FINDING OF NO SIGNIFICANT IMPACT

General Management Plan Amendment for Low Water Conditions

ENVIRONMENTAL ASSESSMENT – OCTOBER 2005

Lake Mead National Recreation Area
Nevada/Arizona

PURPOSE AND NEED

The purpose of this *General Management Plan Amendment* is to provide guidance on a long-term strategy for addressing low water conditions on Lake Mead that affect lake access. The park has been operating under the 1986 *General Management Plan / Development Concept Plans / Environmental Impact Statement*. Tiering from the 1986 *General Management Plan*, a *Lake Management Plan / Environmental Impact Statement* was prepared in 2003 to provide additional and more specific guidance for the long-term management of Lakes Mead and Mohave. In an effort to ensure the protection of park resources while allowing a range of recreational opportunities, the 2003 plan provides for an increase in boating capacity targeted at areas where growth can be accommodated within the physical, environmental, and social carrying capacity of the lakes. Although most of the 1986 and 2003 plans are still valid, both plans did not foresee the current and predicted drought conditions and did not fully consider the effects of greater fluctuations in the lake's water levels.

PROPOSAL AND ALTERNATIVES

Selected Action

The selected action is Alternative B, which was identified and analyzed as the preferred alternative in the Environmental Assessment (EA); this course of action is unchanged from what was evaluated in the EA. The launch ramps and landings would be extended or relocated to areas where there would be adequate site conditions for watercraft launching and retrieval. Launch ramps at Hemenway, Lake Mead Marina, Temple Bar, and Echo Bay will be extended at their existing locations. New ramps, for launching at lower lake levels, will be developed at Callville Bay, South Cove, and Government Wash. These lower lake level ramps will be developed to maintain existing launch capacities and will be located in the vicinity of the existing ramps. A new ramp will be constructed at Stewarts Point in order to maintain capacity lost at Overton Beach due to low water ramp closure.

Six marinas would continue to move out to follow the receding water levels as conditions allow. The Overton Beach marina would no longer be able to operate below an elevation of approximately 1,125 feet at its existing location. In anticipation of lower lake levels, operations at Overton Beach could be suspended or terminated, and boating capacity and marina services could be expanded at Echo Bay to allow the overall boating capacity on the Overton Arm to be maintained. When water elevations at Overton Beach return to a sufficient depth for the safe operation of water-based services and there is reasonable assurance that this depth will be
maintained, services consistent with the concession contract may be relocated back at Overton Beach. It is highly unlikely that full marina services would ever be reestablished at Overton Beach due to the uncertainty of future lake levels.

The Lake Mead marina would continue to operate in Boulder Harbor during higher water levels. Below 1,112 feet, Dock "C" of the marina would be moved to Hemenway Harbor. At 1,100 feet, the remainder of the marina would be relocated to just outside the Boulder Harbor. Once the main marina is outside of Boulder Harbor, Dock "C" could be reconnected with the main marina or continue to be operated from the Hemenway location. When water elevations in Boulder Harbor returned to and were projected to maintain a sufficient depth in which to safely operate the entire marina operation within Boulder Harbor, the entire marina including Dock "C" would be relocated back to Boulder Harbor.

It has been determined that the Las Vegas Bay dry boat storage is no longer necessary and appropriate within the park boundary. Any action taken relative to this determination would be executed as part of a new concessions contract. Similar determinations of necessary and appropriate services will be required in conjunction with other concession contract renewals.

Under the selected action, the park will authorize a maintenance area for Las Vegas Boat Harbor. The maintenance area would be located in a previously disturbed area above the high-water line near the marina facility. The area will be screened to minimize visual intrusion to visitors. Trailer storage for slip renters will also be authorized.

The marina facility previously located at Las Vegas Bay will not be returned to that location for reasons described below, and the use of this land will be the subject of future planning. The Lake Mead Cruises will not return to its original location at Saddle Cove, and that area will be restored to the high water line.

Backcountry roads would be extended to maintain access to the lake shoreline and additional management actions would be undertaken to direct traffic and discourage vehicle use outside the designated road corridors. There would be no new roads in the Pearce Ferry area.

Other Alternatives Considered

The EA evaluated three alternatives in detail for addressing the purpose and need for action: Alternative A (no action), Alternative B (the preferred alternative and selected action described above), and Alternative C.

