



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Arcata Field Office
1695 Heindon Road
Arcata, California 95521
www.ca.blm.gov/arcata



DECISION RECORD

STATE: California
COUNTY: Humboldt
OFFICE: Bureau of Land Management, Arcata Field Office (CA330)
ENVIRONMENTAL ASSESSMENT: No. AR-02-10, South Spit Interim Management Plan

DECISION

After review of the environmental assessment including the explanation and resolution of any potentially significant environmental impacts, it has been determined that the proposed action will have no significant impact on the human environment. It has also been determined that the proposed action is in conformance with applicable approved land use plans. It is the Bureau of Land Management's (BLM) decision to implement the *South Spit Interim Management Plan (SSIMP)* with the mitigation measures identified. The SSIMP incorporates the results of Endangered Species Act compliance fully implementing the terms and conditions of the U.S. Fish and Wildlife Service (FWS) Biological Opinion. The Opinion concluded that the SSIMP is not likely to result in jeopardy to the western snowy plover or destruction or adverse modification of its critical habitat. This decision is the environmentally preferred action.

This decision implements the SSIMP over the next three-year period, and allows for a baseline level of services, public uses, resource protection, and habitat restoration. The concept of adaptive management is incorporated throughout the plan to achieve the highest levels of resource protection and public service. The key to adaptive management is the willingness of management to let new information drive adaptation to changing conditions and information. The SSIMP contains the flexibility to adapt and respond to new information. With an initial level of knowledge and technology, and a baseline inventory, implementation will begin, followed by monitoring and evaluation of activities, their outcomes and use levels. Using new knowledge and information, management actions can and will be modified to best meet the overall objectives of the plan.

This decision does not preclude any future management actions or decisions for uses of the South Spit. The process to develop a long-term management plan will be initiated during the third year of the SSIMP, and will include full public participation.

BLM did submit the SSIMP to the California Coastal Commission for a consistency determination. The Commission conditioned its concurrence with the SSIMP to state that the SSIMP is consistent with the California Coastal Management Program (CCMP) if:

During the western snowy plover reproductive season, from March 1, through September 30, BLM will prohibit access of recreational vehicles to the waveslope. During this period vehicle use will be limited to commercial fishermen, tribal members, and mobility-impaired persons through a permit system.

However, BLM has concluded that the SSIMP, without the Commission's condition, is fully consistent with the enforceable policies of the CCMP and the policies and implementing ordinances of the Coastal Act, and the Humboldt County Local Coastal Program, and Beach and Dunes Management Plan of 1995.

The SSIMP culminates years of extensive public hearings regarding deteriorating conditions on the South Spit and the need for public action to resolve resource management and public use conflicts. BLM has determined that the SSIMP adequately protects the snowy plover and that the Commission's condition is not necessary. However, in order to provide safeguards towards the BLM and Commission's shared goals of protecting this species, BLM and DFG, in consultation with many project partners, have committed to the following measures as part of implementation of the SSIMP.

MITIGATION MEASURES / REMARKS

1. Commitment to Law Enforcement on the South Spit: A Law Enforcement Memorandum of Understanding (MOU), signed in November 2002 by BLM, Humboldt County Sheriff's Office, DFG, and FWS/Humboldt Bay Wildlife Refuge provides for a coordinated approach and active law enforcement presence on the South Spit a minimum of six days per week. The MOU signifies an extensive commitment of federal, state, and local agencies to ensure that an adequate level of law enforcement presence and documentation is provided on the South Spit to protect the area's natural resources, visitors, and facilities.

Additional personnel, outside the Law Enforcement MOU, will have responsibilities and a daily/weekly presence on the South Spit. Such positions include an on-the-ground presence for plover monitoring during the plover nesting season. Biologists, a caretaker, maintenance worker, and visitor services personnel will also have a presence to ensure the protection of natural resources as well as visitor information and safety.

2. Snowy Plover Protection/Restoration Area including Protection along the Waveslope: The SSIMP establishes a snowy plover protection/restoration area near the north end of the Spit. This 20-acre area will be fenced to provide an area free of disturbance to encourage plover nesting and protection. In addition, the one-half mile of waveslope in front of the habitat

protection area will be closed to vehicles each year during the nesting season (March 1 to September 15). A site-specific Environmental Assessment will be prepared to evaluate alternative means by which restoration work will be conducted.

