

**Bald Eagle and American Peregrine Falcon
Management Plan**

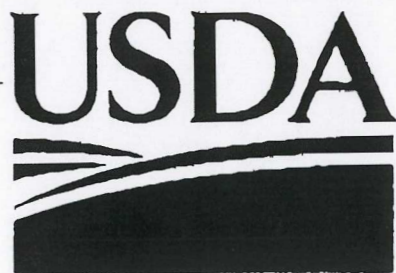
Attachment A

Limited Operating Period Barrier

**Yuba River Development Project
FERC Project No. 2246**

September 2019

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TAHOE NATIONAL FOREST
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TO: ~~Donn Wilson~~ Ivan French

FROM: Jeannie Masquelier

NUMBER OF PAGES: 4 (Including Cover)

RE: Bald Eagle Closure

~~Hard copy is in the mail.~~

Letter to Donn Wilson





United States
Department of
Agriculture

Forest
Service

Downieville
Ranger
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Date: April 4, 2000

Attn: Donn Wilson
Yuba County Water Agency
1402 D Street
Marysville, CA 95901

Dear Mr. Wilson:

The Forest Service is requesting Yuba County Water Agency and Yuba County's assistance to implement a seasonal, April 1 to August 31, area closure of Tractor Cove in accordance with U.S. Fish and Wildlife Service's direction. As you are aware, last fall the Pendola Fire burned the New Bullards Bar Reservoir resident eagle pair's previous nest tree and adjacent stand of trees, which was located further from the reservoir. As a result of losing this habitat, the eagle pair has chosen to nest in the Tractor Cove vicinity this year. The area closure action is being requested to minimize disturbance to the nesting eagles. This request comes after extensive discussions between the Forest Service and U.S. Fish and Wildlife Service concerning the protection of the eagles and the resulting impacts to the recreational opportunities at the reservoir.

Minimizing disturbances from people and boats during the nesting and fledgling development stages during the closure period are critical to the reproductive success of the bald eagle. Studies show that these disturbances need to be removed for 1/2 mile line-of-sight from the nesting eagles. This requires the closing off of a majority of Tractor Cove.

At Ivan French's request ^{in lieu of phone conference} I met with him and Bill Zoland on April 3, 2000 to discuss water surface closure alternatives. During that meeting we all agreed that the most practical method to achieve the needed protection for the eagles is to close off the entire cove, see attached map. For the following reasons we selected this option over placing the closure across the middle of Tractor Cove: 1) closing off the entire cove would fully meet the 1/2 mile line-of-site criteria; 2) closing the entire cove would be easier for the public to understand, resulting in less confusion and compliance problems, and 3) closing half of the cove would leave a narrow strip of water with no speed regulation, which is a safety concern.

During our meeting we also discussed alternative systems to physically implement the closure. The discussion revolved around using the old steel booms to create a fully closed system versus a buoy and marker system. We agreed that the buoy and marker system (Area Closed buoys every 400 feet with floating globe markers ever 20 feet attached by nylon rope to a cable three feet under the water's surface) would be the safest and most economical, in the long run. The buoy system will lessen liability, as the steel cable is three feet under the water, so skiers and props should not get entangled. The steel booms also present a much higher safety and liability concern, as compared to the buoy system, due to being located within a non-speed regulated area and having the characteristics of being rigid, having a low profile, and are muted in color. The



buoy system will, however, require more law enforcement action by the Forest Service and Yuba County Sheriff's Department than the boom system. The buoys would portray the message "No Entry Wildlife Area". Signs located on National Forest land on either side of the closure area would read "Seasonal area closure for the protection of sensitive wildlife habitat. Public entry prohibited January 1 to August 31. Authorized use only. Violation punishable by law. Tahoe National Forest Order No. __. 36CFR261.53a and 261.54c".

According to Mr. French, YCWA does not have sufficient number of functioning steel booms to span the area of concern. Mr. French and Mr. Zoland believe the cost of the buoy system to be comparable to using the old steel booms due to the fact that the steel boom system would require more set up and maintenance time, plus the life expectancy is shorter because of the current condition of the booms.

The Forest Service has discussed the specifics of the buoy and marker system, including signage, with the US Fish and Wildlife Service. They are in concurrence with the plan that our work group developed.


The Forest Service will be implementing a Forest Order to close Garden Valley Road, which lies near the nest location, and to seasonally close the lands within ½ mile of the nest location to the public, from January 1 to August 31. As Yuba County has jurisdiction of the reservoir's water surface, Yuba County would need to issue an ordinance to close the aforementioned portion of the reservoir. We would appreciate your assistance to forward this request to Yuba County. The Forest Service will monitor presence/absence and fledgling dispersal of the eagles each year to determine if the closure will be needed or if the closure could be lifted at an earlier date.

The Forest Service will develop a flier to be posted at the recreational sites and distributed to the recreating public that describes the Pendola Fire and the resulting impacts along the reservoir, including the need for the closure.

If this approach is satisfactory to you, would you please let Ivan know so that he can proceed with ordering the buoys. We would like to expedite the order because of the nesting eagles.

The Forest Service appreciates that you have always cooperated with us in meeting the needs of recreationists and wildlife at New Bullards Bar Reservoir. We look forward to working with you to protect this endangered species.

Sincerely,


JEAN M. MASQUELIER
District Ranger

Enclosure