Alternative A- No Action Alternative: Under alternative A, launch ramps would be extended and marina operations would be reconfigured and/or moved farther into the lake as site conditions allowed at their existing locations. Use of facilities would be discontinued when site conditions resulted in insufficient water depth for marinas to operate or insufficient ramp grades for boat launching.

Four launch ramps would be extended at Callville Bay, South Cove, Temple Bar, and Hemenway Harbor. Only Temple Bar and Hemenway Harbor ramps would be operational below a water elevation of 1,085 feet.

All seven marinas on Lake Mead would continue to move out to follow the receding water levels. Below an elevation of approximately 1,125 feet there would be insufficient water depths in which to operate the Overton marina at its existing location.

Dry boat storage service would continue at Las Vegas Bay.

Backcountry roads would be extended to maintain access to the lake shoreline based on the existing classification priority system. Where roads were extended, additional management actions would be undertaken to direct traffic and discourage vehicle use outside the designated road corridors.

Alternative C: Under alternative C, launch ramps would also be extended or relocated to areas where there would be adequate site conditions for boat launching. Three launch ramps would be extended at Callville Bay, South Cove, and Temple Bar. Nine new low-water launch ramps would be constructed and access provided at Stewarts Point, Echo Bay, South Cove, Boulder Beach, Hemenway Harbor, Las Vegas Bay, Government Wash, Callville Bay, and Pearce Ferry.

Four marinas (Lake Mead Marina, Callville Bay, Echo Bay, and Temple Bar) would continue to move out to follow the receding water levels. The Lake Mead Cruises Dock would be relocated back to Boulder Harbor when sufficient water depth allowed for safe operations. Las Vegas Boat Harbor would be relocated to Hemenway. The marina operation at Overton Beach would be eliminated. Authorized boating capacity and marina services would be increased at Echo Bay to include those formerly allowed at Overton Beach. The Lake Mead marina would continue to operate in Boulder Harbor during higher water levels. Below 1,112 feet portions of the marina would be moved to Hemenway Harbor until the marina was entirely relocated. When water elevations in Boulder Harbor returned to and were projected to maintain a sufficient depth in which to safely operate the marina operation, the facility would be relocated back to Boulder Harbor.

Dry boat storage service would be relocated from Las Vegas Bay area to a previously disturbed site in the Lower Boulder Basin area.

Similar to alternative A, backcountry roads would be extended to maintain access to the lake shoreline and additional management actions would be undertaken to direct traffic and discourage vehicle use outside the designated road corridors.

Alternatives considered but dismissed: Several sites were considered when evaluating other potential locations for marina and launch ramp facilities. The relocation of a marina facility back to Las Vegas Bay was eliminated from consideration. This area would continue to be at risk due to the delta formation and lack of adequate space for marina operations at lower lake levels. Construction of new developed areas in the upper Boulder Basin and Overton Arm to accommodate marinas displaced from Las Vegas Bay and Overton Beach were also considered and dismissed. Potential locations, such as Boxcar Cove and Stewarts Point, were considered unsuitable based on many of the site condition factors considered in identifying access locations, including extent of new construction, resource impacts, lack of existing utilities, floodplain concerns, lack of natural protection from wind and wave action, and overall initial

and recurring costs associated with a new development. Stewarts Point is also at the edge of the 1,050 lake elevation. Given the other viable options for utilizing other existing developed area locations that could operate throughout the range of water levels, constructing new developed areas was not considered practical.

Two access road and launch ramp alignments that would provide access at Pearce Ferry were dismissed. Compared to the alternative access road and ramp alignment being considered in the alternatives, these other routes would have required a greater amount of earthwork and would have been more costly. Consequently, these alignments were dismissed because they were most costly and would result in more extensive impacts.

Rationale for the Selected Action

The rationale for selecting Alternative B (preferred alternative) for implementation is based on the capability of this course of action to maintain Lake Mead's authorized boating capacity, continue marina services and boat access, provide efficient NPS operations, and afford flexibility in adjusting marina operations to changing lake levels. Surveys would be undertaken to identify and avoid impacting areas with cultural resource values or potential habitat for the southwestern willow catcher, desert tortoise, and sensitive plants such as bear poppy. Project mitigations would be incorporated that eliminate or minimize any potential adverse effects on bonytail chub, razorback suckers, or relict leopard frogs.

