



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Mother Lode Field Office

5152 Hillsdale Circle

El Dorado Hills, CA 95762

www.blm.gov/ca/motherlode

Cosumnes River Preserve Waterfowl Hunting Program (CA-180-12-63) Finding of No Significant Impact September 2012

It is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of impacts addressed in the Sierra Resource Management Plan/Final Environmental Impact Statement. The proposed action does not constitute a major federal action having a significant effect on the human environment; therefore, an environmental impact statement is not necessary and will not be prepared. This conclusion is based on my consideration of CEQ's following criteria for significance (40 CFR §1508.27), regarding the context and intensity of the impacts described in the EA, and based on my understanding of the project:

- 1) *Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.* No environmental impacts have been identified; only beneficial impacts to the hunting public.
- 2) *The degree of the impact on public health or safety.* No aspects of the proposed action have been identified as having the potential to significantly and adversely impact public health or safety.
- 3) *Unique characteristics of the geographic area.* The project area does contain ACEC values. These values would not be negatively impacted.
- 4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial effects.* No anticipated effects have been identified that are scientifically controversial. As a factor for determining within the meaning of 40 C.F.R. § 1508.27(b)(4) whether or not to prepare a detailed environmental impact statement, "controversy" is not equated with "the existence of opposition to a use." *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9th Cir. 1997). "The term 'highly controversial' refers to instances in which 'a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of opposition to a use.'" *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).
- 5) *The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks.* The analysis does not show that this action would involve any unique or unknown risks.
- 6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* Issuing a Special Recreation Use Permit to allow and regulate waterfowl hunting is not precedent setting.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* No significant cumulative impacts have been identified. The proposed action is consistent with the actions and impacts anticipated in the Sierra Resource Management Plan and its associated environmental impact statement.

8) *The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources.* The proposed action will not affect cultural resources listed on or eligible for the National Register of Historic Places and would not cause the loss or destruction of significant scientific, cultural or historical resources.

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* No ESA listed species (or their habitat) will be affected by the proposed action.

10) *Whether the action threatens a violation of environmental protection law or requirements.* There is no indication that the decision to move forward with the proposed action would result in actions that will threaten such a violation.

William S. Haigh
Field Manager, Mother Lode Field Office

Date



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EA Number: CA-180-12-63

Proposed Action: Cosumnes River Preserve Waterfowl Hunting Program

Location: MDM, T 5 N R 5 E, sections 25 and 26
Sacramento County, CA (see attached project area maps)

1.0 Purpose of and Need for Action

1.1 Need for Action

The Bureau of Land Management's Mother Lode Field Office (BLM) manages scattered public lands in the foothills of the central Sierra Nevada as well as within the Central Valley, including at the Cosumnes River Preserve (Preserve) near Galt in southern Sacramento County. Some of these lands provide excellent recreational opportunities such as boating, swimming, hiking, fishing, and hunting. Hunting is a popular recreational activity on public lands managed by the BLM, though the BLM has had to restrict, and sometimes prohibit, hunting/firearms use in some of the most popular and scenic areas, such as BLM-administered land within the Preserve, to prevent conflicts among users and to protect sensitive environmental resources. Some members of the hunting public such as mobility impaired hunters have been historically underrepresented during the hunting season. Under the proposed action, the BLM would issue a Special Recreation Use Permit to a qualified and competitively selected organization to administer the Preserve's Waterfowl Hunting Program. The purpose of this hunting program is to provide a quality hunting experience for individuals who otherwise might not be able to hunt, specifically women, apprentice, and mobility-impaired hunters. The proposed action would extend the Preserve's Waterfowl Hunting Program (which has existed for over 12 years) for another 10 years.

1.2 Conformance with Applicable Land Use Plans

The proposed action is consistent with the Sierra Resource Management Plan, approved in February 2008. On page 26 of the Record of Decision for the Plan, the goal of the recreation program is to ensure the continued availability of outdoor recreational opportunities while protecting other resources and uses. The proposed action is also consistent with the hunting guidance in the Cosumnes River Preserve Management Plan dated March 2008 (pages 5-2 and 5-3).