3. Adaptive Management Strategy: Both the BLM and DFG are committed to adaptive management and it is reflected in the Biological Opinion received from the Fish & Wildlife Service (FWS) on September 11, 2002. The terms and conditions of the Biological Opinion will be adhered to as follows:

- Within the period March 1 to September 15, monitor violations to minimize recreation-related impacts to plovers, their nests, and broods. If 25 violations have been documented, BLM, DFG, and FWS will meet to evaluate and apply additional measures that might be required to protect plovers, including but not limited to, closure of the waveslope to vehicles and further restrictions on dog or equestrian use.
- BLM will schedule and hold a meeting with DFG and FWS in the fall each year the interim management plan is carried out. Primary objectives of the meeting will be to review the conservation measures implemented for plovers on the South Spit, review the status of plovers and to adjust threshold levels for violations of measures designed to protect plovers.
- On the west side of South Jetty Road, the BLM will require that dogs be leashed at all times during the period March 1 to September 15.

4. Public Use and Natural Resource Monitoring: BLM will monitor visitor use activities and patterns to determine management effectiveness over the next three-year period. In addition, BLM will provide law enforcement summary reports on violations and documentation of other activities to the public on a semi-annual basis. The summary reports will also be submitted to the California Coastal Commission on an annual basis.

Western snowy plover surveys and monitoring will be conducted at least two days per week during the nesting season (March 1 to September 15), and management of active nests at least three times per week, including placement of predator exclosures.

5. Cultural Resource Protection: The Cove Road parking area will be moved an additional 500 feet to the west and the road will be restored to a foot trail. This modification reflects consultation with the Table Bluff Reservation and protects sensitive cultural resources.

All archaeological surveys including subsurface test excavations will be conducted prior to any ground disturbing activities to ensure all cultural resources are located, recorded, evaluated, and protected. Table Bluff Reservation representatives will be included in all aspects of archaeological survey, monitoring, and test excavations. An archaeologist will be present to monitor ground disturbing activities to ensure that no cultural resources are disturbed.

6. Nighttime Closure: Due to the areas past history, the SSIMP does not provide for overnight camping. A key element of the plan is the nighttime closure. The South Spit will be open from

one hour before sunrise to one hour after sunset, with an earlier opening during the waterfowl hunting season. The nighttime closure is intended to ensure that visitors adhere to day use regulations, to provide for visitor safety, and to minimize vandalism.

7. State of California Designation: The South Spit will be designated a State of California *Wildlife Management Area* pursuant to DFG's Code, Chapter 5, Article 2, Sections 1525-1530. This designation is used for management purposes to protect and enhance habitat for wildlife species and to provide the public with wildlife-related and other recreational uses.

DECISION RATIONALE

The South Spit is a unique and significant area to the people of Humboldt County, bordered on the west by the Pacific Ocean and by Humboldt Bay to the east. The South Spit contains numerous natural resources, including threatened plants and animals, and cultural resources. The South Spit has historically and will continue to provide a variety of recreation opportunities and other uses including hiking, wildlife viewing, waterfowl hunting, picnicking, surfing, fishing, horseback riding, and vehicle access to the waveslope.

The decision, as described above, is consistent with the overall management goals of the *Arcata Resource Management Plan*, 1995, and policies and implementing ordinances of the Coastal Act and the Humboldt County's Local Coastal Program, and *Beach and Dunes Management Plan* of 1995. The *Beach and Dunes Management Plan* recommended actions for resource protection and provisions of public recreation use on both the North and South Spits. As a result of this effort, and as a requirement of California Senate Bill 39, the California Coastal Conservancy completed the *South Spit Management Plan* in October, 1997. This plan evaluated the public acquisition, actions for habitat restoration, development of recreational improvements, and related management options. The Coastal Conservancy then issued a \$500,000 grant for initial implementation of this plan. The SSIMP is consistent with these plans and incorporates the recommendations for implementation and to expend the funds for infrastructure improvements and habitat restoration.

Authorized Official:



Lynda J. Roush, Arcata Field Manager

Date: 2-18-03