The no-action alternative would have limited new environmental impacts but would result in adverse effects on the majority of recreational users due to successive closure of most launch ramps and lost recreational opportunities.

Alternative C would also maintain the park's ability to carry out its visitor use and recreational mission, including providing greater access at Pearce Ferry. However, a road at Pearce Ferry is an expensive investment, one which could be lost if the lake rises or a severe storm event occurs. In addition, access opportunities on the Overton Arm would be more limited and there would be somewhat greater environmental impacts than under alternative B.

As summarized in the following sections, the selected action (alternative B- preferred alternative) also best meets the criteria in section 101 of the National Environmental Policy Act (NEPA) for the environmentally preferred alternative. Also, after consideration of the effects described in the environmental assessment, there are no significant impacts to the human environment from the selected action, as defined by criteria presented in 40 *Code of Federal Regulations* (CFR) 1508.27.

Environmentally Preferred Alternative

In accordance with Director's Order – 12, the National Park Service is required to identify the environmentally preferred alternative in all environmental documents, including environmental assessments. The environmentally preferred alternative is determined by applying the criteria suggested in NEPA, which is guided by the Council on Environmental Quality. The Council on Environmental Quality provides direction that "[t]he environmentally preferable alternative is the alternative that would promote the national environmental policy as expressed in section 101 of NEPA, which considers:

1. Fulfilling the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Assuring for all generations safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attaining the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
4. Preserving important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.
5. Achieving a balance between population and resource use that would permit high standards of living and a wide sharing of life's amenities.

6. Enhancing the quality of renewable resources and approach the maximum attainable recycling of depletable resources."

Taken as a whole (and as documented in the EA), the selected alternative (alternative B- preferred alternative) would best satisfy the above goals and is the environmentally preferred alternative. This alternative would maintain the park's ability to carry out its visitor use and recreational mission while limiting the intensity of new environmental impacts associated with extending or moving lake access facilities.

The no-action alternative (alternative A) would have limited new environmental impacts but would result in adverse effects on the majority of recreational users due to successive closure of most launch ramps and lost recreational opportunities.

Alternative C would also maintain the park's ability to carry out its visitor use and recreational mission, including providing greater access at Pearce Ferry. However, a road at Pearce Ferry is an expensive investment, one which could be lost if the lake rises or a severe storm event occurs. In addition, access opportunities on the Overton Arm would be more limited and there would be somewhat greater environmental impacts than under alternative B.

MEASURES TO MINIMIZE OR AVOID ENVIRONMENTAL HARM

Throughout the planning process, mitigation measures were identified and have been incorporated into the selected action (alternative B- preferred alternative) to reduce impacts below a significant level. All mitigation measures which are incorporated in the selected alternative are summarized in the matrix below.

