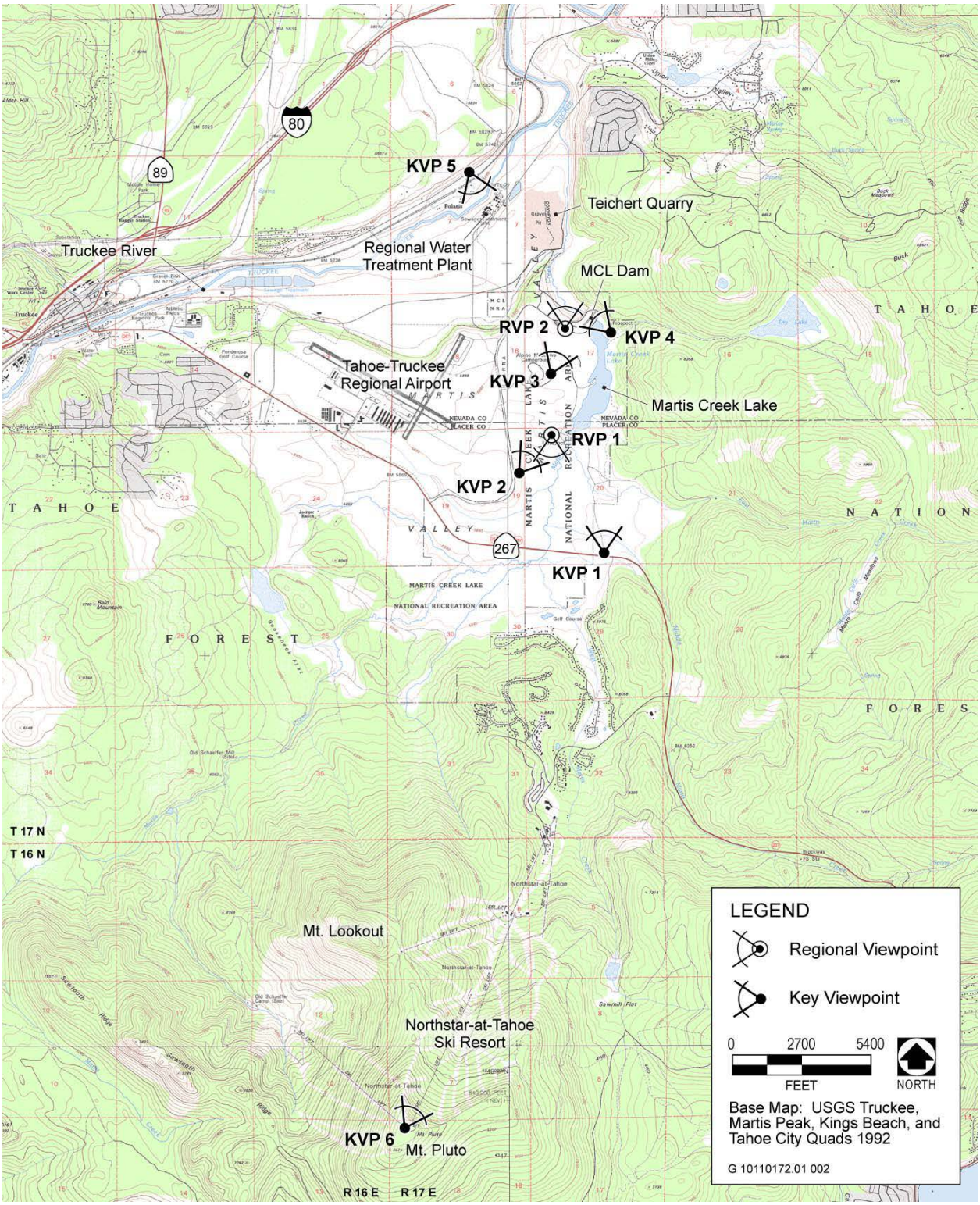


**Figure 14 - Key View Points (USACE 2011)**

**Table 5- Viewer Groups, Viewer Awareness and Viewer Sensitivity (USACE 2011)**

| Viewer Groups, Viewer Awareness and Viewer Sensitivity | | | | | | |
|---|---|---|---|---|---|---|
| Viewer Group/Activity | Key View Point Reference | Approximate Distance from Project Site (Foreground/middleground/ background) | Clarity of View (Open/Screened/ Obstructed) | Angle of View (direct to peripheral) | Duration of Views (Fleeting to prolonged) | Concern/Awareness (Focus of viewer activity) |
| I-80/Freeway Travelers WB | NA no photo | 2.7 miles first view WB middleground (No view EB) | Obstructed by terrain | direct | Fleeting - high speed | Low – focus on driving and foreground, travelling at freeway speed |
| SR 267/Highway travelers NB (toward Truckee) | 1 Photo 1 or 2 | NB -1.7 miles to Dam (SB no view) middleground | View of back side of dam is unobstructed. | peripheral | fleeting | Low – focus on driving and foreground. |
| Martis Creek Road EB toward Lake | 2 Photo 6 | EB - 0.5 miles to Lake Foreground | View of lake partially screened by trees, lake and dam can be glimpsed from various locations along the road. | 45 degrees | Because of slow speed, duration of views along this road would be prolonged. | Moderate – focus on driving, however recreational purpose would create more awareness of environment |
| Campers/Picnickers at Campground | 3 Photo 7 | 0.6 mile to back of dam 0.4 mile to lake foreground | Open to screened depending upon location in campground. | direct | prolonged | High – focus is on surrounding environment. |
| Passive Users, hiking, nature enjoyment at various location s around the lake. | 4 Photo 11 | Immediate foreground to middleground. | Open to screened by vegetation, depending upon location | Direct | Prolonged | High focus of activity is on the immediately surrounding environment. |
| Glenshire Rd EB and WB | 5 Photo 22 | 1.5 miles middleground | Partially screened/obstructed by WWTP and terrain | Peripheral | Fleeting moderate speeds | Low, focus on roadway and foreground |
| Fishing at various locations around the lake | none | On or next to lake Immediate foreground views of lake and dam to middleground views | open | direct | prolonged | High – focus is on surrounding environment. |
| Northstar –skiers or mountain bikers | 6 photos tbp | Mt Pluto, highest point at ski area is 6.2 miles from the dam, 5.3 miles from the western end of the lake Lake Lookout Mtn 4.9 miles – dam 4.0 miles to lake | Open to screened by vegetation in some areas | direct | Prolonged or fleeting | Moderate, focus on skiing or biking, project is in distance middleground to background. |

Notes:
WB=westbound, EB=eastbound, NB=northbound, SB=southbound

**Potential Environmental Effects**

Basis of Significance.

A project would be considered to have a significant effect on aesthetics if changes in landform, vegetation, or structural features create substantially increased levels of visual contrast as compared to surrounding conditions.

No Action Alternative.

Under the No Action Alternative, there would be no effect on aesthetics due to construction or enhancement activities. The views and aesthetic quality of the project area would remain the same and consistent with the old master plan. Additional project specific NEPA documents would fully analyze additional aesthetic impacts prior to the implementation of any project.

Master Plan Update

The MPU includes several projects in all MU's except MU #3, #5, and #8 that could potentially effect aesthetics. They are described in detail below. Effects are expected to be minor and/or temporary and therefore less than significant.

*MU # 1&2 Dam Operations/Lake*

Temporary impact on lake aesthetics due to European milfoil management measures such as the use of black landscape cloth barriers, but aesthetics of lake would improve in the long-term because of reduced milfoil. A new fishing pier is proposed in the MPU, which would also alter the lake aesthetics.

*MU #4 Martis Recreational Area Management Unit*

Expansion of the campgrounds and the installation of a dump station would impact local aesthetics. Implementation of the Forestry Management Plan may impact forest viewsheds. Improved habitat management measures, such as native species planting, would improve aesthetics.

*MU #6 Sagebrush Management Unit*

The proposed parking lot expansion and restroom installation would be visually distracting. Improved habitat management measures, such as native species planting, would improve aesthetics.

MU #7 *Black Bear Management Unit*

Temporary impact on aesthetics due to proposed trail work such as fencing or roped-off areas, otherwise no aesthetic impact.

*MU #9 Wel-mel-ti Wildlife Viewing Management Unit*

The proposed parking lot movement and expansion and restroom installation would negatively impact aesthetics in the area. Temporary impact on creek aesthetics due to European milfoil management measures such as the use of black landscape cloth barriers, but creek aesthetics would improve in the long-term because of reduced milfoil. Implementation of the Forestry Management Plan may impact forest viewsheds. The rehabilitation/restoration of borrow pits would improve aesthetics, as well as creek restoration projects.

### 3.2.12 Cultural Resources

**Existing Conditions**

*Archaeological and Historical Context*

A detailed discussion of the prehistory and history of the Martis Creek Lake and Dam area is provided in the Master Plan. The interested reader is referred to that document for more detail. Archaeologists working in the Truckee River basin, including the Martis Valley, typically operate within the framework of the culture historical sequence first developed by Heizer and Elsasser (1953) who identified what they referred to as the Martis and Kings Beach cultural complexes. This scheme has been updated numerous times (e.g. Elston et al 1977; Zeier and Elston 1986; Elston et al 1994). Elston's most recent version (1994) defines the following time periods: Tahoe Reach phase (10,000[+]-8000 BP); Spooner phase (8000-4000 BP); Early Martis phase (5000-3000 BP); Late Martis phase (3000-1300 BP); Early Kings Beach phase (1300-700 BP); Late Kings Beach phase (700-150 BP) (Elston et al 1994).

When European-American influences began to permeate the Truckee River basin, the area was occupied by Washoe speaking people. Located in the northwestern portion of the Washoe core area, people living in the Truckee River basin were called *Wel mel ti* meaning simply "northerners" (Rucks 2011). There are no Washoe place-names in the Martis Valley itself though *Wel mel ti* were known to occupy the area (Rucks 2011: 67). Typically the Washoe would winter at substantial village sites in lower elevation areas to the east. Oral histories however, indicate that some permanent village settlements were located at higher elevations including *Datsásit mál'im detdéhi?*, a camp on Donner Creek, located a few miles west of the Martis Valley. The seasonality and nature of *Wel mel ti* occupation of the Martis Valley is not fully understood.

The European-American history of Martis Creek begins with the early development of mining, railroads, and logging-timber industries in the Truckee River Basin, which includes the Martis Valley. The first emigrant trans-Sierra crossings occurred during the 1840s and 1850s, the first transcontinental railroad arrived in the 1860s, and the first transcontinental auto road was built in the 1910s. The Martis Valley was positioned favorably within the transcontinental

corridor, with easy access to wood, water, and recreational resources. A brief flurry of mining activity occurred in the Martis Valley in the 1860s, but the efforts were short lived. Logging and lumbermills became the dominant industry until the early years of the 20th century, along with ranching activities that took place in the meadows on the floor of the Martis Valley.

*Known Cultural Resources*

Overarching surveys of the Martis Creek Lake and Dam property have occurred three times (Wilson and Wilson 1966, Jones et al. 1982, USACE n.d.). The first survey to have included any part of the valley was Heizer and Elsasser's (1953) broad ranging survey of the Sierra Nevada. Offermann (1993) surveyed along State Route 267 where it passes through the APE. A small portion of the APE was surveyed in 1995 for the Martis Timber Harvest Plan (Lindström 1995). Recently Waechter and colleagues (2010) surveyed along the right of way of a power line that also passes through the valley. Around the same time, Lindström (2011) completed a small survey for the proposed Martis Valley Trail project. Archaeologists with the U.S. Army Corps of Engineers, Sacramento District recently completed a detailed survey of the entire Martis Creek Lake and Dam property. The final report of that work is not complete, but the preliminary results of the survey are included here.