2.0 Proposed Action and Alternatives

2.1 Proposed Action

Under the proposed action, the BLM would issue a Special Recreation Use Permit (SRUP) to a qualified and competitively selected organization to administer the Cosumnes River Preserve's Waterfowl Hunting Program. Under the SRUP, hunting would be allowed at the BLM-administered Cougar Wetland Unit (project area) located within the Preserve off of Orr Road about 3 miles east of Interstate 5 near the town of Galt. Hunting would occur annually during the waterfowl hunting season (as defined by the State of California). The hunts would be managed by the competitively selected

organization according to their written proposal submittals. Proposals must describe how hunters would be recruited and selected, and how hunts would be administered. They must also include a written plan describing actions that would be taken to ensure the safety of all hunters and others at all times at the site. The selected organization would be under the direct supervision of the Preserve's Wetlands Manager and supporting staff. All applicable federal, state, and local laws would be followed. Hunters would use existing access roads, hunting blinds, and other facilities within the project area. No new access roads/trails would be constructed. No ground disturbance would occur. In addition, the permittee must follow the project design features in section 2.2 of this environmental assessment (EA).

Under the proposed action, the BLM would issue a SRUP on an annual (or more regular) basis for the hunting program, as described in the paragraph above, for a period of 10 years from the signing of the decision record associated with this EA, after which time the BLM would need to reauthorize the hunting program. At this time, a fresh NEPA document would be needed as well as supporting biological and cultural resource studies. If any substantial changes to the methods and location of the hunt described in this EA and allowed under the SRUP are proposed, either a fresh NEPA document or Determination of NEPA Adequacy (DNA) analysis would be required along with supporting biological and cultural resource studies. Changing the location of hunt/project area and constructing new access roads/facilities for the program would require reauthorization and a fresh NEPA document or DNA with supporting biological and cultural studies.

2.2 Project Design Features

Hunters are required to remove all shell casings and trash after each hunt day. All blinds are to be maintained in a safe and functional manner at all times. All safety precautions described in the proposal and the SRUP must be followed. The Wetlands Manager and her supporting staff will make regular onsite inspections to ensure safety procedures are followed.

2.3 No Action

Under the no action alternative, BLM would not issue a SRUP on an annual (or more regular) basis to a qualified and competitively selected organization to administer the Cosumnes River Preserve's Waterfowl Hunting Program. No other hunting opportunities would be provided by the BLM to the public at the Preserve.

2.4 Alternatives Considered but Eliminated from Detailed Analysis

BLM did not consider any other alternatives in detailed analysis.

3.0 Affected Environment

The project area is the Preserve's Cougar Wetland Unit, sometimes referred to as Ness Christian. This wetland unit is owned by the BLM. Access to the Cougar Wetland Unit is via Orr Road and a private gated driveway. This wetland unit is approximately 154 acres of mostly managed wetland immediately adjacent to a levee of the Cosumnes River, on the eastern fringe of the Sacramento-San Joaquin Delta. The Cosumnes River is part of the Mokelumne River watershed. The elevation of the wetland unit is approximately 5 feet above mean sea level. The wetland unit is inundated seasonally due, in part, to natural flows on the river but also due to management, and the unit requires routine maintenance of on-site pumps, water lines, and water control structures. The unit contains approximately 133 acres of managed wetland, 21 acres of riparian forest and shrubs, and less than one acre of grassland. The wetland portion of the unit is dominated by tule and other wetland species. Trees and shrubs include valley oak, box elder, Fremont cottonwood, and poison oak. The wetland is used extensively by waterfowl and other wildlife. The federally listed giant garter snake has not been documented on this site; however, suitable snake habitat is found here. Salmon habitat is provided via the Cosumnes River

that supports salmon passage. Floodplains located on this site support salmon floodplain rearing. Recreational use of BLM-administered land in the area is very low, due mainly to the lack of public access. BLM manages the project area in accordance with class II visual resource management (VRM) standards. The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape. The project area falls within the 2,035-acre Cosumnes River Preserve Area of Critical Environmental Concern (ACEC). Relevant and important values include the existence or potential for restoration of: (1) valley oak (*Quercus lobata*) riparian forest; (2) seasonal wetlands; (3) vernal pools; (4) oak (*Quercus spp.*) savannah; and (5) agricultural lands such as irrigated pasture and crops that provide habitat for sandhill cranes (*Grus canadensis*) and a buffer for the Preserve.