Mitigation Matrix

MITIGATION TOPIC	MITIGATION MEASURES
Natural Resources Vegetation and Soils	Any new or relocated facilities sited above the high waterline would use previously disturbed sites to the extent practicable. Surveys would be conducted and construction limits would be delineated for all construction, such as road grading or utility extension, in any undisturbed habitats. Best management practices for controlling soil erosion, such as placement of silt fences, retention and replacement of topsoil, seed or plant salvage, and revegetation of sites with native species would be taken to reduce runoff and soil loss from construction sites and reestablish native vegetation. Necessary measures would be determined by the park resource management restoration specialist.
Natural Resources Wildlife and Wildlife Habitat	Any new or relocated facilities sited above the high waterline would use previously disturbed sites to the extent practicable. Surveys would be conducted and construction limits would be delineated for all construction, such as road grading or utility extension, in any undisturbed habitats. Best management practices for controlling soil erosion, such as placement of silt fences, retention and replacement of topsoil, seed or plant salvage, and revegetation of sites with native species would be taken to reduce runoff and soil loss from construction sites and reestablish native vegetation. Necessary measures would be determined by the park resource management restoration specialist.
Natural Resources Threatened & Endangered Species	Lake Mead is designated critical habitat for the razorback sucker. There are known spawning areas in Echo Bay and Las Vegas Bay. Management practices to protect the razorback sucker and its spawning habitat would continue to be implemented, including clearly marking mooring and boating areas from adjoining spawning areas via buoys and signing, maintaining a public awareness campaign, and maintaining a flat-wake zone near spawning areas and requiring the implementation of best management practices at marinas to protect water quality. Monitoring of spawning areas would continue, and temporary closures of areas used for spawning would be implemented if determined necessary. Mitigation measures such as use of berms or silt fencing would be used to eliminate or minimize any runoff from reaching the lake, which is critical habitat for the razorback sucker. Any development proposed outside previously disturbed areas above the high waterline would be surveyed prior to construction for desert tortoises and burrows. The National Park Service has worked with the U.S. Fish and Wildlife Service to develop mitigation measures to reduce or eliminate potential adverse impacts on desert tortoise from construction activities. Examples of such mitigation include clearly marking construction limits, surveying construction areas, relocation of tortoises outside of the construction area, education of construction personnel about tortoises, instituting a litter control program, and surveying or handling of tortoises by a qualified biologist. Conservation, reasonable and prudent measures developed with the assistance of the U.S. Wildlife Service to reduce the potential for impacts to both of these species would be implemented. All applicable mitigation measures being developed as part of the interagency conservation strategy for the relict leopard frog would also be incorporated into the Stewarts Point Road project or other road access improvements. Any suitable habitat for the Las Vegas bearpoppy, Nevada listed critically endangered plant species; sticky buckwheat and three corner milkvetch, Federal Species of concern and Nevada listed critically endangered plant species; and the Las Vegas buckwheat, a proposed Nevada listed species of concern, would be surveyed prior to any construction. Areas containing these species would be avoided to the extent possible.
Natural Resources Water Quality	Best management practices, such as careful road design and proper drainage to manage runoff, the use of silt fences, would be implemented to ensure that construction related effects were minimal and to prevent long-term impacts on water quality and aquatic species. Best management practices would be incorporated into all marina operations. Any activities involving dredging or the placement of fill material below the ordinary high waterline of the lake would comply with requirements of sections 404 and 401 of the Clean Water Act and with other applicable state permit programs.

MITIGATION TOPIC	MITIGATION MEASURES
	Dust control measures would include watering the road and parking areas during grading operations and could include applying a dust palliative to control dust. Low sulfur fuel (0.05% by weight) would be used when available, and construction equipment would be properly tuned. The concessioner and the National Park Service would consult with the Nevada Division of Environmental Protection (NDEP) to determine wastewater requirements and provisions. The concessioner and the National Park Service would work with the Nevada State Health Division for the waterline requirements. The National Park Service would continue to provide guidance on best management practices for the handling of fueling areas and boat maintenance for concessioners and the boating public to reduce pollutants entering the lake due to fueling and boat maintenance activities.
Natural Resources Air Quality	Dust control measures would include watering the road and parking areas during grading operations and could include applying a dust palliative to control dust. Low sulfur fuel (0.05% by weight) would be used when available, and construction equipment would be properly tuned.
Cultural Resources Archeological Resources, Historic Structures, and tribal consultations	All activities, including ground or offshore disturbances, would be assessed for potential disturbance to archeological or historic resources. If significant resources were identified and determined eligible for the National Register of Historic Places, all necessary steps would be taken to avoid them during project activities. If resources could not be avoided, the National Park Service would consult with the Nevada or Arizona State Historic Preservation Officers to develop a plan to mitigate any adverse effects. The National Park Service will consult with the appropriate Native American groups as required by laws, regulations, and executive orders. Should unknown cultural resources be uncovered during construction, work would be halted in the discovery area, the site would be secured, and the Park Service would consult according to 36 CFR 800.13 and, as appropriate, provisions of the Native American Graves Protection and Repatriation Act of 1990. In compliance with the Native American Graves Protection and Repatriation Act of 1990, the National Park Service would also notify and consult concerned tribal representatives for the proper treatment of human remains, funerary objects, and sacred objects should these be discovered during the project.
Visitor Use and Experience	Whenever possible, the National Park Service would adjust work schedules, particularly the timing of construction activities, to minimize impacts on park visitors. Facility construction would be prioritized and phased wherever possible to minimize disruption of park and concession operations and visitor use. Navigational markers and no-wake areas would be established around lake access facilities if they are extended or relocated. Security, public notification, and a park ranger would assist with the actual move of any facilities to protect the public. Facilities would be accessible to visitors, including those with disabilities, in compliance with federal standards.