The majority of the known archaeological sites below were encountered in the course of the 1966 and 1982 surveys and the recent Corps effort. Offermann (1993) recorded a number of small sites and isolates along 267, all of which grade together and are provisionally considered to be a part of the very substantial site, CA-PLA-5. Lindström (1995) significantly expanded the boundary of site CA-PLA-485/H. The power-line survey located a single new site, a lithic scatter designated "TS" (Waechter et al 2010). Lindström's 2011 survey resulted in the discovery of previously unrecorded placer tailings, CA-PLA-2442H, and a handful of isolates. Her work also included substantial revisions and updates to a number of site records.

Excavations were undertaken in 1957 by Sacramento State College in Ratchet Cave (Wilson and Wilson 1966) and on CA-PLA-272 (Arnold 1957). More recent excavations were conducted by Summit Envirosolutions on CA-PLA-5 in 1996 (Ataman 1999). Presently Far Western Anthropological Research Group is finalizing the report of their 2011 excavations on CA-PLA-272 (Young and Rosenthal 2013).

In total, 51 archaeological sites are known to exist within the Martis Creek Lake and Dam property. These are summarized briefly in Table 6.

**Table 6 - Archaeological Sites Within the Martis Creek Lake and Dam Property**

| Designator | Description | Age | Notes | Management Unit |
|---|---|---|---|---|
| CA-NEV-073 | Rockshelter | prehistoric | Ratchet Cave | Operations |
| CA-NEV-421 | Lithic scatter | prehistoric | | Sierra View |
| CA-NEV-422 | Lithic scatter | prehistoric | FGV source | Black Bear |
| CA-NEV-424 | Lithic scatter | prehistoric | | Sierra View |
| CA-NEV-425 | Lithic scatter | prehistoric | FGV source | Black Bear |
| CA-PLA-005 | Lithic scatter, probable occupation site | prehistoric | Partially disturbed site. Includes substantial cultural deposits with milling and thermal features | Wel mel ti/ Trans Cor. |
| CA-PLA-272 | Lithic scatter, probable occupation site | prehistoric | Mostly located on Forest Service land, partially within the Corps property. Includes stratified deposits, milling features, house pits, and midden. | Wel mel ti |
| CA-PLA-476H | Placer mining tailings | Historic | | Black Bear |
| CA-PLA-477 | Lithic scatter | prehistoric | Wide-stemmed (Early Holocene) projectile points | Black Bear |
| CA-PLA-478 | Lithic scatter | prehistoric | Not relocated, may have been mis-plotted (see Coyote 28). | n/a |
| CA-PLA-479 | Lithic scatter | prehistoric | | Sagebrush |
| CA-PLA-480 | Lithic scatter | prehistoric | Possible stratified deposits, large site, includes milling features. Sinter and Sutro Springs obsidian may suggest an East side affiliation. | Sagebrush |
| CA-PLA-481 | Lithic scatter | prehistoric | Possible stratified deposits, large site, includes a wide-stemmed point, milling features, and copious ground stone. | Sagebrush |
| CA-PLA-482 ( CA-NEV-423) | Lithic scatter | prehistoric | Also NEV-423. FGV source. | Black Bear |
| CA-PLA-483/H | Historic and proto-historic homestead/camp | Mixed | Includes historic features, debris, and a few incipient BRMs; old Joerger Ranch | Black Bear |
| CA-PLA-484/H | Lithic scatter and historic debris | Mixed | Possible rock ring. Historic debris dating from the 1920s-40s. | Black Bear |
| CA-PLA-485/486/H | Lithic scatter and historic water management features | Mixed | Portion off Corps land was evaluated as NR ineligible by Lindström and Bennett (1995). Historic features are outside Corps property. | Black Bear |
| CA-PLA-487/H | Lithic scatter and historic debris | Mixed | Includes the Richardson Bros. logging rail line bed. Auger testing in 2013 found no subsurface materials. | Wel mel ti |
| CA-PLA-488/H | Lithic scatter and historic debris | Mixed | | Wel mel ti |
| CA-PLA-489 | Lithic scatter | prehistoric | | Wel mel ti |

| | | | | |
|---|---|---|---|---|
| CA-PLA-490 | Lithic scatter, probable occupation site | prehistoric | Numerous BRMs/slicks, an arrow point, and a historic wood feature. | Wel mel ti |
| CA-PLA-491/H | Historic ranch and prehistoric lithic scatter; probable occupation site | Mixed | Old Cavitt Ranch site. | Wel mel ti |
| CA-PLA-2442H | Placer mining tailings | Historic | | Wel mel ti/ Trans Cor. |
| Coyote 02 | Lithic scatter | prehistoric | | Wel mel ti |
| Coyote 03 | Lithic scatter | prehistoric | | Wel mel ti |
| Coyote 09 | Lithic scatter and historic debris | Mixed | Scattered, infrequent historic debris | Wel mel ti |
| Coyote 12 | Buried lithic scatter | prehistoric | Buried in the meadow, visible only in a stream cut. | Wel mel ti |
| Coyote 16 | Lithic scatter | prehistoric | Pinto Point | Wel mel ti |
| Coyote 17 | Lithic scatter | prehistoric | Located on a high spot in the floodplain | Wel mel ti |
| Coyote 18 | Lithic scatter | prehistoric | Previously recorded as “TS” | Wel mel ti |
| Coyote 21 | Lithic scatter | prehistoric | | Sagebrush |
| P-29-45 (Coyote 22) | railroad bed and a telegraph line | Historic | Donner and Truckee RR (1893-1901). Telegraph line may not be associated. | Sagebrush/ Black bear |
| Coyote 28 | Lithic scatter/ lithic procurement | prehistoric | Possibly PLA-478 | Sagebrush |
| Coyote 32 | Lithic scatter | prehistoric | | Sierra View |
| Coyote 33 | Historic trash scatter | Historic | Barrel dump, mid-20th century | Rec Area |
| Coyote 34 | Historic trash scatter | Historic | Debris and an abandoned dirt road | Rec Area |
| Coyote 36 | Charcoal kiln | Historic | Chinese-type charcoal kiln; good integrity (1860s to 1877) | Operations |
| Coyote 37 | Burned wood and hand-cut stumps | Historic | | Operations |
| Coyote 39 | Historic camp, possibly Chinese | Historic | Late 19th to early 20th century, some possibly Chinese style pottery. | Black Bear |
| Coyote 41 | Segregated reduction locus | prehistoric | Decortication, a light scatter of FGV | Black Bear |
| Coyote 44 | Rock ring | unknown | Likely a Late Archaic house-pit | Black Bear |
| Coyote 45 | Talus pits | unknown | Possible talus pits—storage? | Black Bear |
| Coyote 46 | Historic Mill Site | Historic | Probably “Davie’s Mill” Late 19th to early 20th century lumber mill. | Black Bear |
| Coyote 47 | Lithic scatter | prehistoric | Hunting camp (?) | Sagebrush |
| Coyote 48 | Talus pits | unknown | Possible talus pits—storage? | Operations |
| Coyote 49 | Lithic scatter | prehistoric | | Black Bear |
| FS-05-17-57-784 | 19th Century Chinese camp | Historic | Formerly included in PLA-272 (Partially Forest Service Land) | Wel mel ti |
| Sullo 1 | Lithic scatter | prehistoric | | Wel mel ti |
| Sullo 2 | Lithic scatter | prehistoric | Possible cooking feature | Wel mel ti |
| Sullo 3 | Bedrock milling station | prehistoric | 12 cups, 1 slick | Wel mel ti |
| Sullo 4 | Bedrock milling station | prehistoric | 5 cups; located near a substantial spring. | Wel mel ti |

**Potential Environmental Effects**

Basis of Significance.

Effects to cultural resources are considered significant if the project would; (1) result in the alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register of Historic Places (NRHP) and (2) the alternation would diminish the ability of the resource to convey that significance.

No Action.

Under this alternative the Master Plan would not be updated. All projects undertaken within the Corps property would be subject to Section 106 of the National Historic Preservation Act. Following the procedures under Section 106 would ensure that the Corps resolves any identified adverse effects to NRHP eligible resources. Recreational use of trails that pass through cultural resources would continue the on-going degradation of those resources.

Master Plan Update.

The MPU would provide a framework for future projects in the project area. The MPU would outline allowable uses of various portions of the project area, and would describe certain projects that might be desirable to construct in the future, but would not directly result in the implementation of any of the projects that it describes. These future projects would be Federal undertakings in their own right, and would be subject to Section 106. Following the procedures under Section 106 would ensure that the Corps resolves any identified adverse effects to NRHP eligible resources. As the Master Plan itself does not directly cause any actions that are not themselves subject to the Section 106 process, the MPU does not have the potential to cause effects to historic properties.

To fulfill the Section 106 process, the Corps has initiated consultation on a finding of no historic properties affected with the California State Historic Preservation Officer (SHPO), the Washoe Tribe of Nevada and California, and the United Auburn Indian Community. While the Master Plan does not implement projects, the land use it allows and the projects it suggests might in the future adversely affect cultural resources. These effects would be considered in more detail when the projects themselves are implemented, but the general nature and scope of those effects can be anticipated.

The following discussion describes in general terms the types of projects proposed in the Master Plan and the likelihood that those undertakings might impact cultural resources. Very few of the known sites in the Martis Creek Lake and Dam property have been evaluated for National Register significance, and none have been formally nominated. The following discussion considers the various projects discussed in the Master Plan, with a preliminary assessment of potential impacts that might result from each. The reader is referred to Figure 1 -

Project Area Showing Management Units for the locations of the management units discussed below. Descriptions of the known archaeological sites in the Martis Creek Lake and Dam property are provided above. The MPU could potentially effect cultural resources in all MU's except #1, #2 and #3.

*MU #4 - Martis Recreational Area Management Unit*

There are only two known archaeological sites in the proposed recreation area, both of which are small accumulations of 20th century historic debris and are not likely to be National Register eligible. The area includes the Alpine Meadows campground and is already subject to high intensity recreational activity. Actions discussed in this area include habitat improvement and forest management plans, as discussed above in the other management units; and expansions and improvements to the existing camping and new picnic facilities. These improvements could include improving trail connectivity, improving camp plumbing facilities, and increasing the size of the campground. These activities would not be expected to adversely affect cultural resources in the area, though the full Section 106 process would still be followed.

*MU # 5 - Sierra View Management Unit*

The Sierra View area is of generally low archaeological sensitivity. No significant projects are discussed in this area, and there are only three small prehistoric archaeological sites located in it. These sites would be easily avoided by any recreational projects.

*MU #6 - Sagebrush Management Unit*

The Sagebrush area includes a number of historic and prehistoric archaeological sites, including CA-PLA-480 and CA-PLA-481, two sites that are probably among the most significant in the valley. On the other hand, significant quantities of borrow material were taken from this area during construction of the dam; much of this area is now heavily disturbed and of very low archaeological sensitivity. Proposed projects in this area include the installation of a disc golf area and associated facilities, the development of a forest management plan, and efforts to improve habitat.

A disc golf facility could be located such that it avoids archaeological sites, but the increased use of the area could result in adverse effects anyway. Effects of a forestry management plan would be similar as in the Black Bear Management Unit. Habitat improvement projects would also require Section 106 consultation, but could also be designed to avoid archaeological sites.

