The Bureau of Land Management (BLM), Bakersfield Field Office has received three separate requests for direct sales of BLM managed lands. Based on the requests, BLM has determined that it was appropriate to amend the 1997 Caliente Resource Management Plan (RMP) to state that the public lands proposed for sale meet the criteria for sales at section 203(a)(1) of the Federal Land Policy and Management Act (FLPMA). The direct sale of one of these parcels, however, has been put on hold. This parcel (Parcel 1) was requested by the City of Maricopa and consists of 15.81 acres in Kern County, described as lot 3 in the NW1/4 of Sec. 7, T. 11 N., R. 23 W., San Bernardino Meridian.

In compliance with the National Environmental Policy Act (NEPA) of 1969, an environmental assessment (EA) was completed that contains site specific analysis of whether the public lands proposed for sale meet the criteria for disposal under section 203 if the FLPMA and the potential impacts that could result from the direct sales of two separate parcels as described below:

Parcel 2, requested by the Kaweah Delta Water Conservation District, consists of 61.28 acres in Tulare County, described as lots 3 and 4 in sec. 4, T. 17 S., R. 28 E, Mount Diablo Meridian.

Parcel 3, requested by ARC Vineyards, LLC, consists of 5.93 acres in Santa Barbara County described as lot 1 in sec. 20, T. 9 N. R. 33 W., San Bernardino Meridian.

This EA (DOI-BLM-CA-C060-2012-0021-EA) is attached to, and incorporated by reference in this Finding of No Significant Impact (FONSI) determination.
Finding of No Significant Impact

On the basis of the information contained in the EA, and all other information available to me, it is my determination that the proposed RMP amendment and subsequent land sale does not constitute a major federal action and will not have a significant effect on the quality of the human environment, other than those previously addressed in the Caliente RMP. Therefore, a new environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared. This finding is based on the following discussion:

Context: The context of the EA analysis was determined to be at local scales in the areas of Tulare and Santa Barbara counties in California. The sales directly involve 67.21 acres of public land. The purpose of the proposed action is to dispose of lands which are difficult and uneconomic to manage as part of the public lands and which are also not suitable for management by any other federal agency. These actions do not in and of themselves have international, national, regional, or state-wide importance.

Intensity: I have considered the potential intensity/severity of the impacts anticipated from the proposed for direct sales relative to each of the Ten Significance Criteria described in 40 CFR 1508.27. The discussions below apply to both parcels contained within the EA:

1. Impacts may be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects. One beneficial effect of the sales is the disposal of isolated federal lands which are difficult and uneconomic to manage. Additionally, both parcels are anticipated to remain in natural or near natural conditions; therefore there would be no adverse impacts to biological or cultural resources. Due to their land locked nature, neither of the parcels currently offers viable recreation opportunities; however, Arc Vineyards indicates their intention to provide scenic and recreational amenities to the winery patrons with hiking opportunities for natural resource interpretation and education, which would benefit recreation opportunities on Parcel 3.

2. The degree to which the selected alternative will affect public health or safety. Environmental Site Assessments completed for the federal lands found no evidence of recognized environmental conditions. The sale of the parcels will have no effect on public health and safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas. There are no park lands, prime farmlands, wetlands, or wild and scenic rivers on either of the parcels. As described in the EA, the parcels have
been surveyed and analyzed for biological, historical, and cultural resources. This analysis indicates there will be no impacts to these resources.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** 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 highly uncertain or involve unique or unknown risks.** The proposed sale of two parcels is not unique or unusual. The BLM has experience in similar sales in similar areas and have found effects to be reasonably predictable. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects which are considered to be highly uncertain or involve 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.** The proposed land sale does not set a precedent for future actions. Each land tenure transaction would be analyzed on its own merits in compliance with NEPA.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The two parcels are isolated parcels of federal land lying between large acreages of private land. Neither of the alternatives would have measurable direct or indirect effects on the resources present on these parcels. As such, there would no incremental effects that would contribute to cumulative impacts in Tulare or Santa Barbara counties from either selling or retaining these parcels of BLM-administered public lands.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** An archaeological archival record search and cultural resources survey was completed for both of the proposed sale parcel areas. No cultural remains were discovered as a result of these surveys. The intention of the purchasers is to maintain these parcels in their natural state which will protect any
potentially unknown cultural resources from impacts. In addition, the results of written and oral Tribal notification and coordination regarding the potential sale of both the Arc Vineyards and Kaweah parcels indicated that no places of traditional Native American cultural or religious importance, access to such places or other Tribal values would be affected by the sale of these lands. As a result, there will be no adverse effects to districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its designated critical habitat under the Endangered Species Act of 1973. There will be no effect to designated critical habitat as none occurs on the parcels. There will be no effect to an endangered or threatened species as none are expected to occur on the parcels.

10. Whether the action threatens to violate; Federal, State, or local law or requirements for the protection of the environment. This action would not violate federal, state, or local laws or requirements. The EA is in full compliance with the National Environmental Policy Act of 1969 and is consistent with the Federal Land Policy and Management Act of 1976, as amended.

Approved by: /s/ Gabe Garcia

__________________________________________
Gabriel Garcia
Field Manager
Bakersfield Field Office

June 30, 2014
Date