Why the Selected Actions Would Not Have a Significant Impact on the Human Environment

As defined by 40 CFR 1508.27, significance is determined by examining the following criteria:

Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts which require analysis in an EIS: As fully discussed in the EA, Alternative B (the selected alternative) will have no **major adverse impacts** on natural or cultural resources that would require further environmental analysis through an environmental impact statement.

The selected action **will not affect** floodplains and wetlands; ethnographic resources; museum collections; cultural landscapes; Indian trust resources; wilderness resources and values; prime and unique agricultural lands; ecologically critical areas, wild and scenic rivers, or other unique natural resources; land use plans; energy requirements and conservation potential; lightscape; paleontological resources; or minority or low-income populations.

The selected action will result in **long-term, major, beneficial impacts** on the *visitor experience* by maintaining lake access for the public.

The selected action will result in **long-term minor to moderate beneficial impacts** on *vegetation, soils, wildlife, wildlife habitat, and park operations* by discouraging off road use in the backcountry. *Colorado River rafters and outfitters* would also benefit by maintaining lake access at the South Cove.

The selected action is anticipated to result in **no adverse effect** on *archeological resources or historic structures*.

The selected action will result in **short-term, negligible to minor, adverse impacts** on *air quality, water quality, wildlife, wildlife habitat, park operations, health and safety, and the visitor experience* during construction and relocation activities to maintain lake access such as ramp replacement and extensions; new access roads and ramps; and marina reconfigurations/relocations.

The selected action will result in **temporary, minor to moderate, adverse impacts** on *recreational users* at Hemenway Harbor, Echo Bay, and Stewarts Point due to increased use in these areas. There will be similar impacts to Colorado River rafters and outfitters displaced farther downriver during low water.

The selected action will result in **long-term, negligible to minor, adverse impacts** on the *socioeconomic environment, wildlife, and wildlife habitat.*

The selected action will **likely adversely affect** *desert tortoise, razorback suckers, and relict leopard frog.* Conservation measures and reasonable and prudent measures have been developed with the assistance of the U.S. Fish and Wildlife Service to reduce or avoid any potential adverse impacts to these species.

The selected action will result in **long-term, minor to moderate, adverse impacts** on *park staff and operations, vegetation, and soils.*

The selected action will result in **short and long-term minor to major adverse impacts** on *commercial marina operators and Colorado River outfitters.*

Degree of effect on public health or safety: The selected action will result in **minor to moderate adverse impacts during lower water levels** on *public safety* due to a larger congregation of marina facilities at Hemenway Harbor and Echo Bay. Posting and enforcement of the wake less harbor area and the launch ramp fairways, and marking of a harbor entry channel that guides general boating traffic entering and exiting the harbor would reduce these impacts and enhance visitor safety.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. As fully discussed in the EA, there are no known *archeological, ethnographic, historic structures, cultural landscapes or Indian trust resources* proximate to the project area; therefore, no impacts to these resources are anticipated. Implementation of the selected action (alternative B-preferred alternative) will not affect *prime and unique farmlands, floodplains and wetlands.* No wild and scenic rivers are designated near the project area and none will be affected by implementation of the preferred alternative. No ecologically critical areas occur within the project area and only minor disturbance to the surrounding vegetation will occur.

Mitigation measures will be implemented that minimize or avoid the potential for adverse impacts to natural and cultural resources.

Degree to which effects on the quality of the human environment are likely to be highly controversial. There were no highly controversial effects identified during preparation of the environmental assessment, agency consultation, or the public review period. However, there were collectively 157 comment letters, emails, and faxes received which expressed concern with the proposal to discontinue dry boat storage service at Las Vegas Bay (overall 176 responses were received). Comments were received from individuals who currently utilize this service, the Lake Mead Boat Owners Association, and the Las Vegas Boat Harbor Marina concessionaire who provides dry boat storage service at Las Vegas Bay. However, the selected alternative was not modified in this regard (as noted above, any actions taken relative to this would be executed as part of a new concessions contract).

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks. There were no highly uncertain, unique, or unknown risks identified during preparation of the environmental assessment, agency consultation, or the public review period.