*MU #7 - Black Bear Management Unit*

The Master Plan would allow for the potential development of a trail management plan, a forestry management plan, a bridge across the creek to provide access to the area, and the

creation of an archery range. The Black Bear Management Unit includes a relatively high density of prehistoric and historic archaeological sites.

Development and implementation of a Forestry Management plan could result in adverse effects to these sites, though the majority of them are located on the edge of, or below the more dense parts of the surrounding forest.

Illegally constructed pedestrian trails currently pass through a number of archaeological sites in the Black Bear area and have resulted in significant damage. A trail management plan and realigning or decommissioning trails could reduce on-going effects or provide a means of resolving adverse effects that might be incurred in the future.

Possibly associated with a trail management plan, a bridge across the creek would provide access to portions of the property that are presently difficult to access on foot. The increased traffic would likely result in adverse effects to the archaeological sites located in the Black Bear area.

An archery range would likely be lower impact than the other proposed projects, and could almost certainly be placed in a location that would avoid archaeological sites.

*MU #8 - Transportation Corridor Management Unit*

State Route 267 passes through the Transportation Corridor and would continue to do so. CA-PLA-5, one of the earliest and most significant archaeological sites studied in the area, is located largely within this corridor, and has been heavily impacted by construction of SR 267 in the past.

Additionally, a smaller corridor would be developed by the Master Plan to the south of Highway 267. This area would allow for a paved, hardened, or raised trail across the Federal property. Since this is a site specific action, a separate NEPA document is being prepared for this and the specific impacts of this proposed action is being considered in detail concurrently with the Master Plan Update. The Master Plan does not suggest any other projects in this management unit that would result in impacts beyond those associated with the trail project.

*MU #9 - Wel-mel-ti Wildlife Viewing Management Unit*

Comprising most of the Federal property south of State Route 267, the Wel mel ti area may be the area of highest cultural resources sensitivity. Numerous historic and prehistoric sites are located in this management unit. Currently the area is subject to intense recreational use with high numbers of off-leash dogs and trail users. The Tompkins Memorial trail and other trails

pass through numerous archaeological sites in this area and the use and maintenance of these trails continue to degrade the sites.

Partially as a result of its recreational appeal, the Master Plan Update considers numerous projects in this area. These include creek restoration projects, a forest management plan, rehabilitation of borrow pits from dam construction, implementation of a trails management plan, possible decommissioning of some trails, moving the existing parking lot and installing a restroom, development of a plan to install a fishing dock, exploration of opportunities to place more picnic shelters in the area.

Creek restoration and forest management plans would have similar effects in the Wel mel ti area as in other management units. A trails management plan would result in the identification and quantification of existing impacts to archaeological sites caused by trail use and maintenance, and would probably reduce and/or mitigate these effects.

Other projects discussed for the Wel mel ti area could adversely affect archaeological sites, depending mostly on the specific locations where they were located.

**Conclusion and Recommendations**

Many of the projects proposed in the Master Plan could potentially result in adverse effects to significant cultural resources. However, the Master Plan Update does not provide detailed plans or funding for these projects. The future projects allowed by, and suggested in, the Master Plan Update would be separate undertakings and, as such, would be subject to Section 106 of the NRHP.

As these undertakings are developed and completed in the future, the Corps would follow the normal Section 106 process to identify historic properties, assess adverse effects, and resolve any adverse effects identified. Information provided here and in the Master Plan regarding the known cultural resources in the Martis Creek Lake and Dam property would provide context and an effective starting point for a more complete investigation.

# 4 Growth-Inducing Effects

The proposed action would not induce growth in or near the project area. Local population growth and development would be consistent with the Truckee County General Plan. The MPU would not increase or decrease the level of urbanization in the greater Truckee area.

# 5 Cumulative Effects

The NEPA regulations require that a NEPA document discuss project effects that, when combined with the effects of other projects, result in significant cumulative effects.

The NEPA regulations define a cumulative effect as the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonable foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor or collectively significant actions taken over a period of time" (40 CFR § 1508.7).

## 5.1 Local Related Projects

### 5.1.1 Martis Valley Trail

Placer County has requested a right-of-way (ROW) from the Corps to construct and maintain two trail segments of the larger Martis Valley Trail (MVT) across the lands managed by the Corps for the Martis Creek Lake and Dam.. The trail would provide a regional connection between existing trails in the Town of Truckee and trails in the Lake Tahoe Basin.

The ROW for the MVT would allow Placer County to use a 25-foot wide corridor temporarily during construction, from the center line, along with a staging area near the Martis Creek Lake and Dam Wildlife Viewing Area parking lot. Once construction is completed, the ROW would return to a 14-foot wide corridor from the trail centerline for the long-term maintenance of the MVT.

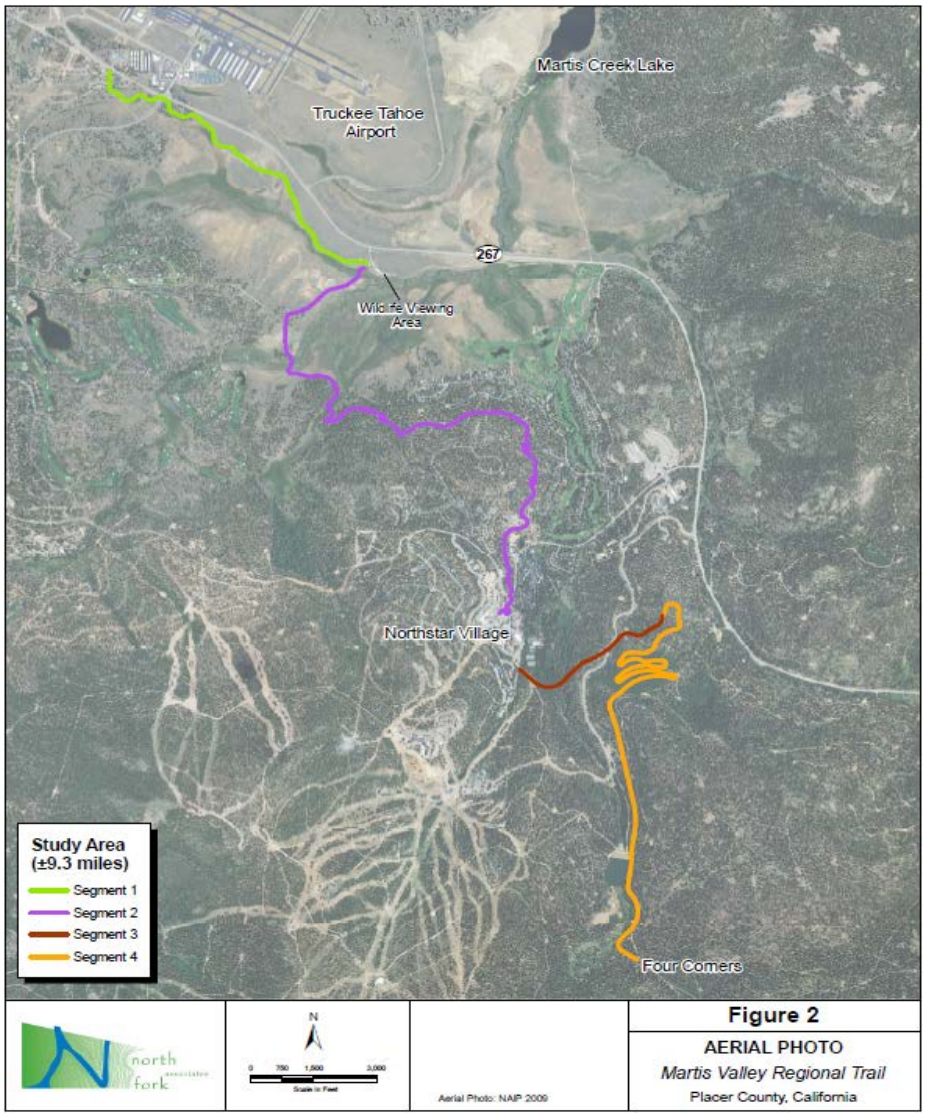

Figure 15 - Martis Valley Regional Trail (Northstar Community Services District 2010)

### 5.1.2 Truckee Tahoe Airport Master Plan Update

The Truckee Tahoe Airport is in the process of updating the airport Master Plan. The purpose of the Truckee Tahoe MPU is to create a blueprint for facility and infrastructure planning over the next 10-15 years. It is a growth management strategy for the airport to ensure consistency with the growth to the region, while taking into account environmental and financial considerations. The responsibility for land use planning in the airport area rests with the Town of Truckee and the two counties, Nevada and Placer.

In summary, no major projects are slated to be built in the master plan over the next 10-15 years (http://www.ttadmasterplan.org/).

### 5.1.3 California Public Electricity Company 625 and 650 Electrical Line Upgrade Project

The California Pacific Electric Company (CalPeco) is proposing upgrades to the existing 625 and 650 electrical power lines and associated substations from 60 kilovolot (kV) to 120 kV near Martis Creek. These upgrades would allow the entire North Lake Tahoe Transmission System to operate at 120 kV, increase the ability to maintain the current maximum system loads during a partial outage, and decrease reliance on the Kings Beach Diesel Generation Station. Section 650-4 spans the Martis Valley south of SR 267 through Martis Creek Lake managed by the Corps and a parcel of the National Forest System managed by the Tahoe National Forest.The proposed upgrades to this portion would take place within an existing right of way.

## 5.2 Discussion of Effects

*Recreation*

The MVT project would have a beneficial impact on recreation. Although the MVT and power line upgrade may create short-term restrictions on recreational access during construction, The MPU and other similar past, present, and reasonably foreseeable future related projects are not expected to result in long-term negative impacts to recreational access or opportunities. The effects are expected to be less than significant.

*Wildlife and Special Status Species*

The continuance/increase of human activity as a result of implementing the MPU such as camping, picnicking, fishing, boating, swimming, dog-off leash usage, and hiking have the potential to impact wildlife or special status species in the area. The MVT may result in

disturbances of wildlife and wildlife habitat, but would not substantially reduce the connectivity or extent of wildlife habitat throughout the project area. The power line may result in temporary disturbances to wildlife during construction.

A number of additional indirect impacts may also result from human activity due to the implementation of the MPU and other nearby related projects. Increased human presence could scare away shy species which normally travel through the area and discourage nesting. However, habitat enhancement efforts and native plantings also have the potential to increase wildlife presence in the area. As a result, cumulative effects to wildlife or special status species would be less than significant.

*Vegetation and Wetlands*

The MPU and the Martis Regional Trail would increase access to more recreational activities. Further, the power line upgrade would impact vegetation around the newly installed poles. As a result, there may be site specific impacts to vegetation and ground cover.

*Soils and Erosion*

Increased foot traffic as a result of some proposed MPU projects and other projects occurring in the project area, such as the Martis Regional Trail, may cause damage to bank vegetation, and bare banks are more vulnerable to erosion than vegetated banks. Additionally, the combination of the weight of motorized vehicles on roads and the churning action of their driving wheels may shift and compress the soil surface. Construction vehicles driven over the bare or brush-covered soil surface in areas not protected by aggregate or pavement, clouds of dust would be introduced into the air.

The implementation of BMPs, as well as avoidance, minimization, and mitigation measures included in the construction plans in any projects within the project area would be implemented to avoid or reduce these effects to less than significant. As a result, the projects would not contribute significantly to cumulative effects on soils.

*Aesthetics*

Although related construction projects in the local area would have short-term effects on the aesthetics in the project area, all areas that would be disturbed during construction would be revegetated and restored to preconstruction conditions to the extent practicable; therefore, any effects to visual resources would be temporary.