4.0 Environmental Effects

The following critical elements have been considered in this environmental assessment, and unless specifically mentioned later in this EA, have been determined to be unaffected by the proposed action, prime/unique farmlands, wild and scenic rivers, wilderness, and environmental justice.

4.1 Impacts of the Proposed Action and Alternatives

The proposed action would have no impacts on atmospheric, water, or soil resources. Hunters would access the project area on existing roads. No ground disturbance would occur. The hunters are required to remove all shell casings and trash after each hunt day.

The BLM botanist analyzed the impacts of the proposed action on vegetation, especially on special status plants. The analysis was designed to help the BLM meet its obligations under the Endangered Species Act and other authorities and BLM policies. The botanist recommends that the proposed action would not affect threatened and endangered plants or other BLM special status plants; none are present within the project area.

The BLM wildlife biologist analyzed the impacts of the proposed action on wildlife, especially on special status wildlife. Her analysis was designed to help BLM meet its obligations under the Endangered Species Act. The biologist recommends that the proposed action would not impact threatened and endangered wildlife or other BLM special status wildlife. Common waterfowl species would be targeted by the hunters.

The BLM archaeologist analyzed the potential impacts of the proposed action to determine whether significant cultural resources would be affected by the proposed action. The study was designed to help the BLM meet its obligations under Section 106 of the National Historic Preservation Act and other authorities and BLM policies. The proposed action appears to have no potential to affect significant cultural resources.

The proposed action would not negatively impact recreational use. In fact, it would beneficially impact recreational use by creating an opportunity for the hunting public to hunt lands that are otherwise closed to hunting/firearms use to protect environmental resources.

The proposed action would not impact visual resources. BLM manages the area in accordance with VRM class II standards which is to retain the existing character of the landscape.

The proposed action would not negatively impact floodplains, wetlands and riparian zones, and the relevant and important values for which the area was designated an ACEC.

4.2 Impacts of the No Action Alternative

There would be no impacts to environmental resources, such as water, soils, and wildlife. However there could be negative impacts on the recreating/hunting public, especially members of the public who have historically been underrepresented. These hunters would miss an opportunity to have a quality hunting experience.

4.3 Cumulative Impacts

Negative cumulative impacts are not anticipated.

5.0 Agencies and Persons Consulted

No outside agencies were consulted.

5.1 Authors

Mark Ackerman, BLM wetlands specialist

James Barnes, BLM NEPA coordinator/archaeologist

5.2 BLM Interdisciplinary Team/Reviewers:

<i>/s/ James Barnes</i>	<i>9-13-12</i>
NEPA coordinator/archaeologist	Date
<i>/s/ Mariah Garr</i>	<i>9-10-12</i>
Preserve wetlands manager	Date
<i>/s/ Mark A. Ackerman</i>	<i>9-10-12</i>
Preserve wetlands specialist	Date
<i>/s/ Jeff Horn</i>	<i>9-13-12</i>
Outdoor recreation planner	Date
<i>/s/ Sara Sweet</i>	<i>9-10-12</i>
Botanist	Date
<i>/s/ Mark A. Ackerman</i>	<i>9-10-12</i>
Wildlife biologist	Date

5.3 Availability of Document and Comment Procedures

This EA will be posted on Mother Lode Field Office's website (www.blm.gov/ca/motherlode) under NEPA and will be available for a 15-day public review period. The EA is also available by mail upon request during this 15-day public review period. Comments should be sent to James Barnes at Bureau of Land Management, Mother Lode Field Office, 5152 Hillside Circle, El Dorado, CA, 95762, or emailed to jjbarnes@blm.gov.

MAP 1. Cosumnes River Preserve