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. The selected action (alternative B-preferred alternative) neither establishes a National Park Service precedent for future actions with significant effects nor represents a decision in principle about a future consideration.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Implementation of the selected alternative will not result in any significant cumulative impacts.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat. On May 27, 2005, U.S. Fish & Wildlife Service issued a biological opinion which concluded that the effects of implementing the proposed action, in conjunction with the conservation measures and reasonable and prudent measures outlined in the opinion and a previous (2002) opinion for the Lake Management Plan, are not likely to jeopardize the continued existence of the *razorback sucker* or *desert tortoise*, and are not likely to destroy or adversely modify designated critical habitat for the *razorback sucker*. The *relict leopard frog*, a species of concern would likely be adversely affected by increased traffic on the Stewarts Point Road. All applicable mitigation measures being developed as part of the

interagency conservation strategy for the *relict leopard frog* would also be incorporated into the road project. The *Las Vegas Bear Poppy*, a species of concern would likely be adversely affected by any development above the high waterline. Any suitable habitat above the high waterline would be surveyed for the *Las Vegas Bearpoppy* prior to any construction; areas containing the species would be avoided to the extent possible. *Eriogonum viscidulum* and *Astragalus geyeri triquetrus* are annual plants that may occur in the project area of Overton and Echo Bay. They are found in sandy substrates. The only location known for either of these species in or near the development areas is in Echo Wash just below the campground at Echo Bay. This site will not be affected by the selected action. However, to insure that none of these species have recently established themselves within any of the developed areas, surveys for this species would be conducted prior to any construction; if any areas are found to contain the species they would be avoided to the extent possible. *Eriogonum corymbosum* is known to occur in gypsum rich soils in the Muddy Mountains and Las Vegas Valley. This species has not been recorded within any of the Lake Mead National Recreation Area's developed areas. However, to insure that none of these species have recently established themselves within any of the developed areas, surveys for this species would be conducted prior to any construction. If any areas are found to contain the species they would be avoided to the extent possible.

Whether the action threatens a violation of federal, state, or local environmental protection law. The selected action (preferred alternative) violates no federal, state, or local environmental protection laws.

IMPAIRMENT OF PARK RESOURCES OR VALUES

In addition to reviewing the list of significance criteria, Lake Mead National Recreation Area determined that implementation of the selected action (alternative B-preferred alternative) will not constitute an impairment of park resources or values. This conclusion is based on a thorough analysis of the impacts described in the environmental assessment, agency and public comments received, and the professional judgment of the decision-maker in accordance with the *NPS Management Policies 2001* (December 27, 2000). As described in the environmental assessment, implementation of the selected action (preferred alternative) will not result in major adverse impacts to a resource or value whose conservation is (1) necessary to fulfill specific purposes identified in the establishing legislation of Lake Mead National
Recreation Area; (2) key to the natural or cultural integrity of the park; or (3) identified as a goal in the park's *General Management Plan* or other relevant National Park Service planning documents.

PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

A news release was published in July 2003 announcing the initiation of the planning effort and seeking public input. A mailing list was compiled that consisted of members of government agencies, nongovernmental groups, businesses, legislators, local governments, and interested citizens. A newsletter was distributed in July 2003 to inform the general public of the beginning of the planning process. The newsletter summarized the planning process and schedule, presented background information and an overview on the issue of lake access in light of the falling lake levels. A response form included with the newsletter invited public comment. A total of 30 responses were received. Comments were received regarding launch ramp and marina operations as well as resource concerns related to falling water levels. A second newsletter, with preliminary alternatives was issued in March of 2004. Another mailback comment form was included for public response. A total of 24 responses were received in response to the second newsletter. Meetings were also held throughout the planning process with representatives of other agencies, local governments, and commercial operators to discuss low water planning in general, alternatives for low water access, and implications on park and commercial operations.

Consultation with the U.S. Fish and Wildlife Service began in May 2004 with a request for a list of endangered and threatened species that may occur in the park. The U.S. Fish and Wildlife Service responded in June 2004 with a list of species. The National Park Service initiated formal consultation pursuant with the Endangered Species Act with the U.S. Fish and Wildlife Service regarding actions that may adversely affect the federally threatened desert tortoise, the federally endangered razorback sucker, and associated critical habitat. A biological opinion dated May 27, 2005, was issued by the U.S. Fish and Wildlife Service. They concluded that the proposed amendment would likely adversely affect the razorback sucker and desert tortoise, and associated critical habitat, and that the proposed amendment would not likely adversely affect the bonytail chub and southwestern willow flycatcher. The National Park Service will comply with all conservation actions identified in the biological opinion as well as all reasonable and prudent measures and the associated terms and conditions for their implementation.