*Water Quality*

Projects in the area could result in accidental spills or leaks that could affect surface and ground water resources. With multiple projects under construction, the possibility exists that several accidental spills or leaks could enter the water. All projects have BMPs, as well as

avoidance, minimization, and mitigation measures included in the construction plans that would be implemented to avoid or reduce these effects to less than significant. As a result, the projects would not contribute significantly to cumulative effects on water resources and quality. In addition, the projects in the area could have an overall beneficial effect on water quality through the eradication of invasive aquatic species.

*Cultural Resources*

The significance of NRHP eligible cultural resources is closely tied to the integrity of the setting in which they are located. Historic resources are often more easily understood when associated resources and the infrastructure connecting them are intact. Prehistoric resources, in this case archaeological sites, each represent only one aspect of ancient Washoe lifestyles.

The many cultural resources in Martis Creek Lake are associated with a number of broad reaching historic themes, and others represent the remnants of the Washoe cultural landscape. Successive impacts to resources within the Corps property, and in the region, gradually diminish the integrity of these larger, landscape level resources; and would result in cumulative effects.

# 6 Compliance with Federal Laws and Executive Orders

This section provides preliminary information on the major requirements for permitting, environmental review, and consultation for implementation of a project. Certain local, state and federal regulations require issuance of permits before proposed projects can be implemented, while others require agency coordination but may not require issuance of any authorization or entitlements before a proposed project can be implemented.

## 6.1 Aviation Safety

The Federal Aviation Administration (FAA) addresses control of hazardous wildlife in Advisory Circular (AC) 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports* (FAA 2007). The FAA provides direction on where public-use airports should restrict land uses that have the potential to attract hazardous wildlife. FAA recommends a distance of 10,000 feet separating wildlife attractants and aircraft movement areas. The area within a 10,000 foot radius of the Airport Operations Area is designated as the Airport Perimeter B. The FAA definition of wildlife attractants in AC 150/5200-33B includes natural or human-made areas, such as poorly drained retention ponds, agricultural activities, and wetlands.

In 2003, a Memorandum of Agreement (MOA) was signed between the FAA, the Corps and several other agencies regarding wildlife strikes. In compliance with the MOA, the Corps will coordinate with the Tahoe Truckee Airport and the FAA to ensure the MPU would comply with existing laws, regulations, and policies, such as AC 150/5200-33B. Any unavoidable

significant impacts resulting from implementing the plan will be fully compensated pursuant to the MOA and AC 150/5200-33B.

## 6.2 Clean Air Act

The Clean Air Act (CAA) (42 USC §§ 7401–7671, as amended) provided the authority for the U.S. Environmental Protection Agency (USEPA) to establish nationwide air quality standards to protect public health and welfare. Federal standards, known as the National Ambient Air Quality Standards (NAAQS), were developed for six criteria pollutants: ozone (O3), nitrogen dioxide (NO2), carbon monoxide (CO), sulfur dioxide (SO2), particulate matter, and lead (Pb). The Act also requires that each state prepare a State Implementation Plan (SIP) for maintaining and improving air quality and eliminating violations of the NAAQS.

Under the CAA Amendments of 1990, Federal agencies are required to determine whether their undertakings are in conformance with the applicable SIP and demonstrate that their actions would not cause or contribute to a new violation of the NAAQS; increase the frequency or severity of any existing violation; or delay timely attainment of any standard, emission reduction, or milestone contained in the SIP. The USEPA has set forth regulations 40 CFR 51, Subpart W, that requires the proponent of a proposed action to perform an analysis to determine if its implementation would conform with the SIP.

Additional air quality analysis would be conducted for each project in the MPU prior to implementation.

## 6.3 Clean Water Act

The Clean Water Act (CWA) of 1977 (33 USC §§ 1251 *et seq*.) regulates pollutant discharges that could affect aquatic life forms or human health and safety. Section 404 of the CWA, and Executive Order (EO) 11990, *Protection of Wetlands*, regulate development activities in or near streams or wetlands. Section 404 also regulates development in streams and wetlands and requires a permit from the U.S. Army Corps of Engineers (Corps) for dredging and filling in wetlands. EO 11988, *Floodplain Management*, requires Federal agencies to take action to reduce the risk of flood damage; minimize the impacts of floods on human safety, health, and welfare; and to restore and preserve the natural and beneficial values served by floodplains. Federal agencies are directed to consider the proximity of their actions to or within floodplains.

Section 404 analysis would be completed, if applicable, for each project in the MPU prior to implementation.

## 6.4 Endangered Species Act

The ESA of 1973 (16 USC §§ 1531–1544, as amended) established measures for the protection of plant and animal species that are federally listed as threatened and endangered, and for the conservation of habitats that are critical to the continued existence of those species. Federal agencies must evaluate the effects of their proposed actions through a set of defined

procedures, which can include the preparation of a Biological Assessment and can require formal or informal consultation with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Act. ESA would be complied with prior to implementation of any projects.

Section 7 consultation would be completed, if applicable, prior to the implementation of any project in the MPU.

## 6.5 Executive Order 12898

Additional regulatory legislation that potentially applies to the implementation of this proposal includes guidelines promulgated by EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, to ensure that citizens in either of these categories are not disproportionately affected. Additionally, potential health and safety impacts that could disproportionately affect children are considered under the guidelines established by EO 13045, *Protection of Children from Environmental Health Risks and Safety Risks*.

The proposed action is in compliance with this Executive Order and would not affect any minority or low-income communities.

## 6.6 National Environmental Policy Act

NEPA requires that Federal agencies consider potential environmental consequences of proposed actions. The law's intent is to protect, restore, or enhance the environment through well-informed Federal decisions. The CEQ was established under NEPA for the purpose of implementing and overseeing Federal policies as they relate to this process.

In 1978, the CEQ issued *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act* (40 CFR §1500-1508 [CEQ 1978]). These regulations specify that an EA be prepared to:

- Briefly provide sufficient analysis and evidence for determining whether to prepare an EIS or a Finding of No Significant Impact (FONSI);
- Aid in an agency's compliance with NEPA when no Environmental Impact Statement (EIS) is necessary; and
- Facilitate preparation of an EIS when one is necessary.

Further, to comply with other relevant environmental requirements (e.g., the Safe Drinking Water Act, Endangered Species Act [ESA], and National Historic Preservation Act [NHPA]) in addition to NEPA, and to assess potential environmental impacts, the environmental impact analysis process and decision-making process for the proposed action involves a thorough examination of all environmental issues pertinent to the action proposed for Martis Creek Lake. To comply with NEPA and other pertinent environmental requirements, and to assess impacts on the environment, the decision-making process includes a study of environmental issues related to the Proposed Action at Martis Creek.

Supplemental NEPA documentation would tier off of this EA for each project in the MPU prior to implantation. Categorical exclusions (CATEX) are likely to be the most common form of documentation due to the relatively low impact of most of the proposed projects. Additional EA's would also be prepared if a CATEX is not determined to be appropriate. If a project is later determined to have potential significant effects, an EIS would be prepared.

## 6.7 National Historic Preservation Act

The NHPA of 1966 (16 USC § 470) established the National Register of Historic Places (NRHP) and the Advisory Council on Historic Preservation (ACHP) that outlined procedures for the management of cultural resources on Federal property. Cultural resources can include archaeological remains, architectural structures, and traditional cultural properties such as ancestral settlements, historic trails, and places where significant historic events occurred. NHPA requires Federal agencies to consider potential impacts to cultural resources that are listed, nominated to, or eligible for listing on the NRHP; designated a National Historic Landmark; or valued by modern Native Americans for maintaining their traditional culture. Section 106 of NHPA requires Federal agencies to consult with the appropriate State Historic Preservation Office (SHPO) if their undertaking might affect such resources. An undertaking refers to a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval. *Protection of Historic and Cultural Properties* (36 CFR 800 [1986]) provided an explicit set of procedures for Federal agencies to meet their obligations under the NHPA, which includes inventorying of resources and consultation with SHPO.

EO 13007, *Indian Sacred Sites*, directs Federal land (any land or interests in land owned by the United States, including leasehold interests held by the United States, except Indian trust lands) managing agencies to accommodate access to, and ceremonial use of, Indian sacred sites (any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian tribe [an Indian or Alaska Native tribe, band, nation, Pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to Public Law No. 103-454, 108 Stat. 4791, an "Indian" refers to a member of such an Indian tribe] or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion) provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site.

The American Indian Religious Freedom Act (AIRFA) (42 USC § 1996) established Federal policy to protect and preserve the rights of Native Americans to believe, express, and exercise their traditional religions, including providing access to sacred sites.

The Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC §§ 3001– 3013) requires consultation with Native American Tribes prior to excavation or removal

of human remains and certain objects of cultural importance. NAGPRA requires that if a discovery occurred in connection with an activity including, but not limited to, construction, the person shall cease the activity in the area of discovery, make a reasonable effort to protect the items discovered before resuming such activity, and provide notice under this subsection. The head of the appropriate agency must then locate the appropriate federally recognized Indian tribe and determine the appropriate next course of action.

# 7 Public Involvement

## 7.1 Agencies and Tribal Government

The Martis Creek EA is being developed in coordination with the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) and reflects mutual agreement of these agencies concerning conservation, protection, and management of fish and wildlife resources. At the start of the planning processes (summer 2013), notices were sent to the CDFW, USFWS, tribes, and the public, inviting them to public kick-off meetings held on July 29 and 30, 2013. These meetings provided an introduction and brief summary of the proposed MPU and solicited the agencies and public for their opinion on the project. Coordination with these agencies is continuing through the preparation of this EA, including review of draft versions of the EA and additional meetings.

Additionally, letters were sent to the California State Historic Preservation Office (SHPO) and interested Native American Tribes on November 12, 2014 informing them of our efforts to identify historic properties, including our determination and documentation of the area of potential effects (APE), a summary of the known archaeological sites in the APE, and our finding of *no historic properties affected* for the MPU. These letters and draft documents informed the agencies and tribes that this EA would be prepared to address implementation of the MPU.

Corps staff contacted Truckee Airport staff to notify them about habitat improvements associated with the MPU and how the improvements have the potential to increase wildlife in the vicinity of the airport. Truckee Airport staff will have the opportunity to review and provide comments on the draft EA.

Additionally, the Corps signed a Memorandum of Agreement (MOA) with the FAA, EPA, USFWS, and USDA regarding activities that might contribute to wildlife strikes. The MOA encourages agencies to consider the FAA siting criteria and land use recommendations and make every effort to be consistent with those recommendations. The MOA also states that the agencies will work cooperatively with airport authorities when developing projects that might affect aviation.

# 8 Coordination and Review of the Draft EA

The draft EA and draft FONSI will be circulated for 30 days to agencies, organizations, and individuals known to have a special interest in the MPU. Copies of the draft EA will be posted on the Corps website and made available for viewing at local public libraries, or provided by mail upon request. This MPU is being coordinated with all the appropriate Federal, State, and local government agencies, including the U.S. Fish and Wildlife Service, the State Historic Preservation Officer, and the California Department of Fish and Wildlife.

# 9 Conclusion

Results of the EA, field visits, and coordination with other agencies indicate that the MPU and possible improvements would not be expected to have any significant effects on environmental resources. Short-term effects during construction would either be less than significant or mitigated to less than significance using BMPs, permit requirements, and other avoidance and minimization measures. However, prior to implementation of any project identified in the MPU, additional site specific NEPA evaluations will be conducted. It is possible that further examination of specific projects could result in the identification of a site specific significant impact. In that case, an Environmental Impact Statement will be prepared.

Following the public review period of this EA, a determination will be made whether a FONSI is warranted or whether preparation of an Environmental Impact Statement is necessary for the MPU.

# 10 List of Preparers and Reviewers

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# Appendix A – CNDDB Results

# Summary Table Report

## California Department of Fish and Wildlife

## California Natural Diversity Database

**Query Criteria:** Quad is (Truckee (3912032) or Martis Peak (3912031))

| Name (Scientific/Common) | CNDDB Ranks | Listing Status (Fed/State) | Other Lists | Elev. Range (ft.) | Total EO's | Element Occ. Ranks | | | | | | Population Status | | Presence | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | A | B | C | D | X | U | Historic > 20 yr | Recent <= 20 yr | Extant | Poss. Extirp. | Extirp. |
| ***Accipiter gentilis***<br>northern goshawk | G5<br>S3 | None<br>None | BLM_S-Sensitive<br>CDF_S-Sensitive<br>CDFW_SSC-Species of Special Concern<br>IUCN_LC-Least Concern<br>USFS_S-Sensitive | 6,450<br>8,200 | 427<br>S:4 | 1 | 1 | 2 | 0 | 0 | 0 | 1 | 3 | 4 | 0 | 0 |
| ***Aplodontia rufa californica***<br>Sierra Nevada mountain beaver | G5T3T4<br>S2S3 | None<br>None | CDFW_SSC-Species of Special Concern<br>IUCN_LC-Least Concern | 6,400<br>7,600 | 16<br>S:4 | 0 | 0 | 0 | 0 | 0 | 4 | 4 | 0 | 4 | 0 | 0 |
| ***Arabis rigidissima var. demota***<br>Galena Creek rockcress | G3T3Q<br>S1 | None<br>None | Rare Plant Rank - 1B.2<br>USFS_S-Sensitive | 7,500<br>8,400 | 2<br>S:2 | 0 | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 2 | 0 | 0 |
| ***Artemisia tripartita ssp. tripartita***<br>threetip sagebrush | G5T3T5<br>S2 | None<br>None | Rare Plant Rank - 2B.3 | | 4<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 0 |
| ***Botrychium lunaria***<br>common moonwort | G5<br>S2? | None<br>None | Rare Plant Rank - 2B.3<br>USFS_S-Sensitive | 6,400<br>6,400 | 8<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Botrychium minganense***<br>mingan moonwort | G4G5<br>S2 | None<br>None | Rare Plant Rank - 2B.2<br>USFS_S-Sensitive | 6,500<br>6,500 | 57<br>S:1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| ***Carex davyi***<br>Davy's sedge | G2<br>S2 | None<br>None | Rare Plant Rank - 1B.3 | 8,230<br>8,230 | 19<br>S:1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| ***Empidonax traillii***<br>willow flycatcher | G5<br>S1S2 | None<br>Endangered | ABC_WLBCC-Watch List of Birds of Conservation Concern<br>IUCN_LC-Least Concern<br>USFS_S-Sensitive<br>USFWS_BCC-Birds of Conservation Concern | 5,440<br>6,000 | 87<br>S:4 | 1 | 0 | 2 | 0 | 0 | 1 | 2 | 2 | 4 | 0 | 0 |
| ***Eriogonum umbellatum var. torreyanum***<br>Donner Pass buckwheat | G5T2<br>S2 | None<br>None | Rare Plant Rank - 1B.2<br>USFS_S-Sensitive | 6,500<br>6,500 | 21<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Ivesia sericoleuca***<br>Plumas ivesia | G2<br>S2 | None<br>None | Rare Plant Rank - 1B.2<br>BLM_S-Sensitive<br>USFS_S-Sensitive | 5,800<br>5,900 | 67<br>S:10 | 2 | 4 | 1 | 0 | 0 | 3 | 7 | 3 | 10 | 0 | 0 |

# Summary Table Report

## California Department of Fish and Wildlife

## California Natural Diversity Database

| Name (Scientific/Common) | CNDDB Ranks | Listing Status (Fed/State) | Other Lists | Elev. Range (ft.) | Total EO's | Element Occ. Ranks | | | | | | Population Status | | Presence | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | A | B | C | D | X | U | Historic > 20 yr | Recent <= 20 yr | Extant | Poss. Extirp. | Extirp. |
| ***Juncus luciensis***<br>Santa Lucia dwarf rush | G2G3<br>S2S3 | None<br>None | Rare Plant Rank - 1B.2<br>USFS_S-Sensitive | 5,800<br>5,800 | 26<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 0 |
| ***Lepus americanus tahoensis***<br>Sierra Nevada snowshoe hare | G5T3T4Q<br>S2? | None<br>None | CDFW_SSC-Species of Special Concern | 6,500<br>6,500 | 12<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Margaritifera falcata***<br>western pearlshell | G4G5<br>S1S2 | None<br>None | | 5,650<br>5,650 | 74<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 0 |
| ***Oncorhynchus clarkii henshawi***<br>Lahontan cutthroat trout | G4T3<br>S2 | Threatened<br>None | AFS_TH-Threatened | 5,820<br>6,120 | 27<br>S:3 | 0 | 0 | 0 | 0 | 3 | 0 | 2 | 1 | 0 | 0 | 3 |
| ***Potamogeton robbinsii***<br>Robbins' pondweed | G5<br>S3 | None<br>None | Rare Plant Rank - 2B.3 | 5,945<br>5,945 | 17<br>S:1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| ***Rana sierrae***<br>Sierra Nevada yellow-legged frog | G1<br>S1 | Proposed Endangered<br>Threatened | CDFW_SSC-Species of Special Concern<br>IUCN_EN-Endangered<br>USFS_S-Sensitive | 5,500<br>5,500 | 504<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Rhamnus alnifolia***<br>alder buckthorn | G5<br>S3 | None<br>None | Rare Plant Rank - 2B.2 | | 16<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Rorippa subumbellata***<br>Tahoe yellow cress | G1<br>S1 | Candidate<br>Endangered | Rare Plant Rank - 1B.1<br>SB_BerrySB-Berry Seed Bank<br>SB_RSABG-Rancho Santa Ana Botanic Garden<br>USFS_S-Sensitive | 6,500<br>6,500 | 28<br>S:1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 0 |
| ***Scutellaria galericulata***<br>marsh skullcap | G5<br>S2 | None<br>None | Rare Plant Rank - 2B.2 | | 31<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Setophaga petechia***<br>yellow warbler | G5<br>S3S4 | None<br>None | CDFW_SSC-Species of Special Concern<br>USFWS_BCC-Birds of Conservation Concern | 5,900<br>5,900 | 48<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |
| ***Vulpes vulpes necator***<br>Sierra Nevada red fox | G5T1T2<br>S1 | None<br>Threatened | USFS_S-Sensitive | 5,920<br>5,920 | 201<br>S:1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 |

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|---|---|---|---|---|---|
| ***Accipiter gentilis***<br>northern goshawk | ABNKC12060 | None | None | G5 | S3 | SSC |
| ***Aplodontia rufa californica***<br>Sierra Nevada mountain beaver | AMAFA01013 | None | None | G5T3T4 | S2S3 | SSC |
| ***Arabis rigidissima var. demota***<br>Galena Creek rockcress | PDBRA061R1 | None | None | G3T3Q | S1 | 1B.2 |
| ***Artemisia tripartita ssp. tripartita***<br>threetip sagebrush | PDAST0S1S2 | None | None | G5T3T5 | S2 | 2B.3 |
| ***Botrychium lunaria***<br>common moonwort | PPOPH01080 | None | None | G5 | S2? | 2B.3 |
| ***Botrychium minganense***<br>mingan moonwort | PPOPH010R0 | None | None | G4G5 | S2 | 2B.2 |
| ***Carex davyi***<br>Davy's sedge | PMCYP033H0 | None | None | G2 | S2 | 1B.3 |
| ***Empidonax traillii***<br>willow flycatcher | ABPAE33040 | None | Endangered | G5 | S1S2 | |
| ***Eriogonum umbellatum var. torreyanum***<br>Donner Pass buckwheat | PDPGN086U9 | None | None | G5T2 | S2 | 1B.2 |
| ***Ivesia sericoleuca***<br>Plumas ivesia | PDROS0X0K0 | None | None | G2 | S2 | 1B.2 |
| ***Juncus luciensis***<br>Santa Lucia dwarf rush | PMJUN013J0 | None | None | G2G3 | S2S3 | 1B.2 |
| ***Lepus americanus tahoensis***<br>Sierra Nevada snowshoe hare | AMAEB03012 | None | None | G5T3T4Q | S2? | SSC |
| ***Margaritifera falcata***<br>western pearlshell | IMBIV27020 | None | None | G4G5 | S1S2 | |
| ***Oncorhynchus clarkii henshawi***<br>Lahontan cutthroat trout | AFCHA02081 | Threatened | None | G4T3 | S2 | |
| ***Potamogeton robbinsii***<br>Robbins' pondweed | PMPOT030Z0 | None | None | G5 | S3 | 2B.3 |
| ***Rana sierrae***<br>Sierra Nevada yellow-legged frog | AAABH01340 | Proposed Endangered | Threatened | G1 | S1 | SSC |
| ***Rhamnus alnifolia***<br>alder buckthorn | PDRHA0C010 | None | None | G5 | S3 | 2B.2 |
| ***Rorippa subumbellata***<br>Tahoe yellow cress | PDBRA270M0 | Candidate | Endangered | G1 | S1 | 1B.1 |
| ***Scutellaria galericulata***<br>marsh skullcap | PDLAM1U0J0 | None | None | G5 | S2 | 2B.2 |
| ***Setophaga petechia***<br>yellow warbler | ABPBX03010 | None | None | G5 | S3S4 | SSC |
| ***Vulpes vulpes necator***<br>Sierra Nevada red fox | AMAJA03012 | None | Threatened | G5T1T2 | S1 | |

**Record Count: 21**

Appendix B – Corps Regulation 36 C.F.R. § 327.11

US Army Corps of Engineers

# RULES AND REGULATIONS

## GOVERNING PUBLIC USE OF CORPS OF ENGINEERS WATER RESOURCES DEVELOPMENT PROJECTS

EP 1165-2-316
May 2000

**FOREWARD**

The following rules and regulations, published in the Federal Register of February 11, 2000 and amended on May 5, 2000, govern the public use of water resources development projects administered by the Chief of Engineers. Visitors are bound by these Title 36 regulations.

FOR THE COMMANDER:

RUSSELL L. FUHRMAN
Major General, U.S. Army
Chief of Staff

**Title 36 -- Parks, Forests, and Public Property**
**CHAPTER 111 -- U.S. ARMY CORPS OF ENGINEERS**
**PART 327--RULES AND REGULATIONS GOVERNING PUBLIC USE OF WATER RESOURCES DEVELOPMENT PROJECTS ADMINISTERED BY THE CHIEF OF ENGINEERS**

Section

**327.0 Applicability**
**327.1 Policy**
**327.2 Vehicles.**
**327.3 Vessels.**
**327.4 Aircraft.**
**327.5 Swimming.**
**327.6 Picnicking.**
**327.7 Camping.**
**327.8 Hunting, fishing, and trapping.**
**327.9 Sanitation.**
**327.10 Fires.**
**327.11 Control of animals.**
**327.12 Restrictions.**
**327.13 Explosives, firearms, other weapons and fireworks.**
**327.14 Public property.**
**327.15 Abandonment and impoundment of personal property.**
**327.16 Lost and found articles.**
**327.17 Advertisement.**
**327.18 Commercial activities.**
**327.19 Permits.**
**327.20 Unauthorized structures.**
**327.21 Special events.**
**327.22 Unauthorized occupation.**
**327.23 Recreation use fees.**
**327.24 Interference with Government employees.**
**327.25 Violations of rules and regulations.**
**327.26 State and local laws.**

Authority: 16 U.S.C. 460d; 16 U.S.C. 4601-6a; Sec. 210, Pub. L. 90-483, 82 Stat. 746.; 33 U.S.C. 1, 28 Stat. 362.

**327.0 Applicability.**

The regulations covered in this part 327 shall be applicable to water resources development projects, completed or under construction, administered by the Chief of Engineers, and to those portions of jointly administered water resources development projects which are under the administrative jurisdiction of the Chief of Engineers. ALL OTHER FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS REMAIN IN FULL FORCE AND EFFECT WHERE APPLICABLE TO THOSE WATER RESOURCES DEVELOPMENT PROJECTS.

**327.1 Policy.**

(a) It is the policy of the Secretary of the Army, acting through the Chief of Engineers, to manage the natural, cultural and developed resources of each project in the public interest, providing the public with safe and healthful recreational opportunities while protecting and enhancing these resources.

(b) Unless otherwise indicated in this part, the term “District Commander” shall include the authorized representatives of the District Commander.

(c) The term “project” or “water resources development project” refers to the water areas of any water resources development project administered by the Chief of Engineers, without regard to ownership of underlying land, to all lands owned in fee by the Federal Government and to all facilities therein or thereon of any such water resources development project.

(d) All water resources development projects open for public use shall be available to the public without regard to sex, race, color, creed, age, nationality or place of origin. No lessee, licensee, or concessionaire providing a service to the public shall discriminate against any person because of sex, race, creed, color, age, nationality or place of origin in the conduct of the operations under the lease, license or concession contract.

(e) In addition to the regulations in this part 327, all applicable Federal, state and local laws and regulations remain in full force and effect on project lands or waters which are outgranted by the District Commander by lease, license or other written agreement.

(f) The regulations in this part 327 shall be deemed to apply to those lands and waters which are subject to treaties and Federal laws and regulations concerning the rights of Indian Nations and which lands and waters are incorporated, in whole or in part, within water resources development projects administered by the Chief of Engineers, to the extent that the regulations in this part 327 are not inconsistent with such treaties and Federal laws and regulations.

(g) Any violation of any section of this part 327 shall constitute a separate violation for each calendar day in which it occurs.

(h) For the purposes of this part 327, the operator of any vehicle, vessel or aircraft as described in this part shall be presumed to be responsible for its use on project property. In the event where an operator cannot be determined, the owner of the vehicle, vessel, or aircraft, whether attended or unattended, will be presumed responsible. Unless proven otherwise, such presumption will be sufficient to issue a citation for the violation of regulations applicable to the use of such vehicle, vessel or aircraft as provided for in Sec. 327.25.

(i) For the purposes of this part 327, the registered user of a campsite, picnic area, or other facility shall be presumed to be responsible for its use. Unless proven otherwise, such presumption will be sufficient to issue a citation for the violation of regulations applicable to the use of such facilities as provided for in Sec. 327.25.

**327.2 Vehicles.**

(a) This section pertains to all vehicles, including, but not limited to, automobiles, trucks, motorcycles, mini-bikes, snowmobiles, dune buggies, all-terrain vehicles, and trailers, campers, bicycles, or any other such equipment.

(b) Vehicles shall not be parked in violation of posted restrictions and regulations, or in such a manner as to obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety hazard, or endanger any person, property or environmental feature. Vehicles so parked are subject to removal and impoundment at the owner's expense.

(c) The operation and/or parking of a vehicle off authorized roadways is prohibited except at locations and times designated by the District Commander. Taking any vehicle through, around or beyond a restrictive sign, recognizable barricade, fence, or traffic control barrier is prohibited.

(d) Vehicles shall be operated in accordance with posted restrictions and regulations.

(e) No person shall operate any vehicle in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature.

(f) At designated recreation areas, vehicles shall be used only to enter or leave the area or individual sites or facilities unless otherwise posted.

(g) Except as authorized by the District Commander, no person shall operate any motorized vehicle without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust.

(h) Vehicles shall be operated in accordance with applicable Federal, state and local laws, which shall be regulated by authorized enforcement officials as prescribed in Sec. 327.26.

**327.3 Vessels.**

(a) This section pertains to all vessels or watercraft, including, but not limited to, powerboats, cruisers, houseboats, sailboats, rowboats, canoes, kayaks, personal watercraft, and any other such equipment capable of navigation on water or ice, whether in motion or at rest.

(b) The placement and/or operation of any vessel or watercraft for a fee or profit upon project waters or lands is prohibited except as authorized by permit, lease, license, or concession contract with the Department of the Army. This paragraph shall not apply to the operation of commercial tows or passenger carrying vessels not based at a Corps project which utilize project waters as a link in continuous transit over navigable waters of the United States.

(c) Vessels or other watercraft may be operated on the project waters, except in prohibited or restricted areas, in accordance with posted regulations and restrictions, including buoys. All vessels or watercraft so required by applicable Federal, state and local laws shall display an appropriate registration on board whenever the vessel is on project waters.

(d) No person shall operate any vessel or other watercraft in a careless, negligent, or reckless manner so as to endanger any person, property, or environmental feature.

(e) All vessels, when on project waters, shall have safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements and in compliance with boating safety laws issued and enforced by the state in which the vessel is located. Owners or operators of vessels not in compliance with this section may be requested to remove the vessel immediately from project waters until such time as items of non-compliance are corrected.

(f) Unless otherwise permitted by Federal, state or local law, vessels or other watercraft, while moored in commercial facilities, community or corporate docks, or at any fixed or permanent mooring point, may only be used for overnight occupancy when such use is incidental to recreational boating. Vessels or other watercraft are not to be used as a place of habitation or residence.

(g) Water skis, parasails, ski-kites and similar devices are permitted in nonrestricted areas except that they may not be used in a careless, negligent, or reckless manner so as to endanger any person, property or environmental feature.

(h) Vessels shall not be attached or anchored to structures such as locks, dams, buoys or other structures unless authorized by the District Commander. All vessels when not in actual use shall be removed from project lands and waters unless securely moored or stored at designated areas approved by the District Commander. The placing of floating or stationary mooring facilities on, adjacent to, or interfering with a buoy, channel marker or other navigational aid is prohibited.

(i) The use at a project of any vessel not constructed or maintained in compliance with the standards and requirements established by the Federal Safe Boating Act of 1971 (Pub. L. 92-75, 85 Stat. 213), or promulgated pursuant to such act, is prohibited.

(j) Except as authorized by the District Commander, no person shall operate any vessel or watercraft without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust.

(k) All vessels or other watercraft shall be operated in accordance with applicable Federal, state and local laws, which shall be regulated by authorized enforcement officials as prescribed in Sec. 327.26.

**327.4 Aircraft.**

(a) This section pertains to all aircraft including, but not limited to, airplanes, seaplanes, helicopters, ultra-light aircraft, motorized hang gliders, hot air balloons, any non-powered flight devices or any other such equipment.

(b) The operation of aircraft on project lands at locations other than those designated by the District Commander is prohibited. This provision shall not be applicable to aircraft engaged on official business of Federal, state or local governments or law enforcement agencies, aircraft used in emergency rescue in accordance with the directions of the District Commander or aircraft forced to land due to circumstances beyond the control of the operator.

(c) No person shall operate any aircraft while on or above project waters or project lands in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature.

(d) Nothing in this section bestows authority to deviate from rules and regulations or prescribed standards of the appropriate State Aeronautical Agency, or the Federal Aviation Administration, including, but not limited to, regulations and standards concerning pilot certifications or ratings, and airspace requirements.

(e) Except in extreme emergencies threatening human life or serious property loss, the air delivery or retrieval of any person, material or equipment by parachute, balloon, helicopter or other means onto or from project lands or waters without written permission of the District Commander is prohibited.

(f) In addition to the provisions in paragraphs (a) through (e) of this section, seaplanes are subject to the following restrictions:

(1) Such use is limited to aircraft utilized for water landings and takeoff, in this part called seaplanes, at the risk of owner, operator and passenger(s).

(2) Seaplane operations contrary to the prohibitions or restrictions established by the District Commander (pursuant to part 328 of this title) are prohibited. The responsibility to ascertain whether seaplane operations are prohibited or restricted is incumbent upon the person(s) contemplating the use of, or using, such waters.

(3) All operations of seaplanes while upon project waters shall be in accordance with U.S. Coast Guard navigation rules for powerboats or vessels and Sec. 327.3.

(4) Seaplanes on project waters and lands in excess of 24 hours shall be securely moored at mooring facilities and at locations permitted by the District Commander. Seaplanes may be temporarily moored on project waters and lands, except in areas prohibited by the District Commander, for periods less than 24 hours providing:

(i) The mooring is safe, secure, and accomplished so as not to damage the rights of the Government or members of the public, and

(ii) The operator remains in the vicinity of the seaplane and reasonably available to relocate the seaplane if necessary.

(5) Commercial operation of seaplanes from project waters is prohibited without written approval of the District Commander following consultation with and necessary clearance from the Federal Aviation Administration (FAA) and other appropriate public authorities and affected interests.

(6) Seaplanes may not be operated at Corps projects between sunset and sunrise unless approved by the District Commander.

**327.5 Swimming.**

(a) Swimming, wading, snorkeling or scuba diving at one's own risk is permitted, except at launching sites, designated mooring points and public docks, or other areas so designated by the District Commander.

(b) An international diver down, or inland diving flag must be displayed during underwater activities.

(c) Diving, jumping or swinging from trees, bridges or other structures which cross or are adjacent to project waters is prohibited.

**327.6 Picnicking.**

Picnicking and related day-use activities are permitted, except in those areas where prohibited by the District Commander.

**327.7 Camping.**

(a) Camping is permitted only at sites and/or areas designated by the District Commander.

(b) Camping at one or more campsites at any one water resource project for a period longer than 14 days during any 30-consecutive-day period is prohibited without the written permission of the District Commander.

(c) The unauthorized placement of camping equipment or other items on a campsite and/or personal appearance at a campsite without daily occupancy for the purpose of reserving that campsite for future occupancy is prohibited.

(d) The digging or leveling of any ground or the construction of any structure without written permission of the District Commander is prohibited.

(e) Occupying or placement of any camping equipment at a campsite which is posted or otherwise marked or indicated as “reserved” without an authorized reservation for that site is prohibited.

**327.8 Hunting, fishing, and trapping.**

(a) Hunting is permitted except in areas and during periods where prohibited by the District Commander.

(b) Trapping is permitted except in areas and during periods where prohibited by the District Commander.

(c) Fishing is permitted except in swimming areas, on boat ramps or other areas designated by the District Commander.

(d) Additional restrictions pertaining to these activities may be established by the District Commander.

(e) All applicable Federal, State and local laws regulating these activities apply on project lands and waters, and shall be regulated by authorized enforcement officials as prescribed in Sec. 327.26.

**327.9 Sanitation.**

(a) Garbage, trash, rubbish, litter, gray water, or any other waste material or waste liquid generated on the project and incidental to authorized recreational activities shall be either removed from the project or deposited in receptacles provided for that purpose. The improper disposal of such wastes, human and animal waste included, on the project is prohibited.

(b) It is a violation to bring onto a project any household or commercial garbage, trash, rubbish, debris, dead animals or litter of any kind for disposal or dumping without the written permission of the District Commander. For the purposes of this section, the owner of any garbage, trash, rubbish, debris, dead animals or litter of any kind shall be presumed to be responsible for proper disposal. Such presumption will be sufficient to issue a citation for violation.

(c) The spilling, pumping, discharge or disposal of contaminants, pollutants or other wastes, including, but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products, on project lands or into project waters is prohibited.

(d) Campers, picnickers, and all other persons using a water resources development project shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean their sites upon departure.

(e) The discharge or placing of sewage, galley waste, garbage, refuse, or pollutants into the project waters from any vessel or watercraft is prohibited.

**327.10 Fires.**

(a) Gasoline and other fuels, except that which is contained in storage tanks of vehicles, vessels, camping equipment, or hand portable containers designed for such purpose, shall not be carried onto or stored on the project without written permission of the District Commander.

(b) Fires shall be confined to those areas designated by the District Commander, and shall be contained in fireplaces, grills, or other facilities designated for this purpose. Fires shall not be left unattended and must be completely extinguished prior to departure. The burning of materials that produce toxic fumes, including, but not limited to, tires, plastic and other floatation materials or treated wood products is prohibited. The District Commander may prohibit open burning of any type for environmental considerations.

(c) Improper disposal of lighted smoking materials, matches or other burning material is prohibited.

**327.11 Control of animals.**

(a) No person shall bring or allow dogs, cats, or other pets into developed recreation areas or adjacent waters unless penned, caged, on a leash under six feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use of project lands and waters by the public. No person shall allow animals to bark or emit other noise which unreasonably disturbs other people. Animals and pets, except properly trained animals assisting those with disabilities (such as seeing-eye dogs), are prohibited in sanitary facilities, playgrounds, swimming beaches and any other areas so designated by the District Commander. Abandonment of any animal on project lands or waters is prohibited. Unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws.

(b) Persons bringing or allowing pets in designated public use areas shall be responsible for proper removal and disposal of any waste produced by these animals.

(c) No person shall bring or allow horses, cattle, or other livestock in camping, picnicking, swimming or other recreation areas or on trails except in areas designated by the District Commander.

(d) Ranging, grazing, watering or allowing livestock on project lands and waters is prohibited except when authorized by lease, license or other written agreement with the District Commander.

(e) Unauthorized livestock are subject to impoundment and removal in accordance with Federal, state and local laws.

(f) Any animal impounded under the provisions of this section may be confined at a location designated by the District Commander, who may assess a reasonable impoundment fee. This fee shall be paid before the impounded animal is returned to its owner(s).

(g) Wild or exotic pets and animals (including but not limited to cougars, lions, bears, bobcats, wolves, and snakes), or any pets or animals displaying vicious or aggressive behavior or otherwise posing a threat to public safety or deemed a public nuisance, are prohibited from project lands and waters unless authorized by the District Commander, and are subject to removal in accordance with Federal, state and local laws.

**327.12 Restrictions.**

(a) The District Commander may establish and post a schedule of visiting hours and/or restrictions on the public use of a project or portion of a project. The District Commander may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, resource protection or other reasons in the public interest. Entering or using a project in a manner which is contrary to the schedule of visiting hours, closures or restrictions is prohibited.

(b) Quiet shall be maintained in all public use areas between the hours of 10 p.m. and 6 a.m., or those hours designated by the District Commander. Excessive noise during such times which unreasonably disturbs persons is prohibited.

(c) Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of any person is prohibited. Individuals who are boisterous, rowdy, disorderly, or otherwise disturb the peace on project lands or waters may be requested to leave the project.

(d) The operation or use of any sound producing or motorized equipment, including but not limited to generators, vessels or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited.

(e) The possession and/or consumption of alcoholic beverages on any portion of the project land or waters, or the entire project, may be prohibited when designated and posted by the District Commander.

(f) Unless authorized by the District Commander, smoking is prohibited in Visitor Centers, enclosed park buildings and in areas posted to restrict smoking.

**327.13 Explosives, firearms, other weapons and fireworks.**

(a) The possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons is prohibited unless:

(1) In the possession of a Federal, state or local law enforcement officer;

(2) Being used for hunting or fishing as permitted under 327.8, with devices being unloaded when transported to, from or between hunting and fishing sites;

(3) Being used at authorized shooting ranges; or

(4) Written permission has been received from the District Commander.

(b) Possession of explosives or explosive devices of any kind, including fireworks or other pyrotechnics, is prohibited unless written permission has been received from the District Commander.

**327.14 Public property.**

(a) Destruction, injury, defacement, removal or any alteration of public property including, but not limited to, developed facilities, natural formations, mineral deposits, historical and archaeological features, paleontological resources, boundary monumentation or markers and vegetative growth, is prohibited except when in accordance with written permission of the District Commander.

(b) Cutting or gathering of trees or parts of trees and/or the removal of wood from project lands is prohibited without written permission of the District Commander.
(c) Gathering of dead wood on the ground for use in designated recreation areas as firewood is permitted, unless prohibited and posted by the District Commander.

(d) The use of metal detectors is permitted on designated beaches or other previously disturbed areas unless prohibited by the District Commander for reasons of protection of archaeological, historical or paleontological resources. Specific information regarding metal detector policy and designated use areas is available at the Manager's Office. Items found must be handled in accordance with Sections 327.15 and 327.16 except for non-identifiable items such as coins of value less than $25.

**327.15 Abandonment and impoundment of personal property.**

(a) Personal property of any kind shall not be abandoned, stored or left unattended upon project lands or waters. After a period of 24 hours, or at any time after a posted closure hour in a public use area or for the purpose of providing public safety or resource protection, unattended personal property shall be presumed to be abandoned and may be impounded and stored at a storage point designated by the District Commander, who may assess a reasonable impoundment fee. Such fee shall be paid before the impounded property is returned to its owner.

(b) Personal property placed on Federal lands or waters adjacent to a private residence, facility and/or developments of any private nature for more than 24 hours without permission of the District Commander shall be presumed to have been abandoned and, unless proven otherwise, such presumption will be sufficient to impound the property and/or issue a citation as provided for in Sec. 327.25.

(c) The District Commander shall, by public or private sale or otherwise, dispose of all lost, abandoned or unclaimed personal property that comes into Government custody or control. However, property may not be disposed of until diligent effort has been made to find the owner, heirs, next of kin or legal representative(s). If the owner, heirs, next of kin or legal representative(s) are determined but not found, the property may not be disposed of until the expiration of 120 days after the date when notice, giving the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at the last known address. When diligent efforts to determine the owner, heirs, next of kin or legal representative(s) are unsuccessful, the property may be disposed of without delay except that if it has a fair market value of $100 or more the property may not be disposed of until 90 days after the date it is received at the storage point designated by the District Commander. The net proceeds from the sale of property shall be conveyed into the Treasury of the United States as miscellaneous receipts.

**327.16 Lost and found articles.**

All articles found shall be deposited by the finder at the Manager's office or with a ranger. All such articles shall be disposed of in accordance with the procedures set forth in Sec. 327.15.

**327.17 Advertisement.**

(a) Advertising and the distribution of printed matter is allowed within project land and waters provided that a permit to do so has been issued by the District Commander and provided that this activity is not solely commercial advertising.

(b) An application for such a permit shall set forth the name of the applicant, the name of the organization (if any), the date, time, duration, and location of the proposed advertising or the distribution of printed matter, the number of participants, and any other information required by the permit application form. Permit conditions and procedures are available from the District Commander.

(c) Vessels and vehicles with semipermanent or permanent painted or installed signs are exempt as long as they are used for authorized recreational activities and comply with all other rules and regulations pertaining to vessels and vehicles.

**For permit terms and conditions see the Federal Register, Volume 65, No. 88, May 5, 2000, page 26137.**

**327.18 Commercial activities.**

(a) The engaging in or solicitation of business on project land or waters without the express written permission of the District Commander is prohibited.

(b) It shall be a violation of this part to refuse to or
fail to comply with any terms, clauses or conditions of any lease, license or agreements issued by the District Commander.

**327.19 Permits.**

(a) It shall be a violation of this part to refuse to or fail to comply with the fee requirements or other terms or conditions of any permit issued under the provisions of this part 327.

(b) Permits for floating structures (issued under the authority of Sec. 327.30) of any kind on/in waters of water resources development projects, whether or not such waters are deemed navigable waters of the United States but where such waters are under the management of the Corps of Engineers, shall be issued at the discretion of the District Commander under the authority of this section. District Commanders will delineate

those portions of the navigable waters of the United States where this provision is applicable and post notices of this designation in the vicinity of the appropriate Manager's office.

(c) Permits for non-floating structures (issued under the authority of Sec. 327.30) of any kind constructed, placed in or affecting waters of water resources development projects where such waters are deemed navigable waters of the U.S. shall be issued under the provisions of section 10 of the Rivers and Harbors Act approved March 3, 1899 (33 U.S.C. 403). If a discharge of dredged or fill material in these waters is involved, a permit is required under Section 404 of the Clean Water Act (33 U.S.C. 1344). (See 33 CFR parts 320 through 330.)

(d) Permits for non-floating structures (issued under the authority of Sec. 327.30) of any kind in waters of water resources development projects, where such waters are under the management of the Corps of Engineers and where such waters are not deemed navigable waters of the United States, shall be issued as set forth in paragraph (b) of this section. If a discharge of dredged or fill material into any water of the United States is involved, a permit is required under section 404 of the Clean Water Act (33 U.S.C. 1344) (See 33 CFR parts 320 through 330). Water quality certification may be required pursuant to Section 401 of the Clean Water Act (33 U.S.C. 1341).

(e) Shoreline Use Permits to authorize private shoreline use facilities, activities or development (issued under the authority of section 327.30) may be issued in accordance with the project Shoreline Management Plan. Failure to comply with the permit conditions issued under Section 327.30 is prohibited.

**327.20 Unauthorized structures.**

The construction, placement, or existence of any structure (including, but not limited to, roads, trails, signs, non-portable hunting stands or blinds, buoys, docks, or landscape features) of any kind under, upon, in or over the project lands, or waters is prohibited unless a permit, lease, license or other appropriate written authorization has been issued by the District Commander. The design, construction, placement, existence or use of structures in violation of the terms of the permit, lease, license, or other written authorization is prohibited. The government shall not be liable for the loss of, or damage to, any private structures, whether authorized or not, placed on project lands or waters. Unauthorized structures are subject to summary removal or impoundment by the District Commander. Portable hunting stands, climbing devices, steps, or blinds, that are not nailed or screwed into trees and are removed at the end of a day's hunt may be used.

**327.21 Special events.**

(a) Special events including, but not limited to, water carnivals, boat regattas, fishing tournaments, music festivals, dramatic presentations or other special recreation programs are prohibited unless written permission has been granted by the District Commander. Where appropriate, District Commanders can provide the state a blanket letter of permission to permit fishing tournaments while coordinating the scheduling and details of tournaments with individual projects. An appropriate fee may be charged under the authority of Sec. 327.23.

(b) The public shall not be charged any fee by the sponsor of such event unless the District Commander has approved in writing (and the sponsor has properly posted) the proposed schedule of fees. The District Commander shall have authority to revoke permission, require removal of any equipment, and require restoration of an area to pre-event condition, upon failure of the sponsor to comply with terms and conditions of the permit/permission or the regulations in this part 327.

**327.22 Unauthorized occupation.**

(a) Occupying any lands, buildings, vessels or other facilities within water resource development projects for the purpose of maintaining the same as a full- or part-time residence without the written permission of the District Commander is prohibited. The provisions of this section shall not apply to the occupation of lands for the purpose of camping, in accordance with the provisions of Sec. 327.7.

(b) Use of project lands or waters for agricultural purposes is prohibited except when in compliance with terms and conditions authorized by lease, license or other written agreement issued by the District Commander.

**327.23 Recreation use fees.**

(a) In accordance with the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l) and the Omnibus Budget Reconciliation Act of 1993, Pub. L. 103-66, the Corps of Engineers collects day use fees, special recreation use fees and/or special permit fees for the use of specialized sites, facilities, equipment or services related to outdoor recreation furnished at Federal expense.

(b) Where such fees are charged, the District Commander shall insure that clear notice of fee requirements is prominently posted at each area, and at appropriate locations therein and that the notice be included in publications distributed at such areas. Failure to pay authorized recreation use fees as established pursuant to Pub. L. 88-578, 78 Stat. 897, as amended (16 U.S.C. 460l-6a), is prohibited and is punishable by a fine of not more than $100.

(c) Failure to pay authorized day use fees, and/or properly display applicable receipt, permit or pass is prohibited.

(d) Any Golden Age or Golden Access Passport permittee shall be entitled, upon presentation of such a permit, to utilize special recreation facilities at a rate of 50 percent off the established use fee at Federally operated areas. Fraudulent use of a Golden Age or Golden Access Passport is prohibited.

**327.24 Interference with Government employees.**

(a) It is a Federal crime pursuant to the provisions of sections 111 and 1114 of Title 18, United States Code, to forcibly assault, resist, oppose, impede, intimidate, or interfere with, attempt to kill or kill any civilian official or employee of the U.S. Army Corps of Engineers engaged in the performance of his or her official duties, or on account of the performance of his or her official duties. Such actions or interference directed against a Federal employee while carrying out the regulations in this part are also a violation of such regulations and may be a state crime pursuant to the laws of the state where they occur.

(b) Failure to comply with a lawful order issued by a Federal employee acting pursuant to the regulations in this part shall be considered as interference with that employee while engaged in the performance of their official duties. Such interference with a Federal employee includes failure to provide a correct name, address or other information deemed necessary for identification upon request of the Federal employee, when that employee is authorized by the District Commander to issue citations in the performance of the employee's official duties.

**327.25 Violations of rules and regulations.**

(a) Any person who violates the provisions of the regulations in this part, other than for a failure to pay authorized recreation use fees as separately provided for in Sec. 327.23, may be punished by a fine of not more than $5,000 or imprisonment for not more than six months or both and may be tried and sentenced in accordance with the provisions of section 3401 of Title 18, United States Code. Persons designated by the District Commander shall have the authority to issue a citation for violation of the regulations in this part, requiring any person charged with the violation to appear before the United States Magistrate within whose jurisdiction the affected water resources development project is located (16 U.S.C. 460d).

(b) Any person who commits an act against any official or employee of the U.S. Army Corps of Engineers that is a crime under the provisions of section 111 or section 1114 of Title 18, United States Code or under provisions of pertinent state law may be tried and sentenced as further provided under Federal or state law, as the case may be.

**327.26 State and local laws.**

(a) Except as otherwise provided in this part or by Federal law or regulation, state and local laws and ordinances shall apply on project lands and waters. This includes, but is not limited to, state and local laws and ordinances governing:

(1) Operation and use of motor vehicles, vessels, and aircraft;

(2) Hunting, fishing and trapping;

(3) Use or possession of firearms or other weapons;

(4) Civil disobedience and criminal acts;

(5) Littering, sanitation and pollution; and

(6) Alcohol or other controlled substances.

(b) These state and local laws and ordinances are enforced by those state and local enforcement agencies established and authorized for that purpose.

**327.27 (Reserved)**

**327.28 (Reserved)**

**327.29 (Reserved)**

**327.30 Shoreline Management on Civil Works Projects**

(a) Purpose. The purpose of this regulation is to provide policy and guidance on management of shorelines of Civil Works projects where 36 CFR Part 327 is applicable.

(A complete copy of 327.30 is available at the Resource Manager's Office, District Office, Division Office or from HQUSACE CECW-ON, Washington, DC 20314-1000.)

A violation of the provisions of this regulation shall subject the violator to a fine of not more than $5000.00 or imprisonment for not more than 6 months, or both.

In the interest of more effective resource management and to increase the overall enjoyment of the visitor experience available at Corps of Engineers water resources development projects, the preceding rules and regulations have been established. Your observance of these rules while a visitor to these projects will make your visit and the visits of others more pleasant and enjoyable.

**THIS REVISION SUPERSEDES EP 1165-2-316, May 1986**

# Appendix C – Cultural Resources

**DEPARTMENT OF THE ARMY**
**U.S. ARMY ENGINEER DISTRICT, SACRAMENTO**
**CORPS OF ENGINEERS**
**1325 J STREET**
**SACRAMENTO, CALIFORNIA, 95814-2922**

REPLY TO
ATTENTION OF

Environmental Resources Branch

NOV 12 2014

Darrel Cruz
Tribal Historic Preservation Officer
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89460

Dear Mr. Cruz:

The U.S. Army Corps of Engineers, Sacramento District (Corps) is writing to consult on updating the Master Plan for Martis Creek Lake and Dam, located in Placer and Nevada Counties, east of the town of Truckee.

This letter includes documentation of our efforts to identify historic properties (36 CFR 800.4), including our determination and documentation of the area of potential effects (APE), a summary of the known archaeological sites in the APE, and our finding of *no historic properties affected* (36 CFR 800.8[d][1]).

A Master Plan guides the management of natural and cultural resources and the development of recreation-related facilities in and around the Martis Creek Lake and Dam (MCLD) property, which is Federal land administered by the Corps. The Master Plan update will include measures for preserving and protecting natural and cultural resources and for improving or adding recreational facilities by providing a framework for future projects at MCLD. The Master Plan update would outline allowable uses of various portions of the MCLD, and would describe certain projects that might be desirable to construct in the future, but would not directly result in the implementation of any of the projects that it describes. These future projects would be Federal undertakings in their own right, subject to Section 106 of the National Historic Preservation Act.

The Master Plan update would provide recommendations for operation of the entire MCLD property, and as such the APE includes the entirety of the Federal property. It does not address or provide recommendations for reservoir water levels and should not be confused with the on-going Dam Safety Modification Project or the Water Control Manual. A map of the APE, with the locations and descriptions of all known archaeological sites in the property, is enclosed with this letter.

The Section 106 implementing regulations describe *no historic properties affected* as an appropriate finding in situations where the agency official determines that "there are historic properties present but the undertaking will have no effect upon them" (36 CFR 800.8[d][1]). It would exceed the scope of this undertaking to formally evaluate all 51 prehistoric and historic archaeological sites known to exist within the boundaries of the MCLD, though it is a virtual certainty that many of them are eligible for inclusion in the National Register of Historic Places. However, as the Master Plan update does not implement any action, and all courses of action described within it would be subject to the full Section 106 process, the Corps has determined that the Master Plan update, in and of itself, would not have any effect on historic properties that exist within the MCLD.

Concurrent with your review, we are consulting on this finding with the California State Historic Preservation Officer and the United Auburn Indian Community, who have expressed an interest in the project.

In summary, we request that you provide us with any comments you might have regarding our determination and definition of the APE and our finding of *no historic properties affected*. If you have any questions or comments, please contact Ms. Stefanie L. Adams at (916) 557-7283 or by email at: stefanie.l.adams@usace.army.mil.

Sincerely,

Mark E. Cowa

for Alicia E. Kirchner
Chief, Planning Division

Enclosure

**DEPARTMENT OF THE ARMY**
**U.S. ARMY ENGINEER DISTRICT, SACRAMENTO**
**CORPS OF ENGINEERS**
**1325 J STREET**
**SACRAMENTO, CALIFORNIA, 95814-2922**

REPLY TO
ATTENTION OF

Environmental Resources Branch

NOV 1 2 2014

Gene Whitehouse
Chairman
United Auburn Indian Community of the Auburn Rancheria
10720 Indian Hill Road
Auburn, CA 95603

Dear Mr. Whitehouse:

The U.S. Army Corps of Engineers, Sacramento District (Corps) is writing to consult on updating the Master Plan for Martis Creek Lake and Dam, located in Placer and Nevada Counties, east of the town of Truckee.

This letter includes documentation of our efforts to identify historic properties (36 CFR 800.4), including our determination and documentation of the area of potential effects (APE), a summary of the known archaeological sites in the APE, and our finding of *no historic properties affected* (36 CFR 800.8[d][1]).

A Master Plan guides the management of natural and cultural resources and guides the development of recreation-related facilities in and around the Martis Creek Lake and Dam (MCLD) property, which is Federal land administered by the Corps. The Master Plan update will include measures for preserving and protecting natural and cultural resources and for improving or adding recreational facilities by providing a framework for future projects at MCLD. The Master Plan update would outline allowable uses of various portions of the MCLD, and would describe certain projects that might be desirable to construct in the future, but would not directly result in the implementation of any of the projects that it describes. These future projects would be Federal undertakings in their own right, subject to Section 106 of the National Historic Preservation Act.

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Concurrent with your review, we are consulting on this finding with the California State Historic Preservation Officer and the Washoe Tribe of Nevada and California.

In summary, we request that you provide us with any comments you might have regarding our determination and definition of the APE and our finding of *no historic properties affected*. If you have any questions or comments, please contact Ms. Stefanie L. Adams at (916) 557-7283 or by email at: stefanie.l.adams@usace.army.mil.

Sincerely,

Mark E Cowa

for Alicia E. Kirchner
Chief, Planning Division

Enclosure

**DEPARTMENT OF THE ARMY**
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

REPLY TO
ATTENTION OF

Environmental Resources Branch

NOV 1 2 2014

Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Dear Dr. Roland-Nawi:

The U.S. Army Corps of Engineers, Sacramento District (Corps) is writing to consult on updating the Master Plan for Martis Creek Lake and Dam, located in Placer and Nevada Counties, east of the town of Truckee, California.

This letter includes documentation of our efforts to identify historic properties (36 CFR 800.4), including our determination and documentation of the area of potential effects (APE), a summary of the known archaeological sites in the APE, and our finding of *no historic properties affected* (36 CFR 800.8[d][1]).

A Master Plan guides the management of natural and cultural resources and the development of recreation-related facilities in and around the Martis Creek Lake and Dam (MCLD) property, which is Federal land administered by the Corps. The Master Plan update will include measures for preserving and protecting natural and cultural resources and for improving or adding recreational facilities by providing a framework for future projects at MCLD. The Master Plan update would outline allowable uses of various portions of the MCLD, and would describe certain projects that might be desirable to construct in the future, but would not directly result in the implementation of any of the projects that it describes. These future projects would be Federal undertakings in their own right, subject to Section 106 of the National Historic Preservation Act.

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Concurrent with your review, we are consulting on this finding with the Washoe Tribe of Nevada and California, in whose ethnographic territory the site is located, as well as the United Auburn Indian Community, who have expressed an interest.

In summary, we request that you provide us with either comments or your concurrence with our determination and definition of the APE and our finding of *no historic properties affected*. If you have any questions or comments, please contact Ms. Stefanie Adams at (916) 557-7283 or by email at: stefanie.l.adams@usace.army.mil.

Sincerely,

Mark E. Cowan
for Alicia E. Kirchner
Chief, Planning Division

Enclosure