Section 106 of the National Historic Preservation Act of 1966 as amended (16USC270, et seq.) requires that federal agencies that have direct or indirect interest jurisdiction take into account the effect of an undertaking on national register properties and allow the Advisory Council on Historic Preservation an opportunity to comment. Toward that end the National Park Service works with the Nevada and Arizona State Historic Preservation Offices, and the Advisory Council on Historic Preservation to meet requirements of 36 CFR 800. Both state historic preservation offices were invited to participate in the scoping process and to comment on the preliminary alternatives. Each office had an opportunity to review and comment on the general management plan amendment and environmental assessment during the public comment period. There were no formal responses received from either office. Because the park has not been surveyed or inventoried comprehensively for archeological or submerged historic resources, the location and significance of these resources is largely unknown. As appropriate, site specific surveys and/or monitoring would precede any construction below the high waterline. If significant resources were identified and determined eligible for the National Register of Historic Places, all necessary steps would be taken to avoid them during project activities. If such resources could not be avoided, an appropriate mitigation strategy would be developed in consultation with the state historic preservation officer and, if necessary, associated Native American groups.

The National Park Service will consult with the appropriate Native American groups as required by laws, regulations, and executive orders. Should unknown cultural resources be uncovered during construction, work would be halted in the discovery area, the site would be secured, and the Park Service would consult according to 36 CFR 800.13 and, as appropriate, provisions of the Native American Graves Protection and Repatriation Act of 1990. In compliance with the Native American Graves Protection and Repatriation Act of 1990, the National Park Service would also notify and consult concerned tribal representatives for the proper treatment of human remains, funerary objects, and sacred objects should these be discovered during the project.

There were 18 identified Indian tribes with an interest in Lake Mead National Recreation Area. Letters and newsletters were sent to these tribes to inform them of the planning process and to invite their input. Native American consultation concerning low water issues at Lake Mead National Recreation Area is conducted on a project-by-project basis. As requested by the affiliated tribes, notifications are sent to them about various projects. Tribes then contact the park superintendent or the cultural resources manager if there are concerns. Low water issues are also addressed as a topic of discussion at face-to-face meetings with various tribal members during routine government-to-government consultation meetings and informal tribal visits.

The environmental assessment was made available for public and agency review and comment during a 30-day comment period ending October 31, 2005. Copies of the environmental assessment were made

available upon request as well as copies mailed to interested individuals, groups, and agencies identified through the scoping process. An electronic version of the environmental assessment was also posted on the park's Web site. Approximately 360 paper copies of the environmental assessment were distributed during the comment period. Altogether there were approximately 176 communications generated by public and agency review of the plan. There were 161 comment letters or emails from individuals and 16 comment letters, emails, and faxes from groups and agencies. Groups and agencies commenting on the plan include U. S. Bureau of Reclamation; Lake Mead Boat Owners Association; Grand Canyon River Outfitter Association; Canyon Jetboat Services; Canyoneers; Yavapai-Prescott Tribe; Las Vegas Boat Harbor Concessionaire; Overton Beach Marina Concessionaire; Southern Nevada Water Authority; and the State of Nevada, Department of Administration - State Clearinghouse, Division of Forestry, and Division of Lands.

A number of groups and individuals expressed support of the plan's preferred alternative, however there were a number of communiqués that identified a variety of issues . Substantive comments requiring an agency response and/or editorial clarification or corrections to the EA are documented in an Errata prepared as a technical attachment to the environmental assessment.

CONCLUSION

The selected alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS). Negative environmental impacts that could occur are negligible to moderate in effect. There are no unmitigated adverse impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, known ethnographic resources, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, cumulative effects, or elements of precedence were identified. The implementation of the selected actions will not violate any federal, state, or local environmental protection law.

Based on the foregoing, and with due consideration for public comment and other agency coordination, it has been determined that the amendment of the General Management Plan does not constitute a major federal action significantly affecting the quality of the human environment and an EIS will not be required for this project and thus will not be prepared.

Recommended: _____ _____

William K. Dickinson, Superintendent Date
Lake Mead National Recreation Area

Approved: _____ _____

Jonathan B. Jarvis, Regional Director Date
Pacific